

STATE OF NEW YORK

9265

IN SENATE

February 19, 2026

Introduced by Sen. FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to repeal certain provisions of the general business law, the labor law, the civil service law, the domestic relations law, the education law, the executive law, the railroad law, the social services law, the workers' compensation law, the arts and cultural affairs law, the county law, the public service law, the rapid transit law, the retirement and social security law, the town law, the transportation law, the transportation corporations law, the employers' liability law, the judiciary law, the estates, powers and trusts law, the agriculture and markets law, the public authorities law, the debtor and creditor law and the Indian law, in relation to removing outdated provisions of law; and to amend the domestic relations law, the education law, the railroad law, the town law, the village law, the judiciary law, the arts and cultural affairs law, the economic development law, the general business law, the public lands law, the public officers law, the public service law, the real property law, the real property actions and proceedings law, the retirement and social security law, the second class cities law, the state law, the general municipal law, the personal property law, the transportation corporations law, the transportation law, the vehicle and traffic law, the workers' compensation law, the employers' liability law, the public authorities law and the correction law, in relation to removing outdated terminology and provisions of law and making technical corrections thereto

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

- 1 Section 1. Section 163 of the general business law is REPEALED.
- 2 § 2. Sections 203-a and 203-b of the labor law are REPEALED.
- 3 § 3. The closing paragraph of subdivision 1 of section 105 of the
- 4 civil service law is REPEALED.
- 5 § 4. Section 13-aa of the domestic relations law is REPEALED.
- 6 § 5. Section 123 of the domestic relations law is REPEALED.

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

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§ 6. Section 221 of the domestic relations law, as amended by chapter 161 of the laws of 1971, is amended to read as follows:

§ 221. Procedure. The petition shall allege that the ~~[husband or wife]~~ spouse of such party has absented ~~[himself or herself]~~ themselves for five successive years then last past without being known to such party to be living during that time; that such party believes such ~~[husband or wife]~~ spouse to be dead; and that a diligent search has been made to discover evidence showing that such ~~[husband or wife]~~ spouse is living, and no such evidence has been found. The court shall thereupon by order require notice of the presentation and object of such petition to be published in a newspaper in the English language designated in the order as most likely to give notice to such absent ~~[husband or wife]~~ spouse once each week for three successive weeks; such notice shall be directed to the ~~[husband or wife]~~ spouse who has so absented ~~[himself or herself]~~ themselves and shall state the time and place of the hearing upon such petition, which time shall be not less than forty days after the completion of the publication of such notice; said notice must be subscribed with the name of the petitioner and with the name of the petitioner's attorney and with ~~[his]~~ the attorney's office address, specifying a place within the state where there is a post-office. If in a city, said notice must also set forth the street and street number, if any, of such attorney's office address or other suitable designation of the particular locality in which said office address is located. In addition to the foregoing requirements said notice must be in substantially the following form, the blanks being properly filled: "Supreme court,county. In the matter of the application of.....for dissolution of ~~[his or her]~~ their marriage with..... To.....: Take notice that a petition has been presented to this court by....., your ~~[husband or wife]~~ spouse, for the dissolution of your marriage on the ground that you have absented yourself for five successive years last past without being known to ~~[him or her]~~ your spouse to be living and that ~~[he or she]~~ your spouse believes you to be dead, and that pursuant to an order of said court, entered theday of , ~~[19]~~ 20..., a hearing will be had upon said petition at the said supreme court,term part....., in thecounty court house, in the..... state of New York, on the..... day of , ~~[19]~~ 20..., at o'clock in the noon. Dated.....; " and if the court, after the filing of proof of the proper publication of said notice and after a hearing and proof taken, is satisfied of the truth of all the allegations contained in the petition, it may make a final order dissolving such marriage.

§ 7. Section 3022 of the education law is REPEALED.

§ 8. Subdivision 1 of section 306 of the education law, as amended by chapter 298 of the laws of 1957, is amended to read as follows:

1. Whenever it shall be proved to ~~[his]~~ their satisfaction that any trustee, member of a board of education, clerk, collector, treasurer, district superintendent, superintendent of schools or other school officer ~~[is a member of an organization listed as subversive by the board of regents pursuant to the provisions of section three thousand twenty-two of this chapter, or]~~ has been guilty of any wilful violation or neglect of duty under this chapter, or any other act pertaining to common schools or other educational institution participating in state funds, or wilfully disobeying any decision, order, rule or regulation of the regents or of the commissioner of education, said commissioner, after a hearing at which the school officer shall have the right of represen-

1 tation by counsel, may, by an order under [~~his~~] their hand and seal,
2 which order shall be recorded in [~~his~~] their office, remove such school
3 officer from [~~his~~] their office.

4 § 9. Section 704 of the education law is REPEALED.

5 § 10. Section 4109 of the education law is REPEALED.

6 § 11. Section 4111 of the education law is REPEALED.

7 § 12. Section 8 of the executive law is REPEALED.

8 § 13. Section 206 of the railroad law is REPEALED.

9 § 14. Section 207 of the railroad law is amended to read as follows:

10 § 207. Railroads in parks in New York city, by whom constructed.
11 Whenever any railroads shall be constructed in the city of New York,
12 under the provisions of the preceding [~~six~~] five sections, such rail-
13 roads shall be constructed by the department of public parks of said
14 city with the concurrence of the sinking fund commissioners of said
15 city.

16 § 15. Section 149 of the social services law is REPEALED.

17 § 16. Subdivisions 12 and 13 of section 64 of the town law, subdivi-
18 sion 12 as amended by chapter 658 of the laws of 2004, and subdivision
19 13 as amended by chapter 328 of the laws of 2005, are amended to read as
20 follows:

21 12. Appropriations for Independence day, Memorial day, Columbus day
22 and Veterans day. Any town may appropriate annually such sums as it may
23 deem appropriate for the purpose of defraying the expenses of the proper
24 observance of Independence day, Memorial or Decoration day, Columbus day
25 and Veterans day in such proportion as it may determine. Any town of the
26 first class, or, any town having a population of five thousand inhabit-
27 ants or more, excepting any such town having a population of two hundred
28 twenty-five thousand inhabitants or more, according to the latest feder-
29 al census, in which one or more posts, camps or chapters of the [~~Grand~~
30 ~~Army of the Republic, the United Spanish War Veterans, the~~] Veterans of
31 Foreign Wars, the Jewish War Veterans of the United States, Inc., the
32 Catholic War Veterans, Inc., the Italian American War Veterans of the
33 United States, Incorporated, the Polish Legion of American Veterans,
34 Inc., the Marine Corps League, the Military Order of the Purple Heart,
35 Inc., the American Legion, the Disabled American Veterans, AMVETS, Amer-
36 ican Veterans of World War II, Masonic War Veterans of the State of New
37 York, Inc., Veterans of World War I of the United States of America
38 Department of New York, Inc., China-Burma-India Veterans Association,
39 Inc., Polish-American Veterans of World War II, Amsterdam, N. Y., Inc.,
40 Polish-American Veterans of World War II, Schenectady, N. Y., Inc., the
41 Sons of Union Veterans, Vietnam Veterans of America, World War Veterans
42 Club of Lindenhurst, Inc. or the Eastern Paralyzed Veterans Association
43 exists, may appropriate annually an amount not to exceed five thousand
44 dollars for such purpose, and any town having a population of two
45 hundred twenty-five thousand inhabitants or more, according to the
46 latest federal census, in which one or more such posts, camps or chap-
47 ters exists may annually appropriate an amount not to exceed five thou-
48 sand dollars for such purpose, and any town which has a population of
49 five hundred thousand inhabitants or more, according to the latest
50 federal census, in which one or more such posts, camps or chapters
51 exists may annually appropriate an amount not to exceed ten thousand
52 dollars for such purpose. Any moneys appropriated pursuant to the
53 provisions of this subdivision shall be a general town charge, except
54 that in any town having a population of two hundred twenty-five thousand
55 inhabitants or more there shall be a charge on that portion of the town
56 outside of any village therein and shall be assessed, levied and

1 collected from real property outside of any such village. Such sum when
2 collected shall be paid to the supervisor of such town and be disbursed
3 by [~~him~~] such supervisor in such manner as the town board of such town
4 may direct upon vouchers properly receipted and audited by the town
5 board of such town; except that in any town in which there may be a
6 post, camp or chapter of the [~~Grand Army of the Republic, the United~~
7 ~~Spanish War Veterans, the~~] Veterans of Foreign Wars, the Jewish War
8 Veterans of the United States, Inc., the Catholic War Veterans, Inc.,
9 the Italian American War Veterans of the United States, Incorporated,
10 the Polish Legion of American Veterans, Inc., the Marine Corps League,
11 the Military Order of the Purple Heart, Inc., the American Legion, the
12 Disabled American Veterans, AMVETS, American Veterans of World War II,
13 Masonic War Veterans of the State of New York, Inc., Veterans of World
14 War I of the United States of America Department of New York, Inc.,
15 China-Burma-India Veterans Association, Inc., Polish-American Veterans
16 of World War II, Amsterdam, N. Y., Inc., Polish-American Veterans of
17 World War II, Schenectady, N. Y., Inc., the Sons of Union Veterans,
18 Vietnam Veterans of America, World War Veterans Club of Lindenhurst,
19 Inc. or the Eastern Paralyzed Veterans Association, in any such town,
20 the commanders and quartermasters of such posts, camp or chapter may
21 direct the manner and extent of such observance and the supervisor shall
22 pay the expenses thereof upon the order or orders of the commander or
23 quartermaster of such post, camp or chapter, which orders shall be [~~his~~]
24 their vouchers for such payment, and in case there may be two or more
25 posts, camps or chapters of the [~~Grand Army of the Republic, the United~~
26 ~~Spanish War Veterans, the~~] Veterans of Foreign Wars, the Jewish War
27 Veterans of the United States, Inc., the Catholic War Veterans, Inc.,
28 the Italian American War Veterans of the United States, Incorporated,
29 the Polish Legion of American Veterans, Inc., the Marine Corps League,
30 the Military Order of the Purple Heart, Inc., the American Legion, the
31 Disabled American Veterans, AMVETS, American Veterans of World War II,
32 Masonic War Veterans of the State of New York, Inc., Veterans of World
33 War I of the United States of America Department of New York, Inc.,
34 China-Burma-India Veterans Association, Inc., Polish-American Veterans
35 of World War II, Amsterdam, N. Y., Inc., Polish-American Veterans of
36 World War II, Schenectady, N. Y., Inc., the Sons of Union Veterans,
37 Vietnam Veterans of America, World War Veterans Club of Lindenhurst,
38 Inc. or the Eastern Paralyzed Veterans Association, in any such town,
39 the commanders and quartermasters of such posts, camps or chapters by
40 concurrent action, shall direct the supervisor of such town what propor-
41 tion of such moneys so raised shall be expended by each of such posts,
42 camps or chapters which proportion shall be paid by such supervisor upon
43 the order or orders of the commander and quartermaster of each of such
44 posts. In case there is a post, camp or chapter in a town adjoining a
45 town in which no post, camp or chapter is located, whose membership
46 includes at least three residents of such town having no post, camp or
47 chapter, the post, camp or chapter shall appoint a committee of not less
48 than three of its members who are residents of the said adjoining town
49 in which the post, camp or chapter is not located, and the supervisor of
50 said town shall pay the expenses of observance of Independence day,
51 Memorial or Decoration day and Veterans day upon the order or orders of
52 said committee or a majority thereof, which orders shall be [~~his~~] their
53 vouchers for such payment.

