

FY 2025 NEW YORK STATE EXECUTIVE BUDGET
PUBLIC PROTECTION AND GENERAL GOVERNMENT
ARTICLE VII LEGISLATION

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**PUBLIC PROTECTION GENERAL GOVERNMENTS
ARTICLE VII LEGISLATION**

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Legislative Bill Drafting Commission
12670-01-4

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

BUDGBI

(Enacts into law major components of
legislation necessary to implement
the state public protection and
general government budget for the
2024-2025 state fiscal year)

BUDGBI. PPGG Governor

AN ACT

to amend the penal law, in relation
to assault in the second degree of a
retail worker (Part A); to amend the
penal law, in relation to establish-
ing the crime of fostering the sale
of stolen goods (Part B); to amend
the penal law, in relation to speci-
fied offenses that constitute a hate
crime (Part C); relating to the
closure of correctional facilities;
and providing for the repeal of such

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s34 Fernandez	s28 Krueger	s01 Palumbo	s42 Skoufis
s43 Ashby	s60 Gallivan	s24 Lanza	s21 Parker	s11 Stavisky
s36 Bailey	s12 Gianaris	s16 Liu	s19 Persaud	s45 Stec
s57 Borrello	s59 Gonzalez	s50 Mannion	s13 Ramos	s35 Stewart-
s46 Breslin	s26 Gounardes	s04 Martinez	s05 Rhoads	Cousins
s25 Brisport	s53 Griffo	s07 Martins	s33 Rivera	s44 Tedisco
s55 Brouk	s40 Harckham	s02 Mattera	s39 Rolison	s06 Thomas
s09 Canzoneri-	s54 Helming	s48 May	s61 Ryan	s49 Walczyk
Fitzpatrick	s41 Hinchey	s37 Mayer	s18 Salazar	s52 Webb
s17 Chu	s47 Hoylman-	s03 Murray	s10 Sanders	s38 Weber
s30 Cleare	Sigal	s20 Myrie	s23 Scarcella-	s08 Weik
s14 Comrie	s31 Jackson	s51 Oberacker	Spanton	
s56 Cooney	s27 Kavanagh	s58 O'Mara	s32 Sepulveda	
s22 Felder	s63 Kennedy	s62 Ortt	s29 Serrano	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a078 Alvarez	a047 Colton	a034 Gonzalez-	a137 Meeks	a016 Sillitti
a031 Anderson	a140 Conrad	Rojas	a017 Mikulin	a052 Simon
a121 Angelino	a032 Cook	a150 Goodell	a122 Miller	a075 Simone
a037 Ardila	a039 Cruz	a116 Gray	a051 Mitaynes	a114 Simpson
a035 Aubry	a043 Cunningham	a100 Gunther	a145 Morinello	a094 Slater
a120 Barclay	a021 Curran	a139 Hawley	a144 Norris	a005 Smith
a106 Barrett	a018 Darling	a083 Heastie	a045 Novakhov	a118 Smullen
a105 Beephan	a053 Davila	a028 Hevesi	a069 O'Donnell	a022 Solages
a107 Bendett	a072 De Los Santos	a128 Hunter	a091 Otis	a110 Steck
a082 Benedetto	a003 DeStefano	a029 Hyndman	a132 Palmesano	a010 Stern
a027 Berger	a070 Dickens	a079 Jackson	a088 Paulin	a127 Stirpe
a042 Bichotte	a054 Dilan	a104 Jacobson	a141 Peoples-	a102 Tague
Hermelyn	a081 Dinowitz	a011 Jean-Pierre	Stokes	a064 Tannousis
a117 Blankenbush	a147 DiPietro	a134 Jensen	a023 Pheffer	a086 Tapia
a015 Blumencranz	a009 Durso	a115 Jones	Amato	a071 Taylor
a073 Bores	a099 Eachus	a125 Kelles	a063 Pirozzolo	a001 Thiele
a098 Brabenc	a048 Eichenstein	a040 Kim	a089 Pretlow	a033 Vanel
a026 Braunstein	a074 Epstein	a013 Lavine	a019 Ra	a055 Walker
a138 Bronson	a109 Fahy	a065 Lee	a030 Raga	a143 Wallace
a046 Brook-Krasny	a061 Fall	a126 Lemondes	a038 Rajkumar	a112 Walsh
a020 Brown, E.	a008 Fitzpatrick	a095 Levenberg	a006 Ramos	a041 Weinstein
a012 Brown, K.	a004 Flood	a060 Lucas	a062 Reilly	a024 Weprin
a093 Burdick	a057 Forrest	a135 Lunsford	a087 Reyes	a059 Williams
a085 Burgos	a124 Friend	a123 Lupardo	a149 Rivera	a113 Woerner
a142 Burke	a050 Gallagher	a129 Magnarelli	a067 Rosenthal, L.	a080 Zaccaro
a119 Buttenschon	a131 Gallahan	a101 Maher	a025 Rozic	a096 Zebrowski
a133 Byrnes	a007 Gandolfo	a036 Mamdani	a111 Santabarbara	a056 Zinerman
a044 Carroll	a068 Gibbs	a130 Manktelow	a090 Sayegh	a077
a058 Chandler-	a002 Giglio, J.A.	a108 McDonald	a076 Seawright	
Waterman	a148 Giglio, J.M.	a014 McDonough	a084 Septimo	
a049 Chang	a066 Glick	a097 McGowan	a092 Shimsky	
a136 Clark		a146 McMahan	a103 Shrestha	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and: in Assembly 2 copies of memorandum in support, in
Senate 4 copies of memorandum in support (single house); or 4 signed copies
of bill and 6 copies of memorandum in support (uni-bill).

