

STATE OF NEW YORK

5811

2025-2026 Regular Sessions

IN SENATE

March 3, 2025

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, the executive law, the tax law, the alcoholic beverage control law, the agriculture and markets law, the public health law, the town law, the education law, the general business law, the penal law, the civil rights law, the administrative code of the city of New York and the vehicle and traffic law, in relation to establishing a certificate of restoration to replace the certificate of good conduct and the certificate of relief from disabilities; and to repeal certain provisions of the correction law relating to certificates of good conduct

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

Section 1. Paragraph (a) of subdivision 1 of section 700 of the correction law, as amended by chapter 342 of the laws of 1972, is amended to read as follows:

(a) "Eligible offender" shall mean a person who has been convicted of a crime or of an offense~~[, but who has not been convicted more than once of a felony]~~.

§ 2. Section 701 of the correction law, as amended by chapter 342 of the laws of 1972, subdivision 2 as amended by section 3 of subpart J of part II of chapter 55 of the laws of 2019, is amended to read as follows:

§ 701. Certificate of ~~[relief from disabilities]~~ restoration. 1. A certificate of ~~[relief from disabilities]~~ restoration may be granted as provided in this article to relieve an eligible offender of any forfeiture or disability, or to remove any bar to ~~[his]~~ such eligible offender's employment, automatically imposed by law by reason of ~~[his]~~ their conviction of the crime or of the offense specified therein. Such certificate may be limited to one or more enumerated forfeitures, disa-

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

LBD08038-01-5

bilities or bars, or may relieve the eligible offender of all forfeitures, disabilities and bars. [~~Provided, however, that no such certificate shall apply, or be construed so as to apply, to the right of such person to retain or to be eligible for public office.~~]

2. Notwithstanding any other provision of law, except subdivision five of section twenty-eight hundred six of the public health law or paragraph (b) of subdivision two of section eleven hundred ninety-three of the vehicle and traffic law, a conviction of a crime or of an offense specified in a certificate of [~~relief from disabilities~~] restoration shall not cause automatic forfeiture of any license, other than a license issued pursuant to section 400.00 of the penal law to a person convicted of a class A-I felony or a violent felony offense, as defined in subdivision one of section 70.02 of the penal law, permit, employment, or franchise, including the right to register for or vote at an election, or automatic forfeiture of any other right or privilege, held by the eligible offender and covered by the certificate. Nor shall such conviction be deemed to be a conviction within the meaning of any provision of law that imposes, by reason of a conviction, a bar to any employment, a disability to exercise any right, or a disability to apply for or to receive any license, permit, or other authority or privilege covered by the certificate; provided, however, that a conviction for a second or subsequent violation of any subdivision of section eleven hundred ninety-two of the vehicle and traffic law committed within the preceding ten years shall impose a disability to apply for or receive an operator's license during the period provided in such law; and provided further, however, that a conviction for a class A-I felony or a violent felony offense, as defined in subdivision one of section 70.02 of the penal law, shall impose a disability to apply for or receive a license or permit issued pursuant to section 400.00 of the penal law.

3. A certificate of [~~relief from disabilities~~] restoration shall not, however, in any way prevent any judicial, administrative, licensing or other body, board or authority from relying upon the conviction specified therein as the basis for the exercise of its discretionary power to suspend, revoke, refuse to issue or refuse to renew any license, permit or other authority or privilege.

§ 3. Section 702 of the correction law, as amended by chapter 342 of the laws of 1972, the section heading as amended by chapter 931 of the laws of 1976, subdivision 1 as amended by chapter 488 of the laws of 2011, subdivision 2 as amended by chapter 620 of the laws of 2024, subdivision 3 as amended by section 64 of part A of chapter 56 of the laws of 2010 and subdivisions 4 and 6 as amended by section 32 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

§ 702. Certificates of [~~relief from disabilities~~] restoration issued by courts. 1. Any court of this state [~~may, in its discretion,~~] shall, absent a finding that issuance of such certificate will jeopardize public safety, issue a certificate of [~~relief from disabilities~~] restoration at the time of sentencing to an eligible offender for a conviction that occurred in such court, if the court [~~either (a) imposed a revocable sentence or (b)~~] imposed a sentence other than one executed by commitment to an institution under the jurisdiction of the state department of corrections and community supervision. Such certificate [~~may be~~] issued [~~(i)~~] at the time sentence is pronounced[, ~~in which case it~~] may grant relief from forfeitures, as well as from disabilities[, ~~or (ii) at any time thereafter, in which case it shall apply only to disabilities~~]. Where such court either imposes a revocable sentence or

1 imposes a sentence other than one executed by commitment to an institu-
2 tion under the jurisdiction of the state department of corrections and
3 community supervision, the court, upon application and in accordance
4 with subdivision two of this section, shall initially determine the
5 fitness of an eligible offender for such certificate prior to or at the
6 time sentence is pronounced. Where the court finds that issuance of the
7 certificate at sentencing will jeopardize public safety, such certifi-
8 cate shall be issued as follows:

9 (a) for an offender who receives a revocable sentence, such offender
10 shall be issued such certificate after serving one year of such revoca-
11 ble sentence imposed by the court provided that such offender has not
12 been convicted of a new crime during that time and is not the subject of
13 an undisposed arrest. Such certificate shall apply only to disabilities.
14 In order to receive such a certificate, the eligible offender must apply
15 to the court in which they were sentenced.

16 (b) for an offender who receives a definite sentence of imprisonment,
17 such offender shall be issued such certificate one year after release
18 from incarceration provided that such offender has not been convicted of
19 a new crime during that time and is not the subject of an undisposed
20 arrest. Such certificate shall apply only to disabilities. In order to
21 receive such a certificate, the eligible offender must apply to the
22 court in which they were sentenced.

23 In calculating the one-year periods under paragraphs (a) and (b) of
24 this subdivision, any period of time during which the person was incar-
25 cerated for any reason between the time of conviction and the date on
26 which the eligible offender becomes eligible for a certificate shall be
27 excluded and such one-year period shall be extended by a period or peri-
28 ods equal to the time served under such incarceration.

29 2. ~~[Such]~~ The relief granted by such certificate shall ~~[be issued by~~
30 ~~the court when the court is satisfied that:~~

31 ~~(a) The person to whom it is to be granted is an eligible offender, as~~
32 ~~defined in section seven hundred of this article;~~

33 ~~(b) The relief to be granted by the certificate is]~~ be consistent with
34 the rehabilitation of the eligible offender[+] and

35 ~~[(c) The relief to be granted by the certificate is]~~ be consistent
36 with the public interest.

37 3. ~~[Where a certificate of relief from disabilities is not issued at~~
38 ~~the time sentence is pronounced it shall only be issued thereafter upon~~
39 ~~verified application to the court. The court may, for the purpose of~~
40 ~~determining whether such certificate shall be issued, request its~~
41 ~~probation service to conduct an investigation of the applicant, or if~~
42 ~~the court has no probation service it may request the probation service~~
43 ~~of the county court for the county in which the court is located to~~
44 ~~conduct such investigation. Any probation officer requested to make an~~
45 ~~investigation pursuant to this section shall prepare and submit to the~~
46 ~~court a written report in accordance with such request.~~

47 4.] Where the court has imposed a revocable sentence and the certif-
48 icate of ~~[relief from disabilities]~~ restoration is issued prior to the
49 expiration or termination of the time which the court may revoke such
50 sentence, the certificate shall be deemed to be a temporary certificate
51 until such time as the court's authority to revoke the sentence has
52 expired or is terminated. While temporary, such certificate (a) may be
53 revoked by the court for violation of the conditions of the sentence,
54 and (b) shall be revoked by the court if it revokes the sentence and
55 commits the person to an institution under the jurisdiction of the state
56 department of corrections and community supervision. Any such revocation

1 shall be upon notice and after an opportunity to be heard. If the
2 certificate is not so revoked, it shall become a permanent certificate
3 upon expiration or termination of the court's authority to revoke the
4 sentence.

5 ~~[5]~~ 4. Any court that has issued a certificate of ~~[relief from disa-~~
6 ~~bilities]~~ restoration may at any time issue a new certificate to enlarge
7 the relief previously granted, provided, however, that the provisions of
8 subdivisions one through ~~[four]~~ three of this section shall apply to the
9 issuance of any such new certificate.