54 13. Appropriations for rooms for patriotic organizations. In any town
55 in which there may, now or hereafter, be one or more posts of the [~~Grand~~
56 ~~Army of the Republic, the United Spanish War Veterans, the~~] Veterans of

1 Foreign Wars, the Jewish War Veterans of the United States, Inc., Disa-
2 bled American Veterans, the Catholic War Veterans, Inc., the Italian
3 American War Veterans of the United States, Incorporated, the Polish
4 Legion of American Veterans, Inc., the Marine Corps League, the Military
5 Order of the Purple Heart, Inc., AMVETS, American Veterans of World War
6 II, Masonic War Veterans of the State of New York, Inc., Veterans of
7 World War I of the United States of America Department of New York,
8 Inc., China-Burma-India Veterans Association, Inc., Polish-American
9 Veterans of World War II, Amsterdam, N.Y., Inc., Polish-American Veter-
10 ans of World War II, Schenectady, N.Y., Inc., World War Veterans Club of
11 Lindenhurst, Inc., the American Legion, the Eastern Paralyzed Veterans
12 Association, the Vietnam Veterans of America, the Army and Navy Union of
13 the United States, the American Gold Star Mothers, Inc., Regular Veter-
14 ans Association, Inc., the 369th Veterans Association, Inc., the Tri-
15 County Council of Vietnam Veterans, the National Congress of Puerto
16 Rican Veterans, the Fleet Reserve Association, the Navy Seabee Veterans
17 of America, the Korean War Veterans Association, the Women's Army Corps
18 Veterans Association, the 82nd Airborne Division Association, the Empire
19 State Chapter No. 120 of the Retired Enlisted Association, the National
20 Amputation Foundation, or the Navy Club of the U.S.A., the town board
21 may appropriate a sum not exceeding five hundred dollars for each post
22 in any year for the purpose of assisting in defraying the rental or
23 maintenance of rooms for holding meetings of such post or posts, or
24 both. If there be a post in a town adjoining a town in which no post is
25 located, whose membership includes at least five residents of such town
26 having no post, the town board of such town having no post may vote any
27 sum of money, not exceeding one hundred twenty-five dollars in any year,
28 for the purpose of assisting in defraying the rental or maintenance of
29 rooms in such adjoining town as meeting places of each of the posts
30 hereinbefore enumerated. Claims for such rental or rentals shall be made
31 by the organizations interested, and shall be submitted to the town
32 board for audit in the same manner and at the same time as other claims
33 against the town.

34 § 17. Subdivision 2 of section 4-412 of the village law, as amended by
35 chapter 843 of the laws of 1980, is amended to read as follows:

36 2. Procedure for meetings. The mayor of the village shall preside at
37 the meetings of the board of trustees as provided in section 4-400 of
38 this article. A majority of the board shall constitute a quorum for the
39 transaction of business, but a less number may adjourn and compel the
40 attendance of absent members. Whenever required by a member of the
41 board, the vote upon any question shall be taken by ayes and noes, and
42 the names of the members present and their votes shall be entered in the
43 minutes. The board may determine the rules of its procedure[~~, and may~~
44 ~~compel the attendance of absent members by the entry of a resolution in~~
45 ~~the minutes, directing any peace officer, acting pursuant to his special~~
46 ~~duties, or police officer residing within the village to arrest such~~
47 ~~absent member and take him before the board of trustees to answer for~~
48 ~~his neglect. A copy of the resolution, certified by the clerk of the~~
49 ~~village, shall be sufficient authority to such officer residing in the~~
50 ~~village to arrest such absent member and bring him before the board~~].

51 § 18. Paragraphs (g), (h), (i), and (j) of subdivision 6 of section 15
52 of the workers' compensation law are REPEALED.

53 § 19. Subdivisions 4, 5, 6, 7, 8, 9, and 10 of section 273 of the
54 judiciary law, subdivisions 4, 5, and 6 as amended by chapter 649 of the
55 laws of 1945, subdivision 7 as amended by chapter 416 of the laws of
56 1951, subdivision 8 as amended by chapter 422 of the laws of 1954,

subdivision 9 as added by chapter 622 of the laws of 1950, and subdivision 10 as added by chapter 758 of the laws of 1954, are amended to read as follows:

4. Each of the confidential clerks to the justices of the supreme court in the fifth judicial district appointed pursuant to subdivision four of former section one hundred fifty-seven of this chapter, shall receive an annual salary [~~of three thousand dollars~~] to be fixed by the justice appointing such clerk; provided, however, that in case of the appointment by such a justice of both a confidential clerk and confidential deputy clerk, such confidential clerk and such deputy clerk shall each receive an annual salary to be fixed by the justice appointing [~~him, or them, not to exceed in the aggregate for both such confidential clerk and deputy clerk the sum of three thousand dollars~~] such clerk. Each of such salaries shall be audited by the state comptroller and paid by the state department of taxation and finance, in equal monthly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability of such justice, by any other justice of the fifth judicial district. An appropriation in any year for salary of such a confidential clerk, to any such justice, shall be available for payment of the salaries of both the confidential clerk and confidential deputy clerk to the same justice, if such be appointed. The total amount of such salaries shall be apportioned by such department among the counties comprising the fifth judicial district. Such counties shall reimburse the state therefor. The time and method of such apportionment and the time and method of such reimbursement shall be as specified in former section seventy-four of this chapter.

5. Each of the clerks to the justices of the supreme court in the sixth judicial district shall receive an annual salary to be fixed by the justice appointing [~~him, of not to exceed three thousand dollars~~] such clerk. Each of such salaries shall be audited by the state comptroller and paid by the state department of taxation and finance in equal quarterly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability of such justice, by any other justice of the sixth judicial district. The total amount of such salaries shall be apportioned by such department among the counties comprising the sixth judicial district. Such counties shall reimburse the state therefor. The time and method of such apportionment and the time and method of such reimbursement shall be as specified in former section seventy-four of this chapter.

6. Each of the clerks to the justices of the supreme court in the seventh judicial district shall receive an annual salary, to be fixed by the justice appointing [~~him, of not to exceed twenty five hundred dollars~~] such clerk, provided, however, that in case of the appointment by such justice of both a confidential clerk and one or two confidential deputy clerk or clerks, such confidential clerk and such confidential deputy clerk or clerks shall each receive an annual salary to be fixed by the justice making the appointment[, ~~not to exceed in the aggregate for both such confidential clerk and confidential deputy clerk or clerks the sum of twenty five hundred dollars~~]. Each of such salaries shall be audited by the state comptroller and paid by the state department of taxation and finance in equal monthly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability of such justice, by any other justice of the seventh judicial district. The total amount of such salaries shall be apportioned by such department among the counties comprising the seventh

1 judicial district. Such counties shall reimburse the state therefor. The
2 time and method of such apportionment and the time and method of such
3 reimbursement shall be as specified in former section seventy-four of
4 this chapter.

5 7. Each of the clerks to the justices of the supreme court in the
6 eighth judicial district, shall receive an annual salary, to be fixed by
7 the justice appointing [~~him, of not to exceed six thousand dollars~~] such
8 clerk. Each of such salaries shall be audited by the state comptroller
9 and paid by the state department of taxation and finance in equal month-
10 ly payments when certified to such comptroller by the justice who made
11 the appointment or, in case of [~~his~~] death or disability of such
12 justice, by any other justice of the eighth judicial district. The total
13 amount of such salaries shall be apportioned by such department among
14 the counties comprising the eighth judicial district. Such counties
15 shall reimburse the state therefor. The time and method of such appor-
16 tionment and the time and method of such reimbursement shall be as spec-
17 ified in former section seventy-four of this chapter.

18 8. Each confidential clerk employed by a justice of the supreme court
19 in and for the ninth judicial district, pursuant to the provisions of
20 subdivision eight of former section one hundred fifty-seven of this
21 chapter, shall receive an annual salary [~~not to exceed the sum of eight~~
22 ~~thousand five hundred ninety dollars~~] to be fixed by the justice
23 appointing such clerk, together with the actual and necessary expenses
24 incurred by [~~him~~] such clerk in the performance of [~~his~~] their official
25 duties, to be paid upon proper proof thereof, and upon the approval of
26 the justice of the supreme court in whose behalf the official duties are
27 rendered. The state comptroller shall audit the salary and expenses of
28 each confidential clerk and the state department of taxation and finance
29 shall pay to each confidential clerk [~~his~~] their salary, in equal month-
30 ly payments, and also [~~his~~] their expenses when certified to the state
31 comptroller by the justice who made the appointment, or if [~~he~~] such
32 justice has died or is disabled, by any other justice of the ninth judi-
33 cial district. The total amount of all salaries and expenses of all
34 confidential clerks of the ninth judicial district shall be apportioned
35 by the department of taxation and finance among the counties of West-
36 chester, Rockland, Orange, Dutchess and Putnam which shall reimburse the
37 state therefor, and the time and method of apportionment and reimburse-
38 ment shall be those specified in former section seventy-four of this
39 chapter.

40 9. Each of the confidential law clerks to the justices of the supreme
41 court in the third judicial district shall receive an annual salary to
42 be fixed by the justice appointing [~~him, of not to exceed five thousand~~
43 ~~dollars~~] such clerk. Each of such salaries shall be audited by the
44 state comptroller and paid by the state department of taxation and
45 finance in equal monthly payments when certified to such comptroller by
46 the justice who made the appointment or, in case of [~~his~~] death or disa-
47 bility of such justice, by any other justice of the third judicial
48 district. The total amount of such salaries shall be apportioned by such
49 department among the counties comprising the third judicial district.
50 Such counties shall reimburse the state therefor. The time and method of
51 such apportionment and the time and method of such reimbursement shall
52 be as specified in former section seventy-four of this chapter.

53 10. Each of the confidential law clerks to the justices of the supreme
54 court in the fourth judicial district shall receive an annual salary to
55 be fixed by the justice appointing [~~him, of not to exceed five thousand~~
56 ~~dollars~~] such clerk. Each of such salaries shall be audited by the

1 state comptroller and paid by the state department of taxation and
2 finance in equal monthly payments when certified to such comptroller by
3 the justice who made the appointment or, in case of ~~[his]~~ death or disa-
4 bility of such justice, by any other justice of the fourth judicial
5 district. The total amount of such salaries shall be apportioned by such
6 department among the counties comprising the fourth judicial district.
7 Such counties shall reimburse the state therefor. The time and method of
8 such apportionment and the time and method of such reimbursement shall
9 be as specified in former section seventy-four of this chapter.

10 § 20. Section 19.03 of the arts and cultural affairs law is REPEALED.

11 § 21. Section 19.01 of the arts and cultural affairs law is amended to
12 read as follows:

13 § 19.01. Fireproof booth for cinematograph or any other apparatus for
14 projecting moving pictures. No cinematograph or any other apparatus for
15 projecting moving pictures, save as excepted in sections 19.05 and 19.09
16 of this article, which apparatus uses combustible films of more than ten
17 inches in length, shall be set up for use or used in any building, place
18 of public assemblage or entertainment, unless such apparatus for the
19 projecting of moving pictures shall be inclosed therein in a booth or
20 inclosure constructed of concrete, brick, hollow tile or other approved
21 fireproof material or any approved fireproof framework covered or lined
22 with asbestos board, or with some other approved fire resisting materi-
23 al, and unless ~~[such booth shall have been constructed as provided in~~
24 ~~section 19.03 of this article and]~~ the certificate provided in section
25 19.07 of this article shall have been issued to the owner or lessee of
26 the premises wherein such booth is situated.

27 § 22. Section 19.05 of the arts and cultural affairs law is amended to
28 read as follows:

29 § 19.05. This article not retroactive under certain conditions.
30 ~~[Sections]~~ Section 19.01 ~~[and 19.03]~~ of this article shall not be retro-
31 active for any booth approved by the appropriate public authority or
32 official prior to March third, nineteen hundred forty-one, provided such
33 booth ~~[have or be so reconstructed of the same material as to have~~
34 ~~dimensions as specified in section 19.03 of this article; provided such~~
35 ~~booth conform to the specification of section 19.03 of this article as~~
36 ~~regards vent flue, box for storage of films, specifications for rewind-~~
37 ~~ing and repairing films and specifications for windows and doors, and~~
38 ~~provided such booth]~~ be of rigid fireproof material, and be insulated so
39 as not to conduct electricity to any other part of the building and be
40 so separated from any adjacent combustible material as not to communi-
41 cate fire through intense heat in case of combustion within the booth.

42 § 23. Section 19.07 of the arts and cultural affairs law is amended to
43 read as follows:

44 § 19.07. Inspection; certificate for permanent booths. After the
45 construction of such booth shall have been completed, the public officer
46 charged herein with the duty of passing upon the plans and specifica-
47 tions therefor shall within three days after receipt of notice in writ-
48 ing that such booth has been completed cause such booth to be inspected.
49 If the provisions of ~~[sections]~~ section 19.01 ~~[and 19.03]~~ of this arti-
50 cle have been complied with, such public officer shall issue to the
51 owner or lessee of the premises wherein such booth is situated a certifi-
52 cate stating that the provisions of ~~[sections]~~ section 19.01 ~~[and~~
53 ~~19.03]~~ of this article have been complied with.

54 § 24. Section 19.09 of the arts and cultural affairs law is amended to
55 read as follows:

§ 19.09. Portable booth for temporary exhibitions. Where motion pictures are exhibited daily for not more than one month, or not more often than three times a week, in educational or religious institutions or bona fide social, scientific, political or athletic clubs, a portable booth may be substituted for the booth required in ~~[sections]~~ section 19.01 ~~[and 19.03]~~ of this article. Such booth shall have a height of not less than six feet and an area of not less than twenty square feet and shall be constructed of asbestos board, sheet steel of no less gauge than twenty-four; or some other approved fireproof material. ~~[Such portable booth shall conform to the specifications of section 19.03 of this article with reference to windows and door, but not with reference to vent flues.]~~ The floor of such booth shall be elevated above the permanent support on which it is placed by a space of at least one-half inch, sufficient to allow the passage of air between the floor of the booth and the platform on which the booth rests, and the booth shall be insulated so that it will not conduct electricity to any other portion of the building.

§ 25. The opening paragraph of section 19.11 of the arts and cultural affairs law is amended to read as follows:

The above sections, 19.01, ~~[19.03,]~~ 19.05, 19.07 and 19.09, referring to permanent and portable booths, shall not apply to:

§ 26. Section 19.13 of the arts and cultural affairs law is amended to read as follows:

§ 19.13. Inspection; certificate for portable booths and miniature cinematograph machines. Before moving pictures shall be exhibited with a portable booth, under section 19.09 of this article, and before a miniature machine without a booth shall be used as prescribed in section 19.11 of this article, there shall be obtained from the appropriate authority~~[, as defined in section 19.03 of this article,]~~ a certificate of approval.

§ 27. Article 7-A of the county law is REPEALED.

§ 28. Article 24 of the county law is REPEALED.

§ 29. Subdivision 6 of section 103 of the economic development law, as added by chapter 947 of the laws of 1968 and as renumbered by chapter 614 of the laws of 1982, is amended to read as follows:

6. To carry out the obligations of the state to the New York state ~~[atomic and space]~~ energy research and development authority under any contract providing for the assumption of jurisdiction in the event of conditions specified in any such contract over land and facilities held or developed by such authority for the concentration and storage of radioactive byproducts; to enter into amendments to any such contract subject to the approval of the director of the budget; and, after any such assumption of jurisdiction by the council, pursuant to any such contract or amendments, to operate, develop and manage in the name of the state such land and facilities, and to care for, manage, use and dispose of any radioactive byproducts concentrated or stored at such land and facilities.

§ 30. Subdivisions 1 and 2 of section 213 of the education law, as amended by chapter 724 of the laws of 1961, are amended to read as follows:

1. The regents may extend to the people at large increased educational opportunities and facilities, stimulate interest therein, recommend methods, designate suitable teachers and lecturers, conduct examinations and grant credentials, and otherwise organize, aid and conduct such work. And the regents, and with their approval the commissioner of education, may buy, sell, exchange and receive by will, or other gift,

1 or on deposit, books, pictures, statuary or other sculptured work,
2 [~~lantern slides,~~] apparatus, maps, globes, films, sound films, [~~kine-~~
3 ~~scopes,~~] photographic recordings and any article or collections pertain-
4 ing to or useful in and to any of the departments, divisions, schools,
5 institutions, associations or other agencies, or work, under their
6 supervision, or control, or encouragement, and may lend or deposit any
7 such articles in their custody or control, when or where in their judge-
8 ment compensating educational usefulness will result therefrom; and may
9 also, from time to time, enter into contracts desirable for carrying
10 into effect the foregoing provisions.

11 2. In carrying out the provisions of subdivision one of this section,
12 the regents may: a. Contract with institutions in the university,
13 school districts, boards of cooperative educational services or other
14 non-profit educational agencies for the acquisition from such insti-
15 tutions, school districts, boards or agencies of sound films, [~~kine-~~
16 ~~scopes,~~] audio recordings and video recordings, scripts, research
17 reports or related educational television materials, for the use of the
18 department, or for the production of educational television programs[+];

19 b. Lease, to school districts, boards of cooperative educational
20 services or television corporations created pursuant to section two
21 hundred thirty-six of this chapter, educational television facilities,
22 including transmitters, micro-wave relay facilities, production centers,
23 closed-circuit systems and any equipment necessary therefor, constructed
24 or acquired, and owned by the state, leased by the state, or contract
25 with such districts, boards of cooperative educational services or
26 corporations for the operation of such facilities[+]; and

27 c. Lease and operate a television station in the city of New York.

28 § 31. Section 346-a of the education law is REPEALED.

29 § 32. The opening paragraph of subdivision 1 and paragraph a of subdivi-
30 sion 4 of section 341-a of the education law, as added by chapter 171
31 of the laws of 1987, are amended to read as follows:

32 As used in this section [~~and section three hundred forty six a of this~~
33 ~~article~~], the following words and terms shall have the following mean-
34 ings:

35 a. Not later than September first, nineteen hundred eighty-nine, the
36 test agency shall prepare and file [~~or cause to be filed with the~~
37 ~~committee described in section three hundred forty six a of this arti-~~
38 ~~cle~~] a report relating to each test administered and disclosed pursuant
39 to section three hundred forty-two of this article by the test agency in
40 New York between July first, nineteen hundred eighty-eight and July
41 first, nineteen hundred eighty-nine. Such report shall be subject to the
42 provisions of subdivisions two and three of section three hundred
43 forty-one of this article.

44 § 33. Subdivision 5 of section 501 of the education law is REPEALED.

45 § 34. Subdivision 6 of section 501 of the education law is amended to
46 read as follows:

47 6. "New entrant" shall mean any teacher who is a member of the retire-
48 ment system [~~except a present teacher~~].

49 § 35. Subdivision 1 of section 509 of the education law is REPEALED.

50 § 36. Paragraph b of subdivision 8 of section 509 of the education law
51 is REPEALED.

52 § 37. Paragraph d of subdivision 2 of section 510 of the education law
53 is REPEALED.

54 § 38. Subdivision 1 of section 511 of the education law, as amended by
55 chapter 427 of the laws of 1972, is amended to read as follows:

1 1. Retirement on account of disability shall be made under the follow-
2 ing conditions: A member who has completed at least fifteen years of
3 total state service ~~[or a member who is a present teacher and who has~~
4 ~~completed twenty years of service, the last ten of which were state~~
5 ~~service,]~~ may be retired on account of disability either upon the appli-
6 cation of ~~[his]~~ such member's employer or upon ~~[his]~~ such member's own
7 application or that of a person acting in ~~[his]~~ such member's behalf, if
8 the retirement board, after a medical examination of said member by a
9 physician or physicians designated by said board shall determine upon
10 the basis of a report submitted by said physician or physicians that the
11 said member is physically or mentally incapacitated for the performance
12 of duty, that ~~[he]~~ such member was incapacitated at the time ~~[he]~~ such
13 member ceased teaching and that said member ought to be retired.

14 § 39. Paragraph c of subdivision 2 of section 511 of the education law
15 is REPEALED.

16 § 40. Paragraph c of subdivision 4 of section 511-a of the education
17 law is REPEALED.

18 § 41. Subdivision 2 of section 522 of the education law, as amended by
19 chapter 292 of the laws of 2017, is amended to read as follows:

20 2. Any contributor entering the retirement system after having with-
21 drawn from another retirement system and having given notice at the time
22 of withdrawal to the retirement board of such system of ~~[his or her]~~
23 their intention of becoming a member of the retirement system, may
24 deposit in the annuity savings fund the amount of ~~[his or her]~~ their
25 accumulated contributions withdrawn from such other retirement system or
26 if the member had no accumulated contributions credited to ~~[his or her]~~
27 their individual account in such other retirement system, such member
28 shall in lieu of depositing moneys in the annuity savings fund, file a
29 notice of intent to transfer pursuant to rules and regulations adopted
30 by the retirement board. Upon the filing of a notice of intent to trans-
31 fer as provided by this subdivision, the pension reserve to ~~[his or her]~~
32 their credit in such other retirement system, if such other retirement
33 system is operated upon an actuarial basis under the laws of this state,
34 shall be transferred, and if such other system is operated upon an actu-
35 arial basis under the laws of another state, may be transferred to the
36 pension accumulation fund. ~~[Notwithstanding anything to the contrary in~~
37 ~~this article, such contributor shall be classified in this retirement~~
38 ~~system as a present teacher or as a new entrant accordingly as he or she~~
39 ~~would have been classified had the service rendered in the other retire-~~
40 ~~ment system been rendered while a member of this retirement system.]~~ A
41 person so transferred to this retirement system or who has heretofore
42 transferred to this retirement system shall be deemed to have been a
43 member of this retirement system during the entire period of membership
44 service credited to ~~[him or her]~~ such person in the system from which
45 ~~[he or she]~~ such person has transferred. Such transferee, however, shall
46 not receive more than three per cent interest on ~~[his or her]~~ their
47 contributions and accumulated contributions unless ~~[he or she]~~ such
48 transferee has continuously been a member in either the system from
49 which ~~[he or she]~~ such person has transferred or in this retirement
50 system since a date prior to the first day of July, nineteen hundred
51 forty-eight. This shall not be construed to prevent a change in the
52 interest rate to such member if the interest rate payable to other
53 members of this retirement system is changed. In case ~~[he or she]~~ such
54 member comes from a retirement system not under the laws of this state,
55 ~~[he or she]~~ such member shall be given a prior service certificate show-
56 ing a period of service such that the liability incurred by the retire-

ment system on [~~his or her~~] such member's account by reason of prior service shall be equal in amount to the amount of the reserve so transferred, provided that in no case shall such a contributor who is classified as a new entrant be given less credit in [~~his or her~~] such member's prior service certificate than [~~he or she~~] such member would have received had no reserve been transferred on [~~his or her~~] such member's account. In case a contributor transfers between retirement systems under the laws of this state, [~~he or she~~] such member shall be credited in the system to which [~~he or she~~] such member is transferring with all service allowed to [~~him or her~~] such member in the first system. Such contributor, notwithstanding any other provision of law, shall on retirement be entitled to a pension based on salary earned during member service in both retirement systems together, pursuant to the statutory requirements of the second retirement system.

§ 42. Section 514 of the education law is REPEALED.

§ 43. Paragraph g of subdivision 2 of section 517 of the education law, as amended by chapter 641 of the laws of 1954 and as relettered by chapter 141 of the laws of 1970, is amended to read as follows:

g. All pensions with the exception of those payable to new entrants shall be paid from the pension accumulation fund and benefits provided under paragraph two of subdivision b of section five hundred twelve [~~subdivision b, paragraph two and section five hundred fourteen~~] of this article shall be paid from the pension accumulation fund.

§ 44. Section 1952 of the education law is REPEALED.