10 ~~[6-]~~ 5. Any written report submitted to the court ~~[pursuant to]~~ for
11 the purposes of this section is confidential and may not be made avail-
12 able to any person or public or private agency except where specifically
13 required or permitted by statute or upon specific authorization of the
14 court. However, upon the court's receipt of such report, the court shall
15 provide a copy of such report, or direct that such report be provided to
16 the applicant's attorney, or the applicant ~~[himself]~~ themselves, if ~~[he or~~
17 ~~she]~~ such applicant has no attorney. In its discretion, the court may
18 except from disclosure a part or parts of the report which are not rele-
19 vant to the granting of a certificate, or sources of information which
20 have been obtained on a promise of confidentiality, or any other portion
21 thereof, disclosure of which would not be in the interest of justice.
22 The action of the court excepting information from disclosure shall be
23 subject to appellate review. The court, in its discretion, may hold a
24 conference in open court or in chambers to afford an applicant an oppor-
25 tunity to controvert or to comment upon any portions of the report. The
26 court may also conduct a summary hearing at the conference on any matter
27 relevant to the granting of the application and may take testimony under
28 oath.

29 § 4. Section 703 of the correction law, as amended by section 34 of
30 subpart B of part C of chapter 62 of the laws of 2011, subdivision 3 as
31 amended by chapter 620 of the laws of 2024, is amended to read as
32 follows:

33 § 703. Certificates of ~~[relief from disabilities]~~ restoration issued
34 by the department of corrections and community supervision. 1. The
35 department of corrections and community supervision shall ~~[have the~~
36 ~~power to]~~ issue a certificate of ~~[relief from disabilities]~~ restoration
37 to:

38 (a) any eligible offender who has been committed to an institution
39 under the jurisdiction of the state department of corrections and commu-
40 nity supervision who successfully earned merit time or a certificate of
41 earned eligibility during their period of incarceration. Such certif-
42 icate ~~[may]~~ shall be issued by the department at the time the offender
43 is released from such institution under the department's supervision ~~[or~~
44 ~~otherwise or at any time thereafter]~~. If such eligible offender did not
45 earn merit time or a certificate of earned eligibility, the board of
46 parole shall issue such certificate at the time of such eligible
47 offender's release to community supervision unless it is determined that
48 the issuance of such certificate would jeopardize public safety. If such
49 certificate is not issued upon such eligible offender's release to
50 community supervision, such offender shall be issued a certificate by
51 the board of parole after two years of unrevoked parole, conditional
52 release or post-release supervision. Such individual shall apply to the
53 board of parole in order to receive such certificate.

54 In calculating the two-year period under this paragraph, any period of
55 time during which the person was incarcerated for any reason between the
56 time of conviction and the date on which the eligible offender becomes

1 eligible for a certificate shall be excluded and such two-year period
2 shall be extended by a period or periods equal to the time served under
3 such incarceration;

4 (b) any eligible offender who resides within this state and whose
5 judgment of conviction was rendered by a court in any other jurisdiction
6 where such eligible offender applies for such certificate, is not incar-
7 cerated at the time of the application and is not subject to an undis-
8 posed arrest, unless the board of parole determines that the issuance of
9 such certificate would jeopardize public safety. If a certificate of
10 restoration is not issued at the time of the application, the board
11 shall issue a certificate to such eligible offender one year after the
12 date of the application where the judgment of conviction was for a
13 misdemeanor and two years after the date of the application where the
14 judgment of conviction was for a felony, provided that such offender has
15 not been convicted of a new crime and is not the subject of an undis-
16 posed arrest.

17 2. Where the department has issued a certificate of [~~relief from disa-~~
18 ~~bilities~~] restoration, the department may at any time issue a new
19 certificate enlarging the relief previously granted.

20 3. The relief granted by the department [~~shall issue~~] in a certificate
21 of [~~relief from disabilities~~] restoration pursuant to [~~subdivisions~~]
22 subdivision one or two of this section[, ~~when the department is satis-~~
23 ~~fied that:~~

24 ~~(a) The person to whom it is to be granted is an eligible offender, as~~
25 ~~defined in section seven hundred of this article;~~

26 ~~(b) The relief to be granted by the certificate is~~ shall be consist-
27 ent with the rehabilitation of the eligible offender[;] and

28 ~~[(c) The relief to be granted by the certificate is]~~ be consistent
29 with the public interest.

30 4. Any certificate of [~~relief from disabilities~~] restoration issued by
31 the department to an eligible offender who at time of the issuance of
32 the certificate is under the department's supervision, shall be deemed
33 to be a temporary certificate until such time as the eligible offender
34 is discharged from the department's supervision, and, while temporary,
35 such certificate may be revoked by the department for violation of the
36 conditions of community supervision. Revocation shall be upon notice to
37 the releasee, who shall be accorded an opportunity to explain the
38 violation prior to decision thereon. If the certificate is not so
39 revoked, it shall become a permanent certificate upon expiration or
40 termination of the department's jurisdiction over the individual.

41 5. In granting or revoking a certificate of [~~relief from disabilities~~]
42 restoration the action of the department shall be deemed a judicial
43 function and shall not be reviewable if done according to law.

44 6. For the purpose of determining whether such certificate shall be
45 issued, the department may conduct an investigation of the applicant.

46 7. Presumption based on federal recommendation. Where a certificate of
47 [~~relief from disabilities~~] restoration is sought pursuant to paragraph
48 (b) of subdivision one of this section on a judgment of conviction
49 rendered by a federal district court in this state and the department is
50 in receipt of a written recommendation in favor of the issuance of such
51 certificate from the chief probation officer of the district, the
52 department shall issue the requested certificate, unless it finds that
53 the requirements of [~~paragraphs (a), (b) and (c) of~~] subdivision three
54 of this section have not been satisfied; or that the interests of
55 justice would not be advanced by the issuance of the certificate.

56 § 5. Section 703-a of the correction law is REPEALED.

1 § 6. Section 703-b of the correction law is REPEALED.

2 § 7. Section 704 of the correction law, as added by chapter 654 of the
3 laws of 1966, is amended to read as follows:

4 § 704. Effect of revocation; use of revoked certificate. 1. Where a
5 certificate of [~~relief from disabilities~~] restoration is deemed to be
6 temporary and such certificate is revoked, disabilities and forfeitures
7 thereby relieved shall be reinstated as of the date upon which the
8 person to whom the certificate was issued receives written notice of
9 such revocation. Any such person shall upon receipt of such notice
10 surrender the certificate to the issuing court or board.

11 2. A person who knowingly uses or attempts to use, a revoked certifi-
12 cate of [~~relief from disabilities~~] restoration in order to obtain or to
13 exercise any right or privilege that [~~he~~] such person would not be enti-
14 tled to obtain or to exercise without a valid certificate shall be guilty
15 of a misdemeanor.

16 3. Where a certificate of restoration has been revoked, the offender
17 shall be eligible for a new certificate in accordance with sections
18 seven hundred two and seven hundred three of this article as applicable.

19 § 8. Section 705 of the correction law, as amended by section 36 of
20 subpart B of part C of chapter 62 of the laws of 2011, is amended to
21 read as follows:

22 § 705. Forms and filing. 1. All applications, certificates and orders
23 of revocation necessary for the purposes of this article shall be upon
24 forms prescribed pursuant to agreement among the state commissioner of
25 corrections and community supervision, the [~~chairman~~] chair of the state
26 board of parole and the administrator of the state judicial conference.
27 Such forms relating to certificates of [~~relief from disabilities~~] resto-
28 ration shall be distributed by the office of probation and correctional
29 alternatives and [~~forms relating to certificates of good conduct shall~~
30 ~~be distributed~~] by the commissioner of the department of corrections and
31 community supervision.

32 2. Any court or department issuing or revoking any certificate pursu-
33 ant to this article shall immediately file a copy of the certificate, or
34 of the order of revocation, with the New York state identification and
35 intelligence system.

36 § 9. Subdivision 3 of section 175 of the executive law, as amended by
37 section 2 of part LL of chapter 56 of the laws of 2010, is amended to
38 read as follows:

39 3. Upon a showing by the attorney general in an application for an
40 injunction that any person engaged in solicitation has been convicted in
41 this state or elsewhere of a felony or of a misdemeanor involving the
42 misappropriation, misapplication or misuse of the money or property of
43 another, and who has not, subsequent to such conviction, received execu-
44 tive pardon therefor or a certificate of [~~relief from disabilities or a~~
45 ~~certificate of good conduct~~] restoration pursuant to article twenty-
46 three of the correction law, the supreme court, after a hearing, may
47 enjoin such person from engaging in any solicitation.

48 § 10. Paragraph (c) of subdivision 8 of section 283 of the tax law, as
49 amended by section 24 of part LL of chapter 56 of the laws of 2010, is
50 amended to read as follows:

51 (c) If a person convicted of a felony or crime deemed hereby to be a
52 felony is subsequently pardoned by the governor of the state where such
53 conviction was had, or by the president of the United States, or shall
54 receive a certificate of [~~relief from disabilities or a certificate of~~
55 ~~good conduct~~] restoration pursuant to article twenty-three of the
56 correction law for the purpose of removing the disability under this

1 section because of such conviction, the tax commission may, in its
2 discretion, on application of such person and compliance with subdivi-
3 sion two of this section, and on the submission to it of satisfactory
4 evidence of good moral character and suitability, again register such
5 person as a distributor under this article.

6 § 11. Subdivision 2 of section 102 of the alcoholic beverage control
7 law, as amended by section 1 of part 00 of chapter 56 of the laws of
8 2010, the opening paragraph as amended by chapter 703 of the laws of
9 2022 and paragraph (g) as separately amended by chapter 232 of the laws
10 of 2010, is amended to read as follows:

11 2. No person holding any license hereunder, other than a license to
12 sell an alcoholic beverage at retail for off-premises consumption or a
13 license or special license to sell an alcoholic beverage at retail for
14 consumption on the premises where such license authorizes the sale of
15 liquor, beer and/or wine on the premises of a catering establishment,
16 off-premises catering establishment, hotel, restaurant, club, or recre-
17 ational facility, shall knowingly employ in connection with ~~[his]~~ their
18 business in any capacity whatsoever, any person, who has been convicted
19 of a felony, or any of the following offenses, who has not subsequent to
20 such conviction received an executive pardon therefor removing any civil
21 disabilities incurred thereby, a certificate of ~~[relief from disabili-~~
22 ~~ties or a certificate of good conduct]~~ restoration pursuant to article
23 twenty-three of the correction law, or other relief from disabilities
24 provided by law, or the written approval of the state liquor authority
25 permitting such employment, to wit:

26 (a) Illegally using, carrying or possessing a pistol or other danger-
27 ous weapon;

28 (b) Making or possessing burglar's instruments;

29 (c) Buying or receiving or criminally possessing stolen property;

30 (d) Unlawful entry of a building;

31 (e) Aiding escape from prison;

32 (f) Unlawfully possessing or distributing habit forming narcotic
33 drugs;

34 (g) Violating ~~[subdivisions]~~ subdivision six, ten or eleven of section
35 seven hundred twenty-two of the former penal law as in force and effect
36 immediately prior to September first, nineteen hundred sixty-seven, or
37 violating ~~[sections]~~ section 165.25 or 165.30 of the penal law;

38 (h) Vagrancy or prostitution; or

39 (i) Ownership, operation, possession, custody or control of a still
40 subsequent to July first, nineteen hundred fifty-four.

41 If, as hereinabove provided, the state liquor authority issues its
42 written approval for the employment by a licensee, in a specified capac-
43 ity, of a person previously convicted of a felony or any of the offenses
44 above enumerated, such person, may, unless ~~[he]~~ such person is subse-
45 quently convicted of a felony or any of such offenses, thereafter be
46 employed in the same capacity by any other licensee without the further
47 written approval of the authority unless the prior approval given by the
48 authority is terminated.

49 The liquor authority may make such rules as it deems necessary to
50 carry out the purpose and intent of this subdivision.

51 As used in this subdivision, "recreational facility" shall mean: (i)
52 premises that are part of a facility the principal business of which
53 shall be the providing of recreation in the form of golf, tennis, swim-
54 ming, skiing or boating; and (ii) premises in which the principal busi-
55 ness shall be the operation of a theatre, concert hall, opera house,
56 bowling establishment, excursion and sightseeing vessel, or accommo-

1 dation of athletic events, sporting events, expositions and other simi-
2 lar events or occasions requiring the accommodation of large gatherings
3 of persons.

4 § 12. Paragraph (d) of subdivision 1 of section 110 of the alcoholic
5 beverage control law, as amended by chapter 114 of the laws of 2000, is
6 amended to read as follows:

7 (d) A statement that such applicant or the applicant's spouse has not
8 been convicted of a crime addressed by the provisions of section one
9 hundred twenty-six of this article which would forbid the applicant
10 (including any officers, directors, shareholders or partners listed in
11 the statement of identity under paragraph (a) of this subdivision or the
12 spouse of such person) or the applicant's spouse to traffic in alcoholic
13 beverages, a statement whether or not the applicant (including any offi-
14 cers, directors, shareholders or partners listed in the statement of
15 identity under paragraph (a) of this subdivision or the spouse of any
16 such person) or the applicant's spouse is an official described in
17 section one hundred twenty-eight of this article, and a description of
18 any crime that the applicant (including any officers, directors, share-
19 holders or partners listed under paragraph (a) of this subdivision or
20 the spouse of any such person) or the applicant's spouse has been
21 convicted of and whether such person has received a pardon, certificate
22 of ~~[good conduct or certificate of relief from disabilities]~~
23 restoration; provided, however, that no person shall be denied any
24 license solely on the grounds that such person is the spouse of a person
25 otherwise disqualified from holding a license under this chapter.

26 § 13. Subdivisions 1, 1-a and 4 of section 126 of the alcoholic bever-
27 age control law, subdivisions 1 and 1-a as amended by section 50 of
28 subpart B of part C of chapter 62 of the laws of 2011 and subdivision 4
29 as amended by chapter 669 of the laws of 2022, are amended to read as
30 follows:

31 1. Except as provided in subdivision one-a of this section, a person
32 who has been convicted of a felony or any of the misdemeanors mentioned
33 in section eleven hundred forty-six of the former penal law as in force
34 and effect immediately prior to September first, nineteen hundred
35 sixty-seven, or of an offense defined in section 230.20 or 230.40 of the
36 penal law, unless subsequent to such conviction such person shall have
37 received an executive pardon therefor removing this disability, a
38 certificate of ~~[good conduct granted by the department of corrections~~
39 ~~and community supervision, or a certificate of relief from disabilities]~~
40 restoration granted by the department of corrections and community
41 supervision or a court of this state pursuant to the provisions of arti-
42 cle twenty-three of the correction law to remove the disability under
43 this section because of such conviction.

44 1-a. Notwithstanding the provision of subdivision one of this section,
45 a corporation holding a license to traffic in alcoholic beverages shall
46 not, upon conviction of a felony or any of the misdemeanors or offenses
47 described in subdivision one of this section, be automatically forbidden
48 to traffic in alcoholic beverages, but the application for a license by
49 such a corporation shall be subject to denial, and the license of such a
50 corporation shall be subject to revocation or suspension by the authori-
51 ty pursuant to section one hundred eighteen of this ~~[chapter]~~ article,
52 consistent with the provisions of article twenty-three-A of the
53 correction law. For any felony conviction by a court other than a court
54 of this state, the authority may request the department of corrections
55 and community supervision to investigate and review the facts and
56 circumstances concerning such a conviction, and such department shall,

1 if so requested, submit its findings to the authority as to whether the
2 corporation has conducted itself in a manner such that discretionary
3 review by the authority would not be inconsistent with the public inter-
4 est. The department of corrections and community supervision may charge
5 the licensee or applicant a fee equivalent to the expenses of an appro-
6 priate investigation under this subdivision. For any conviction rendered
7 by a court of this state, the authority may request the corporation, if
8 the corporation is eligible for a certificate of [~~relief from disabili-~~
9 ~~ties~~] restoration, to seek such a certificate [~~from the court which~~
10 ~~rendered the conviction~~] in accordance with article twenty-three of the
11 correction law and to submit such a certificate as part of the authori-
12 ty's discretionary review process.