§ 45. Subdivision 1 of section 184 of the general business law, as amended by chapter 834 of the laws of 1965, is amended to read as follows:

1. No employment agency, directly or indirectly, shall accept applications from persons who reside in a state outside New York, procure or offer to procure employment of persons as domestic or household employees who are residing in states outside of this state previous to their application for employment, except as provided in this section and in the applicable provisions of other sections of this article. [~~As used in this section, the term "state" applies to the forty-eight states on this continent, and the District of Columbia, but does not include the state of Alaska.~~]

§ 46. The opening paragraph of paragraph (a) of subdivision 7 of section 75 of the public lands law, as amended by chapter 703 of the laws of 1994, is amended to read as follows:

The commissioner of general services may grant in perpetuity or otherwise, to the owners of the land adjacent to the land underwater specified in this section, to promote the commerce of this state or for the purpose of beneficial enjoyment thereof by such owners, or for agricultural purposes, or for public park, beach, street, highway, parkway, playground, recreation or conservation purposes, so much of said land underwater as the commissioner deems necessary for that purpose. No such grant shall be made to any person other than the proprietor of the adjacent land. Any such grant made to any other person shall be void, except that, subject to the other provisions of this section, the commissioner of general services may transfer jurisdiction over state-owned lands underwater to a state agency for the purpose of protecting environmentally sensitive lands underwater even if the state agency is not the proprietor of the adjacent upland. The commissioner may also lease such land underwater to such owner of the adjacent upland or, with the consent of such owner of the adjacent upland, to others, for terms up to forty years. No such grant or lease shall be made of any lands belonging

1 to the city of New York[, ~~or so as to interfere with the rights of that~~
2 ~~city or of the Hudson River Railroad Company, or of its successor the~~
3 ~~New York Central and Hudson River Railroad Company~~]. In making any
4 grant, lease, permit or other conveyance, the commissioner of general
5 services shall, upon administrative findings, and to the extent practi-
6 cable, reserve such interests or attach such conditions to preserve the
7 public interest in use of state-owned lands underwater and waterways for
8 navigation, commerce, fishing, bathing, recreation, environmental
9 protection and access to the navigable waters of the state, with due
10 regard for the need of affected owners of private property to safeguard
11 their property. The commissioner shall by official rules establish
12 criteria and guidelines for determinations with respect to the leasing
13 or selling of such lands underwater.

14 § 47. Subdivision 1 of section 11 of the public officers law, as
15 amended by chapter 624 of the laws of 2004, is amended to read as
16 follows:

17 1. Every official undertaking, when required by or in pursuance of law
18 to be hereafter executed or filed by any officer, shall be to the effect
19 that [~~he~~] such officer will faithfully discharge the duties of [~~his~~]
20 their office and promptly account for and pay over all moneys or proper-
21 ty received by [~~him-as~~] such officer in their official capacity, in
22 accordance with law, or in default thereof, that the parties executing
23 such undertaking will pay all damages, costs and expenses resulting from
24 such default, not exceeding a sum, if any, specified in such undertak-
25 ing. The undertaking of a state officer or clerk or employee shall be
26 approved by the attorney-general as to its form and manner of execution
27 and by the comptroller as to the sufficiency of the sureties and be
28 filed in the comptroller's office. The undertaking of a municipal offi-
29 cer shall, if not otherwise provided by law, be approved as to its form
30 and the sufficiency of the sureties by the chief executive officer or by
31 the governing body of the municipality and be filed with the clerk ther-
32 eof. The approval by such governing body may be a resolution, a certi-
33 fied copy of which shall be attached to the undertaking. The undertaking
34 of such county officer shall, if not otherwise provided by law, be
35 approved as to its form and the sufficiency of the sureties by the clerk
36 of the county, and filed in [~~his~~] their office. The undertaking of a
37 town officer shall, if not otherwise provided by law, be approved as to
38 its form and the sufficiency of the sureties by the clerk of the county
39 and filed in [~~his~~] their office. The sum specified in an official under-
40 taking shall be the sum for which such undertaking shall be required by
41 or in pursuance of law is given. If no sum, or a different sum from that
42 required by or in pursuance of law, be specified in the undertaking, it
43 shall be deemed to be an undertaking for the amount so required. If no
44 sum be required by or in pursuance of law to be so specified, the offi-
45 cer or board authorized to approve the undertaking shall fix the sum to
46 be specified therein. Every official undertaking shall be executed and
47 duly acknowledged by at least two sureties, each of whom shall add ther-
48 eto [~~his~~] their affidavit that [~~he is a freeholder or householder~~] they
49 are a resident within the state, stating [~~his~~] their occupation and
50 residence and the street number of [~~his~~] their residence and place of
51 business if in a city, and a sum which [~~he~~] such surety is worth over
52 and above [~~his~~] their just debts and liabilities and property exempt
53 from execution. The aggregate of the sums so stated in such affidavits
54 must be at least double the amount specified in the undertaking. If the
55 surety on an official undertaking of a state or local officer, clerk or
56 employee of the state or political subdivision thereof or of a municipal

1 corporation be a fidelity or surety corporation, the reasonable expense
2 of procuring such surety, not exceeding one percentum per annum upon the
3 sum for which such undertaking shall be required by or in pursuance of
4 law to be given, shall be a charge against the state or political subdivi-
5 sion or municipal corporation respectively in and for which ~~he~~ **such**
6 **official** is elected or appointed, except that the expense of procuring
7 such surety as aforesaid, on an official undertaking of any officer,
8 clerk or employee in any city department of the city of New York, or of
9 any office, board or body of said city, or of a borough or county within
10 said city, including officers, clerks and employees of every court with-
11 in said city, shall not be a charge upon said city or upon any of the
12 counties contained within said city, unless the comptroller of the said
13 city, shall first have approved the necessity of requiring such official
14 undertaking to be given, and shall have approved of or fixed the amount
15 of any such official undertaking; but this exception shall not apply to
16 an official undertaking specifically required by statute to be given,
17 and the amount of which is specifically fixed by statute. The failure to
18 execute an official undertaking in the form or by the number of sureties
19 required by or in pursuance of law, or of a surety thereto to make an
20 affidavit required by or in pursuance of law, or in the form so
21 required, or the omission from such an undertaking of the approval
22 required by or in pursuance of law, shall not affect the liability of
23 the sureties therein.

24 § 48. The opening paragraph of section 70-a of the public officers
25 law, as amended by chapter 450 of the laws of 2009, is amended to read
26 as follows:

27 The charge for the publication of concurrent resolutions, proposed
28 constitutional amendments, propositions or questions to be submitted to
29 the voters of the state, tax sales and official notices required to be
30 published by state boards, commissions or officers in newspapers of the
31 state, shall be paid from the treasury on the audit and warrant of the
32 comptroller, after certification by the proper officer that such a
33 publication has been regularly made as prescribed by law. The charge for
34 the publication, if authorized by law, of digests of laws of a local
35 nature in the newspaper designated to publish such digests shall be paid
36 by the several counties of the state in which such laws may be
37 published, upon like certification. ~~[The charge for the publication of~~
38 ~~concurrent resolutions, proposed constitutional amendments, propositions~~
39 ~~or questions to be submitted to the voters of the state or of any poli-~~
40 ~~tical subdivision thereof or therein, tax sales by the state or any~~
41 ~~county or municipality therein, and of all official notices and adver-~~
42 ~~tisements authorized or required by law to be published at the expense~~
43 ~~of the state or of a county, city, town, village, public authority,~~
44 ~~public benefit corporation or other political or civil subdivision of~~
45 ~~the state, shall be at the rate of twenty-nine cents per line of a~~
46 ~~column width not less than ten pica ems, provided that in computing such~~
47 ~~charge per line the line shall average at least five words for each~~
48 ~~insertion in newspapers having less than two thousand five hundred~~
49 ~~circulation; twenty-nine and one-half cents per line for newspapers~~
50 ~~having two thousand five hundred or more circulation and less than five~~
51 ~~thousand; thirty and one-half cents per line for newspapers having five~~
52 ~~thousand or more circulation and less than seven thousand and five~~
53 ~~hundred; thirty-one and one-half cents per line for newspapers having~~
54 ~~seven thousand five hundred or more circulation and less than ten thou-~~
55 ~~sand; thirty-two and one-half cents per line for newspapers having ten~~
56 ~~thousand or more circulation and less than fifteen thousand; and three~~

~~and one half cents per line in addition to the thirty two and one half cents for the initial fifteen thousand circulation, for each additional five thousand circulation up to thirty five thousand circulation and one and one half cents per line for each additional five thousand possessed by such newspapers. To all of the above rates nine cents per line shall be added to the initial insertion charge of each separate advertisement. To all of the above rates for the initial insertion eight cents per line shall also be added for tabular matter or intricate composition. Display advertising shall be charged agate measurement, fourteen lines to each inch, ten to thirteen pica ems wide, depending on the makeup of the newspaper publishing such copy. Every newspaper printed, published or having its principal office outside of a city having a population of over three hundred fifty thousand inhabitants, as a condition precedent to designation as the official newspaper of any county, city, town, village or other political or civil subdivision of the state or for the making of claim for compensation under the foregoing provisions of this section, must be established at least one year and entered in the post office as second class matter.]~~

§ 49. Subdivisions 19 and 20 of section 2 of the public service law are REPEALED.

§ 50. Paragraph e of subdivision 1 of section 5 of the public service law is REPEALED.

§ 51. Subdivision 15 of section 66 of the public service law is REPEALED.

§ 52. Subdivisions 1, 2, 3, 4, and 5 of section 91 of the public service law, subdivisions 1, 3, and 4 as added by chapter 673 of the laws of 1910, subdivision 2 as amended by chapter 136 of the laws of 1984 and subdivision 5 as added by chapter 114 of the laws of 1978, are amended to read as follows:

1. Every [~~telegraph corporation and every~~] telephone corporation shall furnish and provide with respect to its business such instrumentalities and facilities as shall be adequate and in all respects just and reasonable. All charges made or demanded by any [~~telegraph corporation or~~] telephone corporation for any service rendered or to be rendered in connection therewith shall be just and reasonable and not more than allowed by law or by order of the commission. Every unjust or unreasonable charge made or demanded for any such service or in connection therewith or in excess of that allowed by law or by order of the commission is prohibited and declared to be unlawful.

2. (a) No [~~telegraph corporation or~~] telephone corporation shall directly or indirectly or by any special rate, rebate, drawback or other device or method charge, demand, collect or receive from any person or corporation a greater or less compensation for any service rendered or to be rendered with respect to communication by [~~telegraph or~~] telephone or in connection therewith, except as authorized in this chapter, than it charges, demands, collects or receives from any other person or corporation for doing a like and contemporaneous service with respect to communication by [~~telegraph or~~] telephone under the same or substantially the same circumstances and conditions.

(b) The local service area within which calls are made on a local rather than toll basis in a city with a population of one million or more shall not be changed as a result of the establishment of an additional area code.

3. No [~~telegraph corporation or~~] telephone corporation shall make or give any undue or unreasonable preference or advantage to any person, corporation or locality, or subject any particular person, corporation

1 or locality to any undue or unreasonable prejudice or disadvantage in
2 any respect whatsoever.

3 4. Nothing in this chapter shall be construed to prevent any [~~tele-~~
4 ~~graph corporation or~~] telephone corporation from continuing to furnish
5 the use of its lines, equipment or service under any contract or
6 contracts in force at the date this article takes effect or upon the
7 taking effect of any schedule or schedules of rates subsequently filed
8 with the commission, as hereinafter provided, at the rate or rates fixed
9 in such contract or contracts; provided, however, that when any such
10 contract or contracts are or become terminable by notice, the commission
11 shall have power, in its discretion, to direct by order that such
12 contract or contracts shall be terminated by the [~~telegraph corporation~~
13 ~~or~~] telephone corporation party thereto, and thereupon such contract or
14 contracts shall be terminated by such [~~telegraph corporation or~~] tele-
15 phone corporation as and when directed by such order.

16 5. No [~~telegraph corporation or~~] telephone corporation shall sell or
17 offer for sale any names and/or addresses of any of its customers whose
18 listings have been omitted from the telephone company's published direc-
19 tory at the request of the customer.