13 4. A copartnership or a corporation, unless each member of the part-
14 nership, or each of the principal officers and directors of the corpo-
15 ration, is a citizen of the United States or a noncitizen lawfully
16 admitted for permanent residence in the United States, not less than
17 twenty-one years of age, and has not been convicted of any felony or any
18 of the misdemeanors, specified in section eleven hundred forty-six of
19 the former penal law as in force and effect immediately prior to Septem-
20 ber first, nineteen hundred sixty-seven, or of an offense defined in
21 section 230.20 or 230.40 of the penal law, or if so convicted has
22 received, subsequent to such conviction, an executive pardon therefor
23 removing this disability a certificate of [~~good conduct granted by the~~
24 ~~department of corrections and community supervision, or a certificate of~~
25 ~~relief from disabilities~~] restoration granted by the department of
26 corrections and community supervision or a court of this state pursuant
27 to the provisions of article twenty-three of the correction law to
28 remove the disability under this section because of such conviction;
29 provided however that a corporation which otherwise conforms to the
30 requirements of this section and chapter may be licensed if each of its
31 principal officers and more than one-half of its directors are citizens
32 of the United States or noncitizens lawfully admitted for permanent
33 residence in the United States; and provided further that a corporation
34 organized under the not-for-profit corporation law or the education law
35 which otherwise conforms to the requirements of this section and chapter
36 may be licensed if each of its principal officers and more than one-half
37 of its directors are not less than twenty-one years of age and none of
38 its directors are less than eighteen years of age; and provided further
39 that a corporation organized under the not-for-profit corporation law or
40 the education law and located on the premises of a college as defined by
41 section two of the education law which otherwise conforms to the
42 requirements of this section and chapter may be licensed if each of its
43 principal officers and each of its directors are not less than eighteen
44 years of age.

45 § 14. Subdivision 4 of section 96-z-3 of the agriculture and markets
46 law, as amended by section 4 of part LL of chapter 56 of the laws of
47 2010, is amended to read as follows:

48 (4) applicant, an officer, director, partner, or holder of ten per
49 centum or more of the voting stock of an applicant has been convicted of
50 a felony by a court of the United States or any state or territory ther-
51 eof, without subsequent pardon by the governor or other appropriate
52 authority of the state or jurisdiction in which such conviction
53 occurred, or the receipt of a certificate of [~~relief from disabilities~~
54 ~~or a certificate of good conduct~~] restoration pursuant to article twen-
55 ty-three of the correction law,

§ 15. Paragraph (d) of subdivision 4 of section 129 of the agriculture and markets law, as amended by section 5 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

(d) The applicant or registrant, or an officer, director, partner or holder of ten per centum or more of the voting stock of the applicant or registrant, has been convicted of a felony by a court of the United States or any state or territory thereof, without subsequent pardon by the governor or other appropriate authority of the state or jurisdiction in which such conviction occurred, or receipt of a certificate of ~~[relief from disabilities or a certificate of good conduct]~~ restoration pursuant to article twenty-three of the correction law;

§ 16. Paragraph (c) of subdivision 2 of section 2897 of the public health law, as amended by section 21 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

(c) If a person convicted of a felony or crime deemed hereby to be a felony is subsequently pardoned by the governor of the state where such conviction was had, or by the president of the United States, or shall receive a certificate of ~~[relief from disabilities or a certificate of good conduct]~~ restoration pursuant to article twenty-three of the correction law for the purpose of removing the disability under this section because of such conviction, the board may, in its discretion, on application of such person, and on the submission to it of satisfactory evidence, restore to such person the right to practice nursing home administration in this state.

§ 17. Section 3454 of the public health law, as amended by section 22 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

§ 3454. Restoration of licenses after conviction of a felony. If a person convicted of a felony or crime deemed to be a felony is subsequently pardoned by the governor of the state where such conviction was had or by the president of the United States, or shall receive a certificate of ~~[relief from disabilities or a certificate of good conduct]~~ restoration pursuant to article twenty-three of the correction law to remove the disability under this section because of such conviction, the commissioner may, in ~~[his]~~ their discretion, on application of such person, and on the submission to ~~[him]~~ such commissioner of satisfactory evidence, restore to such person the right to practice in this state.

§ 18. Paragraph (a) of subdivision 2 of section 3510 of the public health law, as added by chapter 175 of the laws of 2006, is amended to read as follows:

(a) No person convicted of a felony shall continue to hold a license to practice radiologic technology, unless ~~[he or she]~~ such person has been granted an executive pardon, a certificate of ~~[relief from disabilities or a certificate of good conduct]~~ restoration for such felony and, the commissioner, in ~~[his or her]~~ their discretion, restores the license after determining that the individual does not pose a threat to patient health and safety.

§ 19. Paragraph b of subdivision 5 of section 84-a of the town law, as amended by section 10 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

b. On the reverse side of such envelope shall be printed the following statement:

STATEMENT OF ABSENTEE VOTER

I do declare that I will have been a citizen of the United States for thirty days, and will be at least eighteen years of age, on the date of the special town election; that I will have been a resident of this

1 state and of the town shown on the reverse side of this envelope for
2 thirty days next preceding the said election; that I am or on such date
3 will be, a registered voter of said town; that I will be unable to
4 appear personally on the day of said special town election at the poll-
5 ing place of the election district in which I am or will be a qualified
6 voter because of the reason stated on my application heretofore submit-
7 ted; that I have not qualified, or do I intend to vote, elsewhere than
8 as set forth on the reverse side of this envelope; that I have not
9 received or offered, do not expect to receive, have not paid, offered or
10 promised to pay, contributed, offered or promised to contribute to
11 another to be paid or used, any money or other valuable thing, as a
12 compensation or reward for the giving or withholding of a vote at this
13 special town election, and have not made any promise to influence the
14 giving or withholding of any such votes; that I have not made or become
15 directly or indirectly interested in any bet or wager depending upon the
16 result of this special town election; and that I have not been convicted
17 of bribery or any infamous crime, or, if so convicted, that I have been
18 pardoned or restored to all the rights of a citizen, without restriction
19 as to the right of suffrage, or received a certificate of [~~relief from~~
20 ~~disabilities or a certificate of good conduct~~] restoration pursuant to
21 article twenty-three of the correction law removing my disability to
22 register and vote or my maximum sentence of imprisonment has expired.

23 I hereby declare that the foregoing is a true statement to the best of
24 my knowledge and belief, and I understand that if I make any material
25 false statement in the foregoing statement of absentee voter, I shall be
26 guilty of a misdemeanor.

27 Date..... Signature of Voter.....

28 § 20. Paragraph b of subdivision 5 of section 175-b of the town law,
29 as amended by section 11 of part LL of chapter 56 of the laws of 2010,
30 is amended to read as follows:

31 b. On the reverse side of such envelope shall be printed the follow-
32 ing statement:

33 STATEMENT OF ABSENTEE VOTER

34 I do declare that I will have been a citizen of the United States for
35 thirty days, and will be at least eighteen years of age, on the date of
36 the district election; that I will have been a resident of this state
37 and of the district if any, shown on the reverse side of this envelope
38 for thirty days next preceding the said election and that I am or on
39 such date will be, a registered voter of said district; that I will be
40 unable to appear personally on the day of said district election at the
41 polling place of the said district in which I am or will be a qualified
42 voter because of the reason stated on my application heretofore submit-
43 ted; that I have not qualified, or do I intend to vote, elsewhere than
44 as set forth on the reverse side of this envelope; that I have not
45 received or offered, do not expect to receive, have not paid, offered or
46 promised to pay, contributed, offered or promised to contribute to
47 another to be paid or used, any money or other valuable thing, as a
48 compensation or reward for the giving or withholding of a vote at this
49 district election, and have not made any promise to influence the giving
50 or withholding of any such votes; that I have not made or become direct-
51 ly or indirectly interested in any bet or wager depending upon the
52 result of this district election; and that I have not been convicted of
53 bribery or any infamous crime, or, if so convicted, that I have been
54 pardoned or restored to all the rights of a citizen, without restriction
55 as to the right of suffrage, or received a certificate of [~~relief from~~
56 ~~disabilities or a certificate of good conduct~~] restoration pursuant to

1 article twenty-three of the correction law removing my disability to
2 register and vote or my maximum sentence of imprisonment has expired.

3 I hereby declare that the foregoing is a true statement to the best of
4 my knowledge and belief, and I understand that if I make any material
5 false statement in the foregoing statement of absentee voter, I shall be
6 guilty of a misdemeanor.

7 Date.....Signature of Voter.....

8 § 21. Paragraph b of subdivision 5 of section 213-b of the town law,
9 as amended by section 12 of part LL of chapter 56 of the laws of 2010,
10 is amended to read as follows:

11 b. On the reverse side of such envelope shall be printed the follow-
12 ing statement:

13 STATEMENT OF ABSENTEE VOTER

14 I do declare that I will have been a citizen of the United States for
15 thirty days, and will be at least eighteen years of age, on the date of
16 the district election; that I will have been a resident of this state
17 and of the district if any, shown on the reverse side of this envelope
18 for thirty days next preceding the said election and that I am or on
19 such date will be, a registered voter of said district; that I will be
20 unable to appear personally on the day of said district election at the
21 polling place of the said district in which I am or will be a qualified
22 voter because of the reason stated on my application heretofore submit-
23 ted; that I have not qualified, or do I intend to vote, elsewhere than
24 as set forth on the reverse side of this envelope; that I have not
25 received or offered, do not expect to receive, have not paid, offered or
26 promised to pay, contributed, offered or promised to contribute to
27 another to be paid or used, any money or other valuable thing, as a
28 compensation or reward for the giving or withholding of a vote at this
29 district election, and have not made any promise to influence the giving
30 or withholding of any such votes; that I have not made or become direct-
31 ly or indirectly interested in any bet or wager depending upon the
32 result of this district election; and that I have not been convicted of
33 bribery or any infamous crime, or, if so convicted, that I have been
34 pardoned or restored to all the rights of a citizen, without restriction
35 as to the right of suffrage, or received a certificate of [~~relief from~~
36 ~~disabilities or a certificate of good conduct~~] restoration pursuant to
37 article twenty-three of the correction law removing my disability to
38 register and vote or my maximum sentence of imprisonment has expired.

39 I hereby declare that the foregoing is a true statement to the best of
40 my knowledge and belief, and I understand that if I make any material
41 false statement in the foregoing statement of absentee voter, I shall be
42 guilty of a misdemeanor.

43 Date..... Signature of Voter

44 § 22. Paragraph b of subdivision 5 of section 2018-a of the education
45 law, as amended by section 8 of part LL of chapter 56 of the laws of
46 2010, is amended to read as follows:

47 b. On the reverse side of such envelope shall be printed the following
48 statement:

49 STATEMENT OF ABSENTEE VOTER

50 I do declare that I am a citizen of the United States, and will be at
51 least eighteen years of age, on the date of the school district
52 election; that I will have been a resident of this state and of the
53 school district and school election district, if any, shown on the

1 reverse side of this envelope for thirty days next preceding the said
 2 election and duly registered in the school district and school election
 3 district, if any, shown on the reverse side of this envelope and that I
 4 am or on such date will be, a qualified voter of said school district;
 5 that I will be unable to appear personally on the day of said school
 6 district election at the polling place of the said district in which I
 7 am or will be a qualified voter because of the reason stated on my
 8 application heretofore submitted; that I have not qualified, or do I
 9 intend to vote, elsewhere than as set forth on the reverse side of this
 10 envelope; that I have not received or offered, do not expect to receive,
 11 have not paid, offered or promised to pay, contributed, offered or prom-
 12 ised to contribute to another to be paid or used, any money or other
 13 valuable thing, as a compensation or reward for the giving or withhold-
 14 ing of a vote at this school district election, and have not made any
 15 promise to influence the giving or withholding of any such votes; that I
 16 have not made or become directly or indirectly interested in any bet or
 17 wager depending upon the result of this school district election; and
 18 that I have not been convicted of bribery or any infamous crime, or, if
 19 so convicted, that I have been pardoned or restored to all the rights of
 20 a citizen, without restriction as to the right of suffrage, or received
 21 a certificate of [~~relief from disabilities or a certificate of good~~
 22 ~~conduct~~] restoration pursuant to article twenty-three of the correction
 23 law removing my disability to register and vote or my maximum sentence
 24 of imprisonment has expired.

25 I hereby declare that the foregoing is a true statement to the best of
 26 my knowledge and belief, and I understand that if I make any material
 27 false statement in the foregoing statement of absentee voter, I shall be
 28 guilty of a misdemeanor.

29 Date.....Signature of Voter

30 § 23. Paragraph b of subdivision 6 of section 2018-b of the education
 31 law, as amended by section 9 of part LL of chapter 56 of the laws of
 32 2010, is amended to read as follows:

33 b. On the reverse side of such envelope shall be printed the following
 34 statement:

35 STATEMENT OF ABSENTEE VOTER

36 I do declare that I am a citizen of the United States, and will be at
 37 least eighteen years of age on the date of the school district election;
 38 that I will have been a resident of this state and of the school
 39 district and school election district, if any, shown on the reverse side
 40 of this envelope for thirty days next preceding the said election and
 41 that I am or on such date will be, a qualified voter of said school
 42 district; that I will be unable to appear personally on the day of said
 43 school district election at the polling place of the said district in
 44 which I am or will be a qualified voter because of the reason stated on
 45 my application heretofore submitted; that I have not qualified, or do I
 46 intend to vote, elsewhere than as set forth on the reverse side of this
 47 envelope; that I have not received or offered, do not expect to receive,
 48 have not paid, offered or promised to pay, contributed, offered or prom-
 49 ised to contribute to another to be paid or used, any money or other
 50 valuable thing, as a compensation or reward for the giving or withhold-
 51 ing of a vote at this school district election, and have not made any
 52 promise to influence the giving or withholding of any such votes; that I

1 have not made or become directly or indirectly interested in any bet or
 2 wager depending upon the result of this school district election; and
 3 that I have not been convicted of bribery or any infamous crime, or, if
 4 so convicted, that I have been pardoned or restored to all the rights of
 5 a citizen, without restriction as to the right of suffrage, or have
 6 received a certificate of [~~relief from disabilities or a certificate of~~
 7 ~~good conduct~~] restoration pursuant to article twenty-three of the
 8 correction law removing my disability to vote or my maximum sentence of
 9 imprisonment has expired.

10 I hereby declare that the foregoing is a true statement to the best of
 11 my knowledge and belief, and I understand that if I make any material
 12 false statement in the foregoing statement of absentee voter, I shall be
 13 guilty of a misdemeanor.

14 Date.....Signature of Voter

15 § 24. Subdivision 2 of section 69-o of the general business law, as
 16 amended by chapter 575 of the laws of 1993, is amended to read as
 17 follows:

18 2. After the filing of an applicant's fingerprint cards, the secretary
 19 of state shall forward such fingerprints to the division of criminal
 20 justice services to be compared with the fingerprints on file with the
 21 division of criminal justice services in order to ascertain whether the
 22 applicant has been convicted of a felony involving fraud, bribery,
 23 perjury or theft pursuant to article one hundred forty, one hundred
 24 fifty-five, one hundred sixty, one hundred sixty-five, one hundred
 25 seventy, one hundred seventy-five, one hundred seventy-six, one hundred
 26 eighty, one hundred eighty-five, one hundred ninety, one hundred nine-
 27 ty-five, two hundred or two hundred ten of the penal law; or has a crim-
 28 inal action which has been pending for such a felony for under one year
 29 without a final disposition unless adjourned in contemplation of
 30 dismissal; provided, however, that for the purposes of this article,
 31 none of the following shall be considered criminal convictions or
 32 reported as such:

33 (a) A conviction which has been vacated and replaced by a youthful
 34 offender finding pursuant to article seven hundred twenty of the crimi-
 35 nal procedure law, or the applicable provisions of law of any other
 36 jurisdiction; or

37 (b) A conviction the records of which have been expunged or sealed
 38 pursuant to the applicable provisions of the laws of this state or of
 39 any other jurisdiction; or

40 (c) A conviction for which [~~a certificate of relief from disabilities~~
 41 ~~or~~] a certificate of [~~good conduct~~] restoration has been issued pursuant
 42 to article twenty-three of the correction law.