20 § 53. Subdivisions 1, 2, and 3 of section 92 of the public service
21 law, subdivision 1 as added by chapter 673 of the laws of 1910, subdivi-
22 sion 2 as amended by chapter 154 of the laws of 1989, paragraphs (a) and
23 (b) of subdivision 2 as amended by chapter 517 of the laws of 1996,
24 paragraph (c) of subdivision 2 as amended by chapter 517 of the laws of
25 2014, and subdivision 3 as amended by chapter 124 of the laws of 1911,
26 are amended to read as follows:

27 1. Every [~~telegraph corporation and every~~] telephone corporation shall
28 print and file with the commission schedules showing all rates, rentals
29 and charges for service of each and every kind by or over its line
30 between points in this state and between each point upon its line and
31 all points upon every line leased or operated by it and between each
32 point upon its line or upon any line leased or operated by it and all
33 points upon the line of any other [~~telegraph or~~] telephone corporation
34 whenever a through service or joint rate shall have been established
35 between any two points. If no joint rate over a through line has been
36 established the several corporations in such through line shall file
37 with the commission the separately established rates and charges appli-
38 cable where through service is afforded. Such schedule shall plainly
39 state the places between which telephone [~~or telegraph~~] service[, ~~or~~
40 ~~both,~~] will be rendered and shall also state separately all charges and
41 all privileges or facilities granted or allowed and any rules or regu-
42 lations or forms of contract which may in any wise change, affect or
43 determine any or the aggregate of the rates, rentals or charges for the
44 service rendered. Such schedule shall be plainly printed and kept open
45 to public inspection. The commission shall have the power to prescribe
46 the form of every such schedule and may from time to time prescribe, by
47 order, changes in the form thereof. The commission shall also have power
48 to establish rules and regulations for keeping such schedules open to
49 public inspection and may from time to time modify the same. Every
50 [~~telegraph corporation and~~] telephone corporation shall file with the
51 commission as and when required by it a copy of any contract, agreement
52 or arrangement in writing with any other [~~telegraph corporation or~~]
53 telephone corporation or with any other corporation, association or
54 person relating in any way to the construction, maintenance or use of a
55 [~~telegraph line or~~] telephone line or service by or rates and charges
56 over or upon any such [~~telegraph line or~~] telephone line.

2. (a) No change shall be made in any rate, charge or rental, or joint rate, charge or rental applicable to regulated basic services, switched carrier access services, charges for interconnection between local exchange carriers, and toll services within a local access and transport area which shall have been filed by a ~~telegraph corporation or~~ telephone corporation hereinafter in this subdivision called a utility in compliance with this chapter, except after thirty days' notice to the commission and to each county, city, town and village served by such utility which had filed with such utility within the prior twelve months a request for such notice and shall be affected by such change and publication of a notice to the public of such proposed change once in each week for four successive weeks in a newspaper having general circulation in each county containing territory affected by the proposed change. No other change shall be made in any rate, charge or rental, or joint rate, charge or rental filed by a utility, except after ten business days' notice to the commission and publication of one notice at least ten business days prior to the effective date of the change in a newspaper of general circulation in each county affected by the proposed change. Such notices shall plainly state the changes proposed and the time when they go into effect. For the purpose of this paragraph, "regulated basic services" are defined as: residential, individual business, and public access line network access, connection charges for such network access, local usage, local coin usage rates, tone dialing, access to emergency services, statewide relay services, operator assistance services, director listings, and provisions that affect privacy protections.

(b) All proposed changes shall be shown by filing new schedules or shall be plainly indicated upon the schedules filed and in force at the time and kept open to public inspection. The commission, for good cause shown, may, except in the case of major changes, allow changes in rates, charges or rentals to take effect prior to the end of such thirty-day period or such ten-day period and without publication of notice to the public under such conditions as it may prescribe. All such changes shall be immediately indicated upon its schedules by such utility. The commission may delegate to the secretary of the commission its authority to approve a change to a schedule postponing the effective date of such schedule previously filed with the commission and for good cause shown to allow the postponement to take effect prior to the end of such thirty-day period or ten-day period and without publication of notice to the public.

(c) For the purpose of this subdivision, "major changes" shall mean an increase in rates, charges and rentals which would increase the aggregate revenues of the applicant more than the greater of five hundred thousand dollars or two and one-half percent, but shall not include changes in rates, charges or rentals allowed to go into effect by the commission or made by the utility pursuant to an order of the commission after hearings held upon notice to the public. If an increase in rates, charges and rentals would increase the aggregate revenues of the applicant by less than five hundred thousand dollars, the commission may hold a hearing pursuant to paragraph (e) of this subdivision and/or provide a statement pursuant to subdivision four of this section.

(d) No utility shall charge, demand, collect or receive a different compensation for any service rendered or to be rendered than the charge applicable as specified in its schedule on file and in effect. Nor shall any utility refund or remit directly or indirectly any portion of the rate or charge so specified, nor extend to any person any form of

1 contract or agreement, or any rule or regulation, or any privilege or
2 facility, except such as are specified in its schedule filed and in
3 effect and regularly and uniformly extended to all persons under like
4 circumstances for the like or substantially similar service.

5 (e) Whenever there shall be filed with the commission by any utility,
6 any schedule stating a new rate or charge, or any change in any form of
7 contract or agreement or any rule or regulation relating to any rate,
8 charge or service, or in any general privilege or facility, the commis-
9 sion may at any time within sixty days from the date when such schedule
10 would or has become effective, either upon complaint or upon its own
11 initiative, and, if it so orders, without answer or other formal plead-
12 ing by the utility, but upon reasonable notice, hold a hearing concern-
13 ing the propriety of a change proposed by the filing. If such change is
14 a major change the commission shall hold such a hearing. Pending such
15 hearing and decision thereon, the commission, upon filing with such
16 schedule and delivering to the utility, a statement in writing of its
17 reasons therefor, may suspend the operation of such schedule, but not
18 for a longer period than one hundred and twenty days beyond the time
19 when it would otherwise go into effect. After full hearing, whether
20 completed before or after it goes into effect, the commission may make
21 such order in reference thereto as would be proper in a proceeding begun
22 after the rate, charge, form of contract or agreement, rule, regulation,
23 service, general privilege or facility has become effective.. If such
24 hearing cannot be concluded within the period of suspension as above
25 stated, the commission may extend the suspension for a further period,
26 not exceeding six months. The commission may, as authorized by section
27 ninety-seven of this article, establish temporary rates, charges or
28 rentals, for any period of suspension under this section.

29 (f) At any hearing involving a change or a proposed change of rates,
30 the burden of proof to show that the change or proposed change if
31 proposed by the utility, or that the existing rate, if it is proposed to
32 reduce the rate, is just and reasonable shall be upon the utility; and
33 the commission may give to the hearing and decision of such questions
34 preference over all other questions pending before it.

35 (g) During the suspension by the commission as above provided, the
36 schedule, rates, charges, form of contract or agreement, rule, regu-
37 lation, service, general privilege or facility in force when the
38 suspended schedule, rate, charge, form of contract, rule, regulation,
39 service, general privilege or facility was filed shall continue in force
40 unless the commission shall establish a temporary rate.

41 3. No [~~telegraph corporation or~~] telephone corporation subject to the
42 provisions of this chapter shall, directly or indirectly, give any free
43 or reduced service, or any free pass or frank for the transmission of
44 messages by [~~either~~] telephone [~~or telegraph~~] between points within this
45 state, except to its officers, employees, agents, pensioners, surgeons,
46 physicians, attorneys-at-law and their families; to persons or corpo-
47 rations exclusively engaged in charitable and eleemosynary work and
48 ministers of religions; to officers and employees of other [~~telegraph~~
49 ~~corporations and~~] telephone corporations, railroad corporations and
50 street railroad corporations. But this subdivision shall not apply to
51 state, municipal or federal contracts.

52 § 54. Section 95 of the public service law, as added by chapter 673 of
53 the laws of 1910, subdivision 1 as amended by chapter 784 of the laws of
54 1923, subdivision 2 as amended by chapter 302 of the laws of 1937, and
55 subdivision 3 as added by chapter 829 of the laws of 1930, is amended to
56 read as follows:

1 § 95. Reports of [~~telegraph corporations and~~] telephone corporations.
2 1. Every [~~telegraph corporation and every~~] telephone corporation shall
3 file with the commission an annual report at a time and covering the
4 yearly period fixed by the commission. Such annual reports shall be
5 verified by the oath of the president, vice-president, treasurer, secre-
6 tary, general manager or receiver if any of such [~~corporations~~] corpo-
7 ration, or by the person required to file the same. Verification shall
8 be made by the official holding office at the time of the filing of said
9 report, and if not made upon the knowledge of the person verifying the
10 same shall set forth in general terms the sources of [~~his~~] their infor-
11 mation and the grounds for [~~his~~] their belief as to any matters not
12 stated to be verified on [~~his~~] their knowledge. The commission shall
13 prescribe the form of such reports and the character of the information
14 to be contained therein and may, from time to time make such changes and
15 additions in regard to form and contents thereof as it may deem proper
16 and shall furnish a blank form for such annual reports to every [~~tele-~~
17 ~~graph corporation and every~~] telephone corporation required to make the
18 same. When the report of any [~~telegraph corporation or~~] telephone corpo-
19 ration is defective or erroneous the commission shall notify the corpo-
20 ration to amend the same within a time prescribed by the commission. The
21 said reports shall be preserved in the office of the commission. The
22 commission may require of any [~~telegraph corporation or~~] telephone
23 corporation specific answers to questions upon which the commission may
24 desire information. If any [~~telegraph corporation or~~] telephone corpo-
25 ration shall fail to make and file its annual report as and when
26 required or within such extended time as the commission may allow or
27 shall fail to make specific answers to any question within the period
28 specified by the commission for the making and filing of such answers,
29 such corporation shall forfeit to the state the sum of one hundred
30 dollars for each and every day it shall continue to be in default with
31 respect to such report or answer. Such forfeiture shall be recovered in
32 an action brought by the commission in the name of the people of the
33 state of New York. The amount recovered in any such action shall be paid
34 into the state treasury and shall be credited to the general fund. The
35 commission may, when it deems it advisable, exempt any [~~telegraph corpo-~~
36 ~~ration or~~] telephone corporation from the necessity of filing annual
37 reports until the further order of the commission.
38 2. The commission may establish a system of accounts to be used by
39 [~~telegraph corporations and~~] telephone corporations, which are subject
40 to its jurisdiction, and are required to make annual reports to it or
41 classify the said corporations, and prescribe a system of accounts for
42 each class and may prescribe the manner in which such accounts shall be
43 kept. It may also, in its discretion prescribe the form of records to be
44 kept by such corporation. Notice of alterations by the commission in the
45 required method or form of keeping accounts shall be given to such
46 corporations by the commission at least six months before the same are
47 to take effect. The commission shall at all times have access to all
48 accounts, records and memoranda kept by [~~telegraph corporations and~~]
49 telephone corporations, and may designate any of its officers or employ-
50 ees who shall thereupon be authorized under the order of the commission
51 to inspect and examine any and all accounts, records and memoranda kept
52 by any such corporation; and the commission may, after a hearing,
53 prescribe by order, the accounts in which particular outlays and
54 receipts shall be entered, charged or credited. At any such hearing the
55 burden of proof shall be on the corporation to establish the correctness
56 of the accounts in which such outlays and receipts have been entered and

1 the commission may suspend a charge or credit pending submission of
2 proof by such corporation. Any provision of law prohibiting the disclo-
3 sure of the contents [~~of telegraph messages or the contents~~] or
4 substance of telephone communications shall not be deemed to prohibit
5 the disclosure of any matter in accordance with the provisions of this
6 chapter.

7 3. In the case of a telephone corporation having property actually
8 used in the public service within the state of a value of less than ten
9 thousand dollars and operated for profit, the commission may and wherev-
10 er it deems it practicable shall prescribe a simplified system of
11 accounts and reports suitable to the character and activities of the
12 telephone corporation regulated.

13 § 55. Section 108 of the rapid transit law is REPEALED.