43 The division of criminal justice services shall retain the fingerprint
 44 cards and return the report of such convictions or pending cases, if
 45 any, to the secretary of state who shall retain them in a confidential
 46 file for no more than one year, after which time such report shall be
 47 destroyed.

48 The secretary of state shall deny the application of any individual
 49 convicted of a felony involving fraud, bribery, perjury or theft pursu-
 50 ant to article one hundred forty, one hundred fifty-five, one hundred
 51 sixty, one hundred sixty-five, one hundred seventy, one hundred seven-
 52 ty-five, one hundred seventy-six, one hundred eighty, one hundred eight-
 53 y-five, one hundred ninety, one hundred ninety-five, two hundred or two

1 hundred ten of the penal law; or has a criminal action which has been
2 pending for such a felony for under one year without a final disposition
3 unless adjourned in contemplation of dismissal; provided, however, that
4 for the purposes of this article, none of the following shall be consid-
5 ered criminal convictions or reported as such:

6 (i) A conviction which has been vacated and replaced by a youthful
7 offender finding pursuant to article seven hundred twenty of the crimi-
8 nal procedure law, or the applicable provisions of law of any other
9 jurisdiction; or

10 (ii) A conviction the records of which have been expunged or sealed
11 pursuant to the applicable provisions of the laws of this state or of
12 any other jurisdiction; or

13 (iii) A conviction for which [~~a certificate of relief from disabili-~~
14 ~~ties or~~] a certificate of [~~good conduct~~] restoration has been issued
15 pursuant to article twenty-three of the correction law.

16 § 25. Subdivision 1 of section 81 of the general business law, as
17 amended by section 14 of part LL of chapter 56 of the laws of 2010, is
18 amended to read as follows:

19 1. The holder of any license certificate issued pursuant to this arti-
20 cle may employ to assist [~~him~~] such license certificate holder in [~~his~~]
21 their work of private detective or investigator or bail enforcement
22 agent as described in section seventy-one of this article and in the
23 conduct of such business as many persons as [~~he~~] they may deem neces-
24 sary, and shall at all times during such employment be legally responsi-
25 ble for the good conduct in the business of each and every person so
26 employed.

27 No holder of any unexpired license certificate issued pursuant to this
28 article shall knowingly employ in connection with [~~his~~] their or its
29 business in any capacity whatsoever, any person who has been convicted
30 of a felony or any of the offenses specified in subdivision two of
31 section seventy-four of this article, and who has not subsequent to such
32 conviction received executive pardon therefor removing this disability,
33 or received a certificate of [~~relief from disabilities or a certificate~~
34 ~~of good conduct~~] restoration pursuant to article twenty-three of the
35 correction law to remove the disability under this section because of
36 such a conviction, or any person whose private detective or investi-
37 gator's license or bail enforcement agent's license was revoked or
38 application for such license was denied by the department of state or by
39 the authorities of any other state or territory because of conviction of
40 any of such offenses. Should the holder of an unexpired license certifi-
41 cate falsely state or represent that a person is or has been in [~~his~~]
42 their employ, such false statement or misrepresentation shall be suffi-
43 cient cause for the revocation of such license. Any person falsely stat-
44 ing or representing that [~~he~~] such person is or has been a detective or
45 employed by a detective agency or that [~~he~~] such person is or has been a
46 bail enforcement agent or employed by a bail enforcement agency shall be
47 guilty of a misdemeanor.

48 § 26. Paragraph 5 of subdivision a of section 265.20 of the penal law,
49 as amended by chapter 235 of the laws of 2007, is amended to read as
50 follows:

51 5. Possession of a rifle or shotgun by a person other than a person
52 who has been convicted of a class A-I felony or a violent felony
53 offense, as defined in subdivision one of section 70.02 of this chapter,
54 who has been convicted as specified in subdivision four of section
55 265.01 of this article to whom a certificate of [~~good conduct~~] restora-

tion has been issued [~~pursuant to section seven hundred three b of the correction law~~].

§ 27. Section 751 of the correction law, as amended by chapter 284 of the laws of 2007, is amended to read as follows:

§ 751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of [~~relief from disabilities or certificate of good conduct~~] restoration. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§ 28. Subdivision 2 of section 753 of the correction law, as added by chapter 931 of the laws of 1976, is amended to read as follows:

2. In making a determination pursuant to section seven hundred fifty-two of this [~~chapter~~] article, the public agency or private employer shall also give consideration to a certificate of [~~relief from disabilities or a certificate of good conduct~~] restoration issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§ 29. The closing paragraph of section 79-a of the civil rights law, as amended by chapter 687 of the laws of 1973, is amended to read as follows:

Nothing in this section shall be deemed to preclude the issuance of a certificate of [~~good conduct~~] restoration by the board of parole or sentencing court pursuant to law to a person who previously has been sentenced to imprisonment for life.

§ 30. Paragraph (a) of subdivision 1 of section 20-438 of the administrative code of the city of New York, as amended by local law 60 for the year 2023, is amended to read as follows:

(a) Issuance of licenses to conduct games of chance. If such department shall determine that the applicant is duly qualified to be licensed to conduct games of chance under this subchapter; that the members of the applicant designated in the application to conduct games of chance are bona fide active members of the applicant and are persons of good moral character and have never been convicted of a crime, or, if convicted, have received a pardon or a certificate of [~~good conduct~~] restoration; that such games are to be conducted in accordance with the provisions of this subchapter and in accordance with the rules and regulations of the board and that the proceeds thereof are to be disposed of as provided by this subchapter; and if such department is satisfied that no commission, salary, compensation, reward or recompense whatever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation and conduct of any such games except as in this subchapter otherwise provided; and that except for raffles conducted during professional and collegiate sporting competitions at sports venues, which shall be subject to the limitations set forth in section 189 of the general municipal law, no prize will be given in excess of the sum or value of one hundred dollars in any single game and that the aggregate of all prizes given on one occasion, under said

1 license shall not exceed the sum or value of one thousand dollars, the
2 department shall issue a license to the applicant for the conduct of
3 games of chance upon payment of a license fee of twenty-five dollars for
4 each license period.

5 § 31. Paragraph (a) of subdivision 5 of section 2806 of the public
6 health law, as amended by section 20 of part LL of chapter 56 of the
7 laws of 2010, is amended to read as follows:

8 (a) Except as provided in paragraphs (b) and (d) of this subdivision,
9 anything contained in this section or in a certificate of [~~relief from~~
10 ~~disabilities or a certificate of good conduct~~] restoration issued pursu-
11 ant to article twenty-three of the correction law to the contrary
12 notwithstanding, a hospital operating certificate of a hospital under
13 control of a controlling person as defined in paragraph (a) of subdivi-
14 sion twelve of section twenty-eight hundred one-a of this article, or
15 under control of any other entity, shall be revoked upon a finding by
16 the department that such controlling person or any individual, member of
17 a partnership or shareholder of a corporation to whom or to which an
18 operating certificate has been issued, has been convicted of a class A,
19 B or C felony, or a felony related in any way to any activity or program
20 subject to the regulations, supervision, or administration of the
21 department or of the office of temporary and disability assistance or in
22 violation of the public officers law in a court of competent jurisdic-
23 tion in the state, or of a crime outside the state which, if committed
24 within the state, would have been a class A, B or C felony or a felony
25 related in any way to any activity or program subject to the regu-
26 lations, supervision, or administration of the department or of the
27 office of temporary and disability assistance or in violation of the
28 public officers law.