14 § 56. Subdivision 9 of section 316-a of the real property law, as
15 amended by chapter 1065 of the laws of 1971, is amended to read as
16 follows:

17 9. No entry in any book or index in said clerk's office shall be
18 erased so as to be illegible, but in case of any correction, the same
19 shall be made without destroying the original by drawing a line through
20 such original entry, and in such cases the date of such correction,
21 attested by the signature of the clerk or [~~his~~] the clerk's deputy,
22 shall be entered upon the same page on which such correction is made, on
23 the margin opposite such correction. [~~In the event the indexes are in a~~
24 ~~microfilm the correction shall be made by a hole being punched in the~~
25 ~~margin adjacent to the corrected entry. No initials being required in~~
26 ~~this event.~~]

27 § 57. Section 201 of the real property actions and proceedings law, as
28 amended by chapter 418 of the laws of 1980, is amended to read as
29 follows:

30 § 201. State tax commission, state or industrial commissioner as
31 defendant in certain real property actions. In any action affecting real
32 property upon which the [~~state tax commission~~] department of taxation
33 and finance has a lien under the tax law or under a law enacted pursuant
34 to the authority of the tax law or article two-E of the general city
35 law, whether or not such lien exists by reason of the filing or docket-
36 ing of a warrant under such laws, the [~~state tax commission~~] department
37 of taxation and finance may be made a party defendant in the same manner
38 as a private person. In any action affecting real property upon which
39 the state has a lien under sections two hundred forty-six-a and two
40 hundred forty-six-b of the lien law, the state may be made a party
41 defendant in the same manner as a private person. In any action affect-
42 ing real property upon which a lien exists by reason of the docketing of
43 a warrant pursuant to the unemployment insurance law, the [~~industrial~~]
44 commissioner of labor may be made a party defendant in the same manner
45 as a private person.

46 § 58. Subdivision b of section 13 of the retirement and social securi-
47 ty law, as amended by chapter 369 of the laws of 1964, is amended to
48 read as follows:

49 b. The comptroller shall be trustee of the several funds of the
50 retirement system. Such funds shall be invested by the comptroller in
51 securities in which [~~he~~] the comptroller is authorized by law to invest
52 the funds of the state, except that [~~he~~] the comptroller may invest in
53 obligations consisting of notes, bonds, debentures, or equipment trust
54 certificates issued under an indenture, which are the direct obligations
55 of, or in the case of equipment trust certificates are secured by direct
56 obligations of, a railroad or industrial corporation, or a corporation

1 engaged directly and primarily in the production, transportation,
2 distribution, or sale of electricity or gas, or the operation of tele-
3 phone [~~or telegraph~~] systems or waterworks, or in some combination of
4 them; provided the obligor corporation is one which is incorporated
5 under the laws of the United States, or any state thereof, or of the
6 District of Columbia, and said obligations shall be rated at the time of
7 purchase within the three highest classifications established by at
8 least two standard rating services. The maximum amount that the comp-
9 troller may invest in such obligations shall not exceed thirty per
10 centum of the assets of the New York state employees' retirement
11 system's funds; and provided further that not more than two and [~~one~~
12 ~~half~~] one-half per centum of the assets of the New York state employees'
13 retirement system's funds shall be invested in the obligations of any
14 one corporation of the highest classification and subsidiary or subsid-
15 iaries thereof, that not more than two per centum of the assets of the
16 New York state employees' retirement system's funds shall be invested in
17 the obligations of any one corporation of the second highest classifica-
18 tion and subsidiary or subsidiaries thereof, that not more than one and
19 [~~one half~~] one-half per centum of the assets of the New York state
20 employees' retirement system's funds shall be invested in the obli-
21 gations of any one corporation of the third highest classification and
22 subsidiary or subsidiaries thereof. [~~He~~] The comptroller shall, however,
23 be subject to all terms, conditions, limitations and restrictions
24 imposed by this article and by law upon the making of such investments.
25 The comptroller shall have full power:

26 1. To hold, purchase, sell, assign, transfer or dispose of any of the
27 securities or investments, in which any of the funds of the retirement
28 system shall be invested, including the proceeds of such investments and
29 any monies belonging to such funds, and

30 2. In [~~his~~] the name of the comptroller as trustee, to foreclose mort-
31 gages upon default or to take title to real property in such proceedings
32 in lieu thereof and to lease and sell real property so acquired.

33 § 59. Section 115 of the retirement and social security law is
34 REPEALED.

35 § 60. Subparagraph (c) of paragraph 1 of subdivision i of section 341
36 of the retirement and social security law is REPEALED.

37 § 61. Subdivision f of section 381-a of the retirement and social
38 security law is REPEALED.

39 § 62. Section 79 of the second class cities law, as amended by chapter
40 710 of the laws of 1943, is amended to read as follows:

41 § 79. Contracts and expenditures prohibited. No officer, board, or
42 department shall, during any fiscal year, expend or contract to be
43 expended any money or incur any liability, or enter into any contract
44 which, by its terms, involves the expenditure of money for any of the
45 purposes for which provision is made in the annual estimate in excess of
46 the amounts appropriated in said estimate, as adopted by the common
47 council, for such officer, board, department or purpose, for such fiscal
48 year. Any contract, verbal or written, made in violation of this section
49 shall be null and void as to the city, and no moneys belonging to the
50 city shall be paid thereon, provided, however, that nothing herein
51 contained shall prevent the making of contracts for light or water, the
52 collection and disposal or the disposal of garbage, the collection and
53 removal of rubbish and ashes, or the cleaning of streets[, ~~or the sprin-~~
54 ~~kling of streets or public places by railway cars,~~] for periods exceed-
55 ing one year.

1 Nothing herein contained, however, shall be held to prohibit the
2 expenditure of such sums as may be made available, pursuant to section
3 seventy-six of this chapter or section 29.00 of the local finance law.

4 § 63. Section 201 of the second class cities law, as amended by chap-
5 ter 363 of the laws of 1921, is amended to read as follows:

6 § 201. Duties of the corporation counsel. The corporation counsel
7 shall be and act as the legal adviser of the common council and of the
8 several officers, boards and departments of the city. [~~He~~] The corpo-
9 ration counsel shall appear for and protect the rights and interests of
10 the city in all actions, suits and proceedings brought by or against it
11 or any city officer, board or department[~~, including the commissioner of~~
12 ~~charities in bastardy proceedings~~]; and such officer, board or depart-
13 ment shall not employ other counsel. The corporation counsel may, howev-
14 er, with the written consent of the mayor, employ counsel, at such
15 compensation as may be approved by the board of estimate and apportion-
16 ment, to assist [~~him~~] the corporation counsel in the argument and
17 conduct of important cases or proceedings in which the city or any offi-
18 cer, board or department thereof is interested or a party.

19 § 64. Section 358-c of the social services law is REPEALED.

20 § 65. Section 52 of the state law, as amended by chapter 593 of the
21 laws of 1981, is amended to read as follows:

22 § 52. Governor may execute deed or release. Whenever the United
23 States, by any agent authorized under the hand and seal of any head of
24 an executive department of the government of the United States, or the
25 administrator of veterans' affairs of the government of the United
26 States, shall cause to be filed in the office of the secretary of state
27 of the state of New York, maps or plats and descriptions by metes and
28 bounds of any tracts or parcels of land within this state, except within
29 the Adirondack park as defined by section 9-0101 of the environmental
30 conservation law, where a special act of the legislature shall be
31 required, which have been acquired by the United States for any of the
32 purposes aforesaid, and a certificate of the attorney-general of the
33 United States that the United States is in possession of said lands and
34 premises for either of the works or purposes aforesaid, under a clear
35 and complete title, the governor of this state is authorized, if [~~he~~]
36 the governor deems it proper, to execute in duplicate, in the name of
37 the state and under its great seal, a deed or release of the state
38 ceding to the United States the jurisdiction of said tracts or parcels
39 of land as hereinafter provided. Such maps shall be drawn [~~with pen and~~
40 ~~India ink upon tracing cloth and shall be otherwise~~] in form and manner
41 suitable to the files, records and purposes of the office of the secre-
42 tary of state, and show such data thereon, or in relation thereto, as
43 may be required by the secretary of state.

44 § 66. Section 211 of the general municipal law, as amended by chapter
45 684 of the laws of 1944, is amended to read as follows:

46 § 211. Certified copy of transfer to be filed. Whenever the United
47 States, by any agent authorized under the hand and seal of any head of
48 an executive department of the government of the United States, shall
49 cause to be filed in the office of the secretary of state of this state,
50 maps and descriptions by metes and bounds of any such pieces of land
51 which had been acquired by the United States for the purposes specified
52 in section two hundred [~~and~~] ten of this article, exclusive jurisdic-
53 tion, except as provided in section two hundred [~~and~~] twelve, is there-
54 upon ceded to the United States over the lands so described, during the
55 time that the United States shall be or remain the owner thereof. Such
56 maps shall be drawn [~~with pen and India ink upon tracing cloth and shall~~

1 ~~be otherwise~~] in form and manner suitable to the files, records and
2 purposes of the office of the secretary of state, and show such data
3 thereon, or in relation thereto, as may be required by the secretary of
4 state.

5 § 67. Sections 303, 304, 313, 314, 315, 317, 319, 320, 323, 326, and
6 327 of the town law are REPEALED.

7 § 68. Subdivision 1 of section 251 of the personal property law, as
8 amended by chapter 106 of the laws of 1975, is amended to read as
9 follows:

10 1. The term "property" as used in this article means money, instru-
11 ments payable, drawn or issued to bearer or to cash, goods, chattels and
12 tangible personal property other than (a) "instruments" as defined in
13 subdivision two of this section, (b) animals, (c) wrecks governed by the
14 provisions of the navigation law[, and (d) ~~logs and other property~~
15 ~~governed by section three hundred twenty-three of the town law and (e)~~]
16 vehicles governed by the vehicle and traffic law.

17 § 69. Article 2-D of the transportation law is REPEALED.

18 § 70. Article 21 of the transportation law is REPEALED.

19 § 71. Subdivision 2 of section 2 of the transportation corporations
20 law is amended to read as follows:

21 2. A ~~[telegraph corporation, a]~~ telephone corporation ~~[or a telegraph~~
22 ~~and telephone corporation]~~.

23 § 72. Paragraph 2 of subdivision (b) of section 3 of the transporta-
24 tion corporations law, as amended by chapter 734 of the laws of 1964, is
25 amended to read as follows:

26 2. If a ~~[telegraph corporation, a]~~ telephone corporation, ~~[or a tele-~~
27 ~~graph and telephone corporation,]~~ the territory in which its operations
28 are to be carried on;

29 § 73. The article heading of article 3 of the transportation corpo-
30 rations law is amended to read as follows:

31 ~~[TELEGRAPH AND]~~ TELEPHONE CORPORATIONS

32 § 74. Section 25 of the transportation corporations law is amended to
33 read as follows:

34 § 25. ~~[Definitions. A telegraph corporation is a corporation organized~~
35 ~~to construct, own, use and maintain a line or lines of electric tele-~~
36 ~~graph wholly within or partly without this state, or to acquire and own~~
37 ~~any interest in any such line or lines, or any grants therefor or for~~
38 ~~any or all of such purposes.]~~ **Definition.** A telephone corporation is a
39 corporation organized to construct, own, use and maintain a line or
40 lines of electric telephone wholly within or partly without the state,
41 or to acquire and own any interest in any such line or lines, or any
42 grants therefor or for any or all of such purposes. ~~[A telegraph and~~
43 ~~telephone corporation is a corporation organized for both such telegraph~~
44 ~~and telephone purposes.]~~

45 § 75. Section 26 of the transportation corporations law, as amended by
46 chapter 734 of the laws of 1964, is amended to read as follows:

47 § 26. Extension of lines. A ~~[telegraph corporation, a]~~ telephone
48 corporation ~~[or a telegraph and telephone corporation]~~ heretofore or
49 hereafter incorporated under or by any general or special law may
50 construct, own, use and maintain any line of ~~[electric telegraph or]~~
51 telephone, whether or not the line and the territory in which it be
52 located was described in its original certificate of incorporation, and
53 whether wholly within or wholly or partly without the state, and may
54 join with any other corporation in constructing, leasing, owning, using
55 and maintaining such line, or hold or own any interest therein, or
56 become lessees thereof, upon delivering to the department of state for

1 filing a certificate of amendment. If the lines or territory are to be
2 extended the certificate shall describe the territory in which the oper-
3 ations of the corporation are to be carried on.

4 § 76. Section 27 of the transportation corporations law, as amended by
5 chapter 840 of the laws of 1977, is amended to read as follows:

6 § 27. Construction of lines. Any such corporation may erect, construct
7 and maintain the necessary fixtures for its lines upon, over or under
8 any of the public roads, streets and highways; and through, across or
9 under any of the waters within the limits of this state, and may erect,
10 construct and maintain its necessary stations, plants, equipment or
11 lines upon, through or over any other land, subject to the right of the
12 owners thereof to full compensation for the same. If any such corpo-
13 ration can not agree with such owner or owners upon the compensation to
14 be paid therefor, such compensation shall be ascertained in the manner
15 provided in the eminent domain procedure law. Any such corporation is
16 authorized, from time to time, to construct and lay lines of electrical
17 conductors under ground in any city, village or town within the limits
18 of this state, subject to all the provisions of law in reference to such
19 companies not inconsistent with this section; provided that such corpo-
20 ration shall, before laying any such line in any city, village or town
21 of this state, first obtain from the common council of cities, or other
22 body having like jurisdiction therein, the trustees of villages, or the
23 town superintendents of towns, permission to use the streets within such
24 city, village or town for the purposes herein set forth. ~~[Nothing in
25 this section shall limit, alter, or affect the provisions or powers
26 relating or granted to telegraph corporations heretofore created by
27 special act of the legislature of this state, except in so far as to
28 confer on any such corporation the right to lay electrical conductors
29 under ground.]~~

30 § 77. Section 28 of the transportation corporations law is amended to
31 read as follows:

32 § 28. Transmission of dispatches. Every such corporation shall receive
33 dispatches from and for other ~~[telegraph or]~~ telephone lines or corpo-
34 rations, and from and for any person, and on payment of the usual charg-
35 es for transmitting dispatches as established by the rules and regu-
36 lations of such corporation, transmit the same with impartiality and
37 good faith and in the order in which they are received, and if it
38 neglects or refuses so to do, it shall pay one hundred dollars for every
39 such refusal or neglect to the person sending or desiring to send any
40 such dispatch and entitled to have it so transmitted, but arrangements
41 may be made with the proprietors or publishers or newspapers for the
42 transmission for publication of intelligence of general and public
43 interest out of its regular order.

44 § 78. Section 29 of the transportation corporations law, as amended by
45 chapter 734 of the laws of 1964, is amended to read as follows:

46 § 29. Transfer of property to other corporations. Any such corporation
47 may lease, sell or convey its property, rights, privileges and fran-
48 chises, or any interest therein, or any part thereof to any ~~[telegraph,
49 telephone [or telegraph and telephone]~~ corporation organized under or
50 created by the laws of this or any other state, and may acquire by
51 purchase, lease or conveyance the property rights, privileges and fran-
52 chises, or any interest therein or part thereof of any such corporation,
53 and may make payments therefor in its own stock, money or property, or
54 receive payment therefor in the stock, money or property of the corpo-
55 ration to which the same may be so sold, leased or conveyed.

1 § 79. Sections 30 and 30-b of the transportation corporations law are
2 REPEALED.

3 § 80. Section 31 of the transportation corporations law is amended to
4 read as follows:

5 § 31. Application of article. The provisions of this article shall
6 apply to corporations owning, leasing, maintaining or operating or
7 organized for the purpose of owning, leasing, maintaining or operating,
8 a radio or wireless plant, equipment or system as a part of, or in
9 conjunction with, a station or stations engaged in or designed to engage
10 in public commercial intercourse by wireless ~~[telegraphy or]~~ telephony,
11 and also corporations for the generation and distribution of music elec-
12 trically; and such corporations shall possess the powers and be subject
13 to all the duties granted to or imposed upon ~~[telegraph or]~~ telephone
14 corporations thereby except that such corporations organized solely for
15 the generation and distribution of music electrically shall not have or
16 exercise the right of condemnation.

17 § 81. Subdivision 2 of section 103 of the transportation law, as
18 amended by chapter 322 of the laws of 2021, is amended to read as
19 follows:

20 2. No common carrier subject to the provisions of this chapter shall,
21 directly or indirectly, issue or give any free ticket, free pass or free
22 transportation for passengers or property between points within this
23 state, except to its officers, employees, agents, surgeons, physicians,
24 attorneys-at-law, and their families; to ministers of religion, officers
25 and employees of railroad young men's christian associations, incarcer-
26 ated individuals of hospitals, charitable and eleemosynary institutions
27 and persons exclusively engaged in charitable and eleemosynary work; and
28 to indigent, destitute and homeless persons and to such persons when
29 transported by charitable societies or hospitals, and the necessary
30 agents employed in such transportation; to incarcerated individuals of
31 the national homes or state homes for disabled volunteer soldiers and of
32 soldiers' and sailors' homes, including those about to enter and those
33 returning home after discharge, and boards of managers of such homes; to
34 necessary caretakers of property in transit; to employees of sleeping-
35 car companies, express companies, ~~[telegraph and]~~ telephone companies
36 doing business along the line of the issuing carrier; to railway mail
37 service employees, post-office inspectors, mail carriers in uniform,
38 customs inspectors and immigration inspectors; to newspaper carriers on
39 trains, baggage agents, witnesses attending any legal investigation or
40 proceeding in which the common carrier is interested, persons injured in
41 accidents or wrecks and physicians and nurses attending such persons; to
42 the carriage free or at reduced rates of persons or property for the
43 United States, state or municipal governments, or of property to or from
44 fairs and expositions for exhibit thereat.

45 § 82. Subdivision 2 of section 427 of the vehicle and traffic law is
46 amended to read as follows:

47 2. The comptroller, after reserving sufficient to provide at all times
48 a fund in ~~[his]~~ the comptroller's hands ~~[of five thousand dollars]~~ out
49 of which ~~[he]~~ the comptroller shall pay any refund under this chapter,
50 approved by ~~[him]~~ the comptroller and by the commissioner, shall on or
51 before the tenth day of each month pay to the department of taxation and
52 finance the balance to ~~[his]~~ the comptroller's credit in such bank,
53 banking house or trust company, on account of fees collected under this
54 chapter at the close of business on the last day of the preceding month
55 and such department shall pay such balance into the general fund of the
56 state treasury.

§ 83. Section 86 of the workers' compensation law, as amended by chapter 7 of the laws of 1989 and as further amended by section 104 of part A of chapter 62 of the laws of 2011, is amended to read as follows:

§ 86. Catastrophe surplus and reserves for workers' compensation. Ten per centum of the premiums collected from employers insured in the fund for workers' compensation shall be set aside for the creation of a surplus ~~[until such surplus shall amount to the sum of one hundred thousand dollars, and thereafter five per centum of such premiums]~~, until such time as in the judgment of the commissioners such surplus shall be sufficiently large to cover the catastrophe hazard. Thereafter the contribution to such surplus may be reduced or discontinued conditional upon constant maintenance of a sufficient surplus to cover the catastrophe hazard. Reserves shall be set up and maintained adequate to meet anticipated losses and carry all claims and policies to maturity, which reserves shall be computed to reflect the present values, at five percent interest per annum, of the determined and estimated unpaid losses, and other requirements computed in accordance with such rules as shall be approved by the superintendent of financial services.

§ 84. Article 17 of the general business law is REPEALED.

§ 85. Section 15 of the employers' liability law is REPEALED.

§ 86. Section 8 of the employers' liability law is amended to read as follows:

§ 8. Consent by employer and employee to compensation plan. When and if any employer in this state and any of ~~[his]~~ their employees shall consent to the compensation plan described in sections nine to ~~[fifteen]~~ fourteen, inclusive, of this article, hereinafter referred to as the plan, and shall signify their consent thereto in writing, signed by each of them or their authorized agents, and acknowledged in the manner prescribed by law for taking the acknowledgment of a conveyance of real property, and such writing is filed with the county clerk of the county in which it is signed by the employee, then so long as such consent has not expired or been canceled as hereinafter provided, such employee, or in case of injury to ~~[him]~~ such employee results in death, ~~[his]~~ such employee's executor or administrator, shall have no other right of action against the employer for personal injury or death of any kind, under any statute or at common law, save under the plan so consented to, except where personal injury to the employee is caused in whole or in part by the failure of the employer to obey a valid order made by the industrial commission or other public authority authorized to require the employer to safeguard ~~[his]~~ their employees, or where such injury is caused by the serious or willful misconduct of the employer. In such excepted cases thus described, no right of action which the employee has at common law or by any other statute shall be affected or lost by ~~[his]~~ the employee's consent to the plan, if such employee, or in case of death ~~[his]~~ such employee's executor or administrator, commences such action before accepting any benefit under such plan or giving any notice of injury as provided in section nine hereof. The commencing of any legal action whatsoever at common law or by any statute against the employer on account of such injury, except under the plan, shall bar the employee, and in the event of ~~[his]~~ such employee's death ~~[his]~~ such employee's executors, administrators, dependents and other beneficiaries, from all benefit under the plan. This section and sections nine to ~~[fifteen]~~ fourteen, inclusive, of this article shall not apply to a railroad corporation, foreign or domestic, doing business in this state, or a receiver thereof, or to any person employed by such corporation or receiver.

1 § 87. Subdivision 4 of section 115 of the judiciary law is REPEALED.

2 § 88. Paragraph (a) of section 5-1.1 of the estates, powers and trusts
3 law is REPEALED.

4 § 89. Section 62 of the agriculture and markets law is REPEALED.

5 § 90. Title 25 of article 8 of the public authorities law is REPEALED.

6 § 91. Subdivision 2 of section 1002 of the public authorities law, as
7 amended by chapter 521 of the laws of 1984, is amended to read as
8 follows:

9 2. It shall report annually to the governor and the legislature upon
10 its operations and transactions. Such annual report shall incorporate
11 the requirements of section [~~two thousand five~~ twenty-eight] hundred of
12 this chapter, shall identify the authority by its statutory name, and
13 include a letter of transmittal in the report to the governor and the
14 legislature. The annual report shall also include, but not be limited
15 to, the following: (a) the amount of power and energy produced by each
16 project facility; (b) the amount of energy transferred between each
17 project facility for use within the authority's system; (c) the amount
18 of energy transferred between each project facility for sale outside the
19 authority's system; (d) the kilowatt-hour sales by project facility and
20 by customer including all intrastate sales to investor-owned electric
21 corporations, municipal electric systems and rural electric cooper-
22 atives, and all sales on a temporary (i.e., eighteen months or less)
23 basis; (e) the revenues and costs as allocated by the authority for each
24 project facility; (f) the busbar price or prices for power and energy
25 sold to each customer of the authority; (g) the accumulated provision
26 for depreciation for each project facility; and (h) basic financial and
27 operating information specifically detailed for the reporting year and
28 including but not limited to income and expense statements, balance
29 sheets, and changes in financial position, all in accordance with gener-
30 ally accepted accounting principles, debt structure and a summary of
31 funds on a cash basis. The requirement to provide information pursuant
32 to this subdivision is not intended to affect the authority's responsi-
33 bilities or obligations under this title or under any rate covenant or
34 any pledge of revenues outstanding as of the effective date of [~~the~~]
35 chapter five hundred twenty-one of the laws of nineteen hundred eighty-
36 four [~~which added this sentence to this subdivision~~].

37 § 92. Section 1115-y of the public authorities law, as amended by
38 chapter 403 of the laws of 1987, is amended to read as follows:

39 § 1115-y. Audit and annual report. The accounts of the authority and
40 the water board shall be subject to the supervision of the city comp-
41 troller. The authority shall annually submit to the governor and comp-
42 troller and to the state legislature a detailed report pursuant to the
43 provisions of section [~~two thousand five hundred~~ twenty-eight hundred]
44 of title one of article nine of this chapter, and a copy of such report
45 shall be filed with the mayor. The authority shall comply with the
46 provisions of sections [~~two thousand five hundred one, two thousand five~~
47 ~~hundred two, and two thousand five hundred three~~] twenty-eight hundred
48 one, twenty-eight hundred two, and twenty-eight hundred three of title
49 one of article nine of this chapter.