29 § 32. Paragraph (a) of subdivision 1 and paragraph (a) of subdivision
30 2 of section 509-c of the vehicle and traffic law, paragraph (a) of
31 subdivision 1 as amended by section 25 and paragraph (a) of subdivision
32 2 as amended by section 26 of part LL of chapter 56 of the laws of 2010,
33 are amended to read as follows:

34 (a) permanently, if that person has been convicted of or forfeited
35 bond or collateral which forfeiture order has not been vacated or the
36 subject of an order of remission upon a violation of section 130.30,
37 130.35, [~~130.45, 130.50,~~] 130.60, or 130.65 of the penal law, or an
38 offense committed under a former section of the penal law which would
39 constitute a violation of the aforesaid sections of the penal law or any
40 offense committed outside of this state which would constitute a
41 violation of the aforesaid sections of the penal law, provided, however,
42 the provisions of this paragraph shall not apply to convictions, suspen-
43 sions or revocations or forfeitures of bonds for collateral upon any of
44 the charges listed in this paragraph for violations which occurred prior
45 to September first, nineteen hundred seventy-four committed by a person
46 employed as a bus driver on September first, nineteen hundred seventy-
47 four. However, such disqualification may be waived provided that five
48 years have expired since the applicant was discharged or released from a
49 sentence of imprisonment imposed pursuant to conviction of an offense
50 that requires disqualification under this paragraph and that the appli-
51 cant shall have been granted a certificate of [~~relief from disabilities~~
52 ~~or a certificate of good conduct~~] restoration pursuant to article twen-
53 ty-three of the correction law.

54 (a) permanently, if that person has been convicted of or forfeited
55 bond or collateral which forfeiture order has not been vacated or the
56 subject of an order of remission upon a violation committed prior to

September fifteenth, nineteen hundred eighty-five, of section 130.30, 130.35, [~~130.45, 130.50,~~] 130.60, or 130.65 of the penal law, or an offense committed under a former section of the penal law which would constitute a violation of the aforesaid sections of the penal law or any offense committed outside of this state which would constitute a violation of the aforesaid sections of the penal law. However, such disqualification may be waived provided that five years have expired since the applicant was discharged or released from a sentence of imprisonment imposed pursuant to conviction of an offense that requires disqualification under this paragraph and that the applicant shall have been granted a certificate of [~~relief from disabilities or a certificate of good conduct~~] restoration pursuant to article twenty-three of the correction law.

§ 33. Paragraph (a) and subparagraph (i) of paragraph (b) of subdivision 1 and paragraphs (a) and (b) and subparagraph (i) of paragraph (c) of subdivision 2 of section 509-cc of the vehicle and traffic law, as added by chapter 675 of the laws of 1985, subparagraphs (i), (ii) and (iii) of paragraph (a) and subparagraph (i) of paragraph (b) of subdivision 1 as amended by section 27 and paragraphs (a) and (b) and subparagraph (i) of paragraph (c) of subdivision 2 as amended by section 28 of part LL of chapter 56 of the laws of 2010, are amended to read as follows:

(a) permanently, if that person

(i) has been convicted of or forfeited bond or collateral which forfeiture order has not been vacated or the subject of an order of remission upon a violation committed prior to September fifteenth, nineteen hundred eighty-five, of section 130.30, 130.35, [~~130.45, 130.50,~~] 130.60, or 130.65 of the penal law, or an offense committed under a former section of the penal law which would constitute a violation of the aforesaid sections of the penal law or any offense committed outside of this state which would constitute a violation of the aforesaid sections of the penal law, provided, however, the provisions of this subparagraph shall not apply to convictions, suspensions or revocations or forfeitures of bonds for collateral upon any of the charges listed in this subparagraph for violations which occurred prior to September first, nineteen hundred seventy-four committed by a person employed as a bus driver on September first, nineteen hundred seventy-four. However, such disqualification may be waived provided that five years have expired since the applicant was discharged or released from a sentence of imprisonment imposed pursuant to conviction of an offense that requires disqualification under this paragraph and that the applicant shall have been granted a certificate of [~~relief from disabilities or a certificate of good conduct~~] restoration pursuant to article twenty-three of the correction law. When the certificate is issued by a court for a conviction which occurred in this state, it shall only be issued by the court having jurisdiction over such conviction. Such certificate shall specifically indicate that the authority granting such certificate has considered the bearing, if any, the criminal offense or offenses for which the person was convicted will have on the applicant's fitness or ability to operate a bus transporting school children to the applicant's prospective employment, prior to granting such a certificate; or

(ii) has been convicted of an offense listed in paragraph (a) of subdivision four of this section that was committed on or after September fifteenth, nineteen hundred eighty-five. However, such disqualification may be waived by the commissioner provided that five years have expired since the applicant was discharged or released from a sentence

1 of imprisonment imposed pursuant to conviction of an offense that
2 requires disqualification under this paragraph and that the applicant
3 shall have been granted a certificate of [~~relief from disabilities or a~~
4 ~~certificate of good conduct~~] restoration pursuant to article twenty-
5 three of the correction law. When the certificate is issued by a court
6 for a conviction which occurred in this state, it shall only be issued
7 by the court having jurisdiction over such conviction. Such certificate
8 shall specifically indicate that the authority granting such certificate
9 has considered the bearing, if any, the criminal offense or offenses for
10 which the person was convicted will have on the applicant's fitness or
11 ability to operate a bus transporting school children, prior to granting
12 such a certificate; or

13 (iii) has been convicted of an offense listed in paragraph (b) of
14 subdivision four of this section that was committed on or after Septem-
15 ber fifteenth, nineteen hundred eighty-five. However, such disqualifica-
16 tion shall be waived provided that five years have expired since the
17 applicant discharged or released from a sentence of imprisonment imposed
18 pursuant to conviction of an offense that requires disqualification
19 under this paragraph and that the applicant shall have been granted a
20 certificate of [~~relief from disabilities or a certificate of good~~
21 ~~conduct~~] restoration pursuant to article twenty-three of the correction
22 law. When the certificate is issued by a court for a conviction which
23 occurred in this state, it shall only be issued by the court having
24 jurisdiction over such conviction. Such certificate shall specifically
25 indicate that the authority granting such certificate has considered the
26 bearing, if any, the criminal offense or offenses for which the person
27 was convicted will have on the applicant's fitness or ability to operate
28 a bus transporting school children, prior to granting such a certifi-
29 cate. Provided, however, that at the discretion of the commissioner,
30 the certificate of relief from disabilities may remove disqualification
31 at any time; or

32 (i) has been convicted within the preceding five years of an offense
33 listed in paragraph (c) of subdivision four of this section that was
34 committed on or after September fifteenth, nineteen hundred eighty-five.
35 However, such disqualification shall be waived provided that the appli-
36 cant has been granted a certificate of [~~relief from disabilities or a~~
37 ~~certificate of good conduct~~] restoration pursuant to article twenty-
38 three of the correction law. When the certificate is issued by a court
39 for a conviction which occurred in this state, it shall only be issued
40 by the court having jurisdiction over such conviction. Such certificate
41 shall specifically indicate that the authority granting such certificate
42 has considered the bearing, if any, the criminal offense or offenses for
43 which the person was convicted will have on the applicant's fitness or
44 ability to operate a bus transporting school children, prior to granting
45 such a certificate;

46 (a) permanently, if that person has been convicted of an offense list-
47 ed in paragraph (a) of subdivision four of this section. However, such
48 disqualification may be waived by the commissioner provided that five
49 years have expired since the applicant was discharged or released from a
50 sentence of imprisonment imposed pursuant to conviction of an offense
51 that requires disqualification under this paragraph and that the appli-
52 cant shall have been granted a certificate of [~~relief from disabilities~~
53 ~~or a certificate of good conduct~~] restoration pursuant to article twen-
54 ty-three of the correction law. When the certificate is issued by a
55 court for a conviction which occurred in this state, it shall only be
56 issued by the court having jurisdiction over such conviction. Such

1 certificate shall specifically indicate that the authority granting such
2 certificate has considered the bearing, if any, the criminal offense or
3 offenses for which the person was convicted will have on the applicant's
4 fitness or ability to operate a bus transporting school children to the
5 applicant's prospective employment, prior to granting such a certifi-
6 cate.

7 (b) permanently, if that person has been convicted of an offense list-
8 ed in paragraph (b) of subdivision four of this section. However, such
9 disqualification shall be waived provided that five years have expired
10 since the applicant was incarcerated pursuant to a sentence of imprison-
11 ment imposed on conviction of an offense that requires disqualification
12 under this paragraph and that the applicant shall have been granted a
13 certificate of [~~relief from disabilities or a certificate of good~~
14 ~~conduct~~] restoration pursuant to article twenty-three of the correction
15 law. When the certificate is issued by a court for a conviction which
16 occurred in this state, it shall only be issued by the court having
17 jurisdiction over such conviction. Such certificate shall specifically
18 indicate that the authority granting such certificate has considered the
19 bearing, if any, the criminal offense or offenses for which the person
20 was convicted will have on the applicant's fitness or ability to operate
21 a bus transporting school children, prior to granting such a certifi-
22 cate. Provided, however, that at the discretion of the commissioner the
23 certificate of [~~relief from disabilities or a certificate of good~~
24 ~~conduct~~] restoration pursuant to article twenty-three of the correction
25 law may remove disqualification at any time.