50 § 93. Section 1120-r of the public authorities law, as added by chap-
51 ter 724 of the laws of 1990, is amended to read as follows:

52 § 1120-r. Audit and annual report. In conformity with the provisions
53 of section five of article ten of the constitution, the accounts of the
54 authority shall be subject to the supervision of the comptroller. The
55 authority shall annually submit to the governor and state comptroller
56 and to the state legislature a detailed report pursuant to the

provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the town supervisor. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 94. Section 1139 of the public authorities law, as added by chapter 592 of the laws of 1991, is amended to read as follows:

§ 1139. Audit, annual report and information. In conformity with the provisions of section five of article ten of the constitution, the accounts of the authority shall be subject to the supervision of the comptroller. The authority shall annually submit to the governor and comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with both the county executive and with the county legislature. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

The county executive and the [~~chairman~~] chairperson of the county legislature may each designate a representative to act as a liaison to the authority. Each such liaison shall have the right to attend all meetings of the authority and request, from time to time, such information as the liaison may deem reasonably necessary for the purpose of informing the county executive and the county legislature, respectively, of the activities of the authority.

§ 95. Section 1199-r of the public authorities law, as added by chapter 723 of the laws of 1986, is amended to read as follows:

§ 1199-r. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the authority shall be subject to the supervision of the comptroller. The authority shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the county executive. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 96. Section 1199-ss of the public authorities law, as added by chapter 709 of the laws of 1987, is amended to read as follows:

§ 1199-ss. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the authority shall be subject to the supervision of the comptroller. The authority shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the county executive. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred

1 one, twenty-eight hundred two, and twenty-eight hundred three of title
2 one of article nine of this chapter.

3 § 97. Section 2045-r of the public authorities law, as added by chap-
4 ter 932 of the laws of 1981, is amended to read as follows:

5 § 2045-r. Audit and annual report. In conformity with the provisions
6 of section five of article ten of the constitution, the accounts of the
7 agency shall be subject to the supervision of the state comptroller.
8 The agency shall annually submit to the governor and state comptroller
9 and to the state legislature a detailed report pursuant to the
10 provisions of section [~~two thousand five~~] twenty-eight hundred of this
11 chapter, and a copy of such report shall be filed with the county execu-
12 tive. The agency shall comply with the provisions of sections [~~two thou-
13 sand five hundred one, two thousand five hundred two, and two thousand
14 five hundred three~~] twenty-eight hundred one, twenty-eight hundred two,
15 and twenty-eight hundred three of title one of article nine of this
16 chapter.

17 § 98. Section 2046-q of the public authorities law, as added by chap-
18 ter 632 of the laws of 1982, is amended to read as follows:

19 § 2046-q. Audit and annual report. In conformity with the provisions
20 of section five of article ten of the constitution, the accounts of the
21 agency shall be subject to the supervision of the state comptroller. The
22 agency shall annually submit to the governor and the state comptroller
23 and to the state legislature a detailed report pursuant to the
24 provisions of sections [~~two thousand five hundred, two thousand five
25 hundred one, two thousand five hundred two and two thousand five hundred
26 three~~] twenty-eight hundred, twenty-eight hundred one, twenty-eight
27 hundred two, and twenty-eight hundred three of title one of article nine
28 of this chapter, and a copy of such report shall be filed with the town
29 clerk.

30 § 99. Section 2047-r of the public authorities law, as added by chap-
31 ter 675 of the laws of 1982 and as renumbered by chapter 502 of the laws
32 of 1983, is amended to read as follows:

33 § 2047-r. Audit and annual report. In conformity with the provisions
34 of section five of article ten of the constitution, the accounts of the
35 agency shall be subject to the supervision of the state comptroller. The
36 agency shall annually submit to the governor and state comptroller and
37 to the state legislature a detailed report pursuant to the provisions of
38 section [~~two thousand five~~] twenty-eight hundred of title one of article
39 nine of this chapter, and a copy of such report shall be filed with the
40 county executive. The agency shall comply with the provisions of
41 sections [~~two thousand five hundred one, two thousand five hundred two,
42 and two thousand five hundred three~~] twenty-eight hundred one, twenty-
43 eight hundred two, and twenty-eight hundred three of title one of arti-
44 cle nine of this chapter.

45 § 100. Section 2049-s of the public authorities law, as added by chap-
46 ter 638 of the laws of 1984, is amended to read as follows:

47 § 2049-s. Audit and annual report. In conformity with the provisions
48 of section five of article ten of the constitution, the accounts of the
49 authority shall be subject to the supervision of the state comptroller
50 and an annual audit shall be performed by an independent certified
51 accountant. The authority shall annually submit to the governor and
52 state comptroller and to the state legislature a detailed report pursu-
53 ant to the provisions of section [~~two thousand five~~] twenty-eight
54 hundred of title one of article nine of this chapter, and a copy of such
55 report shall be filed with the town supervisor. The authority shall
56 comply with the provisions of sections [~~two thousand five hundred one,~~

~~two thousand five hundred two, and two thousand five hundred three]~~
twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 101. Section 2050-r of the public authorities law, as added by chapter 936 of the laws of 1986, is amended to read as follows:

§ 2050-r. Audit and annual report. In conformity with the provisions of section five of article ten of the state constitution, the accounts of the agency shall be subject to the supervision of the state comptroller. The agency shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section ~~[two thousand five]~~ twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the ~~[chairman]~~ chairperson of the county legislature. The agency shall comply with the provisions of sections ~~[two thousand five hundred one, two thousand five hundred two and two thousand five hundred three]~~ twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 102. Section 61.01 of the arts and cultural affairs law is REPEALED.

§ 103. Articles 3, 4 and 5 of the debtor and creditor law are REPEALED.

§ 104. Section 352 of the correction law is amended to read as follows:

§ 352. Creditor must relinquish security. A creditor of the prisoner, who has a judgment, mortgage, or other security~~[, specified in section fifty-nine of the debtor and creditor law,]~~ can not apply for such an appointment, with respect to the debt so secured, unless ~~[he]~~ such creditor appends to or includes in ~~[his]~~ their petition, ~~[the] a declaration[, required by that section from a consenting creditor; which declaration has the same effect as the declaration of a consenting creditor, as therein specified]~~ to the effect, that the creditor relinquishes the mortgage, judgment, or other security, so far as it affects that property, to the trustee to be appointed pursuant to the petition, for the benefit of all the creditors. Such a declaration operates, to that extent, as an assignment to the trustee, of the mortgage, judgment, or other security; and vests in such trustee accordingly all the right and interest of the consenting creditor therein.

§ 105. Section 353 of the correction law is amended to read as follows:

§ 353. Contents of petition. The petition must be in writing, and verified by the affidavit of the petitioner, to the effect, that the matters of fact therein stated are true, to the best of the petitioner's knowledge and belief. It must set forth the facts, showing that the applicant is entitled to make the application, and that the application is made to the proper court; the name and residence of each person, who is entitled to make such an application, as prescribed in the last section but one, except the fifth subdivision thereof; and a brief description of the property, real and personal, of the prisoner, and the value thereof. If the applicant is a creditor, and not a resident of the state, ~~[he]~~ such applicant must annex to ~~[his]~~ the petition, the ~~[papers specified in section sixty-two of the debtor and creditor law]~~ original accounts, or sworn copies thereof, and the original specialties or other written securities, if any, upon which such applicant's demand arose or depends. If any of the facts, herein required to be set forth can not be ascertained by the petitioner, after the exercise of due diligence, that fact must be stated; and the court may, in its discretion, issue a

1 subpoena, requiring any person to attend and testify, respecting any
2 matter, which, in its opinion, ought to be more fully and certainly set
3 forth.

4 § 106. Section 118 of the judiciary law is REPEALED.

5 § 107. Sections 43 and 120 of the Indian law are REPEALED.

6 § 108. Section 10 of the employers' liability law, subdivision 2 as
7 amended by chapter 115 of the laws of 1981, is amended to read as
8 follows:

9 § 10. Amount of compensation; persons entitled; physical examination.
10 The amount of compensation under the plan shall be: 1. In case death
11 results from injury:

12 (a) If the employee leaves a [widow] surviving spouse or next of kin
13 at the time of [his] the employee's death wholly dependent on [his] the
14 employee's earnings, a sum equal to twelve hundred times the daily earn-
15 ings of the employee at the rate at which [he] such employee was being
16 paid by the employer at the time of the accident[~~, but not more in any~~
17 ~~event than three thousand dollars~~]. Any weekly payments previously made
18 under the plan shall be deducted in ascertaining such amount payable on
19 death.

20 (b) If such [widow] surviving spouse or next of kin or any of them are
21 in part only dependent upon [his] the employee's earnings, such sum not
22 exceeding that provided in paragraph (a) of this subdivision [a] as may
23 be determined to be reasonable and proportionate to the injury to such
24 dependents.

25 (c) If [he] the employee leaves no [widow] surviving spouse, or next
26 of kin so dependent in whole or in part, the reasonable expenses of
27 [his] the employee's medical attendance and burial[~~, not exceeding one~~
28 ~~hundred dollars~~]. Whatever sum may be determined to be payable under the
29 plan, in case of death of the injured employee, shall be paid to [his]
30 the employee's legal representative for the benefit of such dependents,
31 or if [he] the employee leaves no such dependents, for the benefit of
32 the person to whom the expenses of medical attendance and burial are
33 due.

34 2. Where total or partial incapacity for work at any gainful employ-
35 ment results to the employee from the injury, a weekly payment commenc-
36 ing at the end of the second week after the injury and continuing during
37 incapacity, subject as herein provided, not exceeding fifty per centum
38 of [his] the employee's average weekly earnings when at work on full
39 time during the preceding year during which [he] the employee shall have
40 been in the employment of the same employer, or if [he] the employee
41 shall have been employed less than a year, then a weekly payment of not
42 exceeding three times the average daily earnings on full time for such
43 less period.

44 In fixing the amount of the weekly payment, regard shall be had to any
45 payment, allowance or benefit which the [workman] employee may have
46 received from the employer during the period of [his] the employee's
47 incapacity, and in the case of partial incapacity the weekly payment
48 shall in no case exceed the difference between the amount of the average
49 weekly earnings of the [workman] employee before the accident and the
50 average amount which [he] the employee is earning or is able to earn in
51 some suitable employment or business after the accident, but shall
52 amount to one-half of such difference. In no event shall any weekly
53 payment payable under the plan [~~exceed ten dollars per week or~~] extend
54 over more than eight years from the date of the accident. Any person
55 entitled to receive weekly payments under the plan is required, if
56 requested by the employer, to submit [himself] themselves for examination

1 by a duly qualified medical practitioner or surgeon provided and paid
2 for by the employer, at a time and place reasonably convenient for the
3 employee, within three weeks after the injury, and thereafter at inter-
4 vals not oftener than once in six weeks. If the ~~[workman]~~ employee
5 refuses so to submit, or obstructs the same, ~~[his]~~ the employee's right
6 to weekly payments shall be suspended until such examination shall have
7 taken place, and no compensation shall be payable under the plan during
8 such period. In case an injured employee shall be mentally incompetent
9 at the time when any right or privilege accrues to ~~[him]~~ such employee
10 under the plan, a committee or guardian of the incompetent employee,
11 appointed pursuant to law, may, on behalf of such incompetent employee,
12 claim and exercise any such right or privilege with the same force and
13 effect as if the employee ~~[himself]~~ had been competent and had claimed
14 or exercised any such right or privilege; and no limitation of time
15 herein provided for shall run so long as said incompetent employee has
16 no committee or guardian. In case an injured employee shall be under a
17 substantial impairment within the meaning of the conservatorship
18 provisions of article seventy-seven of the mental hygiene law at the
19 time when any property right accrues to ~~[him]~~ such employee under the
20 plan, a conservator, appointed pursuant to law, may, on behalf of such
21 conservatee, claim and exercise any property right with the same force
22 and effect as if the employee had been capable of managing ~~[his]~~ their
23 own affairs and had claimed such right; and no limitation of time herein
24 provided shall run so long as said employee has no conservator.
25 § 109. This act shall take effect immediately.