26 (i) has been convicted within the preceding five years of an offense
27 listed in paragraph (c) of subdivision four of this section. However,
28 notwithstanding the provisions of subdivision three of section seven
29 hundred one of the correction law [~~Such~~], such disqualification shall
30 be waived provided that the applicant has been granted a certificate of
31 [~~relief from disabilities or a certificate of good conduct~~] restoration
32 pursuant to article twenty-three of the correction law. When the certifi-
33 cate is issued by a court for a conviction which occurred in this
34 state, it shall only be issued by the court having jurisdiction over
35 such conviction. Such certificate shall specifically indicate that the
36 authority granting such certificate has considered the bearing, if any,
37 the criminal offense or offenses for which the person was convicted will
38 have on the applicant's fitness or ability to operate a bus transporting
39 school children, prior to granting such a certificate.

40 § 34. Subparagraph (iii) of paragraph d of subdivision 6 of section
41 510 of the vehicle and traffic law, as amended by section 29 of part LL
42 of chapter 56 of the laws of 2010, is amended to read as follows:

43 (iii) after such documentation, if required, is accepted, that such
44 person is granted a certificate of [~~relief from disabilities or a~~
45 ~~certificate of good conduct~~] restoration pursuant to article twenty-
46 three of the correction law by the court in which such person was last
47 penalized.

48 § 35. Subparagraph (iii) of paragraph (c) of subdivision 2 of section
49 510-a of the vehicle and traffic law, as amended by section 30 of part
50 LL of chapter 56 of the laws of 2010, is amended to read as follows:

51 (iii) after such documentation, if required, is accepted, that such
52 person is granted a certificate of [~~relief from disabilities or a~~
53 ~~certificate of good conduct~~] restoration pursuant to article twenty-
54 three of the correction law by the court in which such person was last
55 penalized.

§ 36. Subdivision 5 of section 530 of the vehicle and traffic law, as amended by section 31 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

(5) A restricted use license or privilege shall be valid for the operation of any motor vehicle, except a vehicle for hire as a taxicab, livery, coach, limousine, van or wheelchair accessible van or tow truck as defined in this chapter subject to the conditions set forth herein, which the holder would otherwise be entitled to operate had ~~his~~ their drivers license or privilege not been suspended or revoked. Notwithstanding anything to the contrary in a certificate of ~~[relief from disabilities or a certificate of good conduct]~~ restoration issued pursuant to article twenty-three of the correction law, a restricted use license shall not be valid for the operation of a commercial motor vehicle. A restricted use license shall not be valid for the operation of a vehicle for hire as a taxicab, livery, coach, limousine, van or wheelchair accessible van or tow truck where the holder thereof had ~~his or her~~ their drivers license suspended or revoked and (i) such suspension or revocation is mandatory pursuant to the provisions of subdivision two or two-a of section five hundred ten of this title; or (ii) any such suspension is permissive for habitual or persistent violations of this chapter or any local law relating to traffic as set forth in paragraph d or i of subdivision three of section five hundred ten of this title; or (iii) any such suspension is permissive and has been imposed by a magistrate, justice or judge of any city, town or village, any supreme court justice, any county judge, or judge of a district court. Except for a commercial motor vehicle as defined in subdivision four of section five hundred one-a of this title, the restrictions on types of vehicles which may be operated with a restricted license contained in this subdivision shall not be applicable to a restricted license issued to a person whose license has been suspended pursuant to paragraph three of subdivision four-e of section five hundred ten of this title.

§ 37. Item (ii) of clause (b) of subparagraph 12 of paragraph (b) of subdivision 2 of section 1193 of the vehicle and traffic law, as amended by section 32 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

(ii) that such person is granted a certificate of ~~[relief from disabilities or a certificate of good conduct]~~ restoration pursuant to article twenty-three of the correction law.

Provided, however, that the commissioner may, on a case by case basis, refuse to restore a license which otherwise would be restored pursuant to this item, in the interest of the public safety and welfare.

§ 38. Item (iii) of clause (e) of subparagraph 12 of paragraph (b) of subdivision 2 of section 1193 of the vehicle and traffic law, as amended by section 33 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

(iii) after such documentation is accepted, that such person is granted a certificate of ~~[relief from disabilities or a certificate of good conduct]~~ restoration pursuant to article twenty-three of the correction law.

§ 39. Subparagraph 1 of paragraph (d) of subdivision 2 of section 1193 of the vehicle and traffic law, as amended by section 34 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

(1) Notwithstanding anything to the contrary contained in a certificate of ~~[relief from disabilities or a certificate of good conduct]~~ restoration issued pursuant to article twenty-three of the correction law, where a suspension or revocation, other than a revocation required

1 to be issued by the commissioner, is mandatory pursuant to paragraph (a)
2 or (b) of this subdivision, the magistrate, justice or judge shall issue
3 an order suspending or revoking such license upon sentencing, and the
4 license holder shall surrender such license to the court. Except as
5 hereinafter provided, such suspension or revocation shall take effect
6 immediately.

7 § 40. Item (iii) of clause a of subparagraph 3 of paragraph (e) of
8 subdivision 2 of section 1193 of the vehicle and traffic law, as amended
9 by section 35 of part LL of chapter 56 of the laws of 2010, is amended
10 to read as follows:

11 (iii) after such documentation is accepted, that such person is grant-
12 ed a certificate of [~~relief from disabilities or a certificate of good~~
13 ~~conduct~~] restoration pursuant to article twenty-three of the correction
14 law.

15 § 41. Item (iii) of clause c of subparagraph 1 of paragraph (d) of
16 subdivision 2 of section 1194 of the vehicle and traffic law, as amended
17 by section 37 of part LL of chapter 56 of the laws of 2010, is amended
18 to read as follows:

19 (iii) after such documentation is accepted, that such person is grant-
20 ed a certificate of [~~relief from disabilities or a certificate of good~~
21 ~~conduct~~] restoration pursuant to article twenty-three of the correction
22 law by the court in which such person was last penalized.

23 § 42. Paragraph (g) of subdivision 7 of section 1196 of the vehicle
24 and traffic law, as amended by section 38 of part LL of chapter 56 of
25 the laws of 2010, is amended to read as follows:

26 (g) Notwithstanding anything to the contrary contained in a certif-
27 icate of [~~relief from disabilities or a certificate of good conduct~~]
28 restoration issued pursuant to article twenty-three of the correction
29 law, any conditional license or privilege issued to a person convicted
30 of a violation of any subdivision of section eleven hundred ninety-two
31 of this article shall not be valid for the operation of any commercial
32 motor vehicle. In addition, no such conditional license or privilege
33 shall be valid for the operation of a taxicab as defined in this chap-
34 ter.

35 § 43. Whenever the term "certificate of good conduct" or "certificate
36 of relief from disabilities" or any equivalent expression thereof is
37 used in any provision of law, either such term shall be deemed to mean
38 and refer to a certificate of restoration as established in this act.

39 § 44. Any certificate of relief from disabilities or certificate of
40 good conduct issued prior to the effective date of this act shall be
41 deemed the equivalent of a certificate of restoration and shall remain
42 in full force and effect on and after the effective date of this act.
43 Nothing in this act shall be read to invalidate a certificate of relief
44 from disabilities or a certificate of good conduct issued prior to the
45 effective date of this act.

46 § 45. This act shall take effect on the ninetieth day after it shall
47 have become a law; provided, however, that if chapter 620 of the laws of
48 2024 shall not have taken effect on or before such date then sections
49 three and four of this act shall take effect on the same date and in the
50 same manner as such chapter of the laws of 2024, takes effect; provided
51 further, that the amendments to subdivision 5 of section 530 of the
52 vehicle and traffic law made by section thirty-six of this act shall not
53 affect the expiration of such subdivision and shall be deemed to expire
54 therewith.