provisions upon the expiration thereof (Part D); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part E); to amend the judiciary law, the penal law and the election law, in relation to increasing the safety and security of court officials and their immediate families (Part F); to amend the cannabis law, in relation to providing additional enforcement powers to the office of cannabis management and to authorize localities to create business registries for the purpose of combating illicit cannabis (Part G); to amend the alcoholic beverage control law, in relation to notifying municipalities of the filing of certain applications, changes of ownership of certain licensed businesses, and providing for certain temporary permits; and to repeal certain provisions of such law related thereto (Part H); to amend the alcoholic beverage control law, in relation to establishing a temporary wholesale permit and allowing multiple wholesale licenses owned by the same person or entity to be located at the same premises (Part I); to amend chapter 118 of the laws of 2012 amending the alcoholic beverage control law relating to the powers of the chairman and members of the authority, in relation to the effectiveness of certain provisions thereof (Part J); to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part K); to amend the alcoholic beverage control law, in relation to permitting the use of contiguous and non-contiguous municipal public space by certain licensees; and to repeal chapter 238 of the laws of 2021 (Part L); to amend the workers' compensation law, in relation to providing benefits for prenatal care (Part M); to amend the workers' compensation law and the

insurance law, in relation to the New York state average weekly wage, and to increasing disability benefits (Part N); to amend the general business law, in relation to enacting the Stop Addictive Feeds Exploitation (SAFE) for Kids act prohibiting the provision of an addictive feed to a minor (Part O); to amend the general business law, in relation to establishing the New York child data protection act (Part P); to amend the state finance law, in relation to eliminating the alternate procedure for the payment of salaries for certain employees and the withholding of five days of salary for certain employees (Part Q); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgment and accrued claims (Part R); to amend the civil service law, in relation to reimbursement for medicare premium charges (Part S); to amend the civil service law, in relation to the ability to charge interest on past due balances for the New York state health insurance program, and to authorize the director of the budget to withhold certain state aid to participating employers with past due balances (Part T); to amend the general municipal law, in relation to county-wide shared services panels (Part U); to amend the public authorities law, in relation to bonds issued by the New York city transitional finance authority (Part V); to amend the state finance law, in relation to reforming the local government efficiency grant program (Part W); and to provide for the administration of certain funds and accounts related to the 2023-2024 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts, and in relation to the effectiveness thereof; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improve-

ment fund, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the public authorities law, in relation to the issuance of bonds and notes by the dedicated highway and bridge trust fund, to amend the public authorities law, in relation to the issuance of bonds and notes for city university facilities; to amend the public authorities law, in relation to the issuance of bonds for library construction projects; to amend the public authorities law, in relation to the issuance of bonds for state university educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for locally sponsored community colleges; to amend chapter 392 of the laws of 1973, constituting the medical care facilities finance agency act, in relation to the issuance of mental health services facilities improvement bonds and notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of bonds and notes to finance capital costs related to homeland security; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes for purposes of funding office of information technology services project costs; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of funds to the thruway authority; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes to fund costs for statewide equipment; to amend the public authorities law, in relation to the issuance of bonds for

purposes of financing environmental infrastructure projects; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of bonds and notes for the youth facilities improvement fund; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing peace bridge projects and capital costs of state and local highways; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds for economic development initiatives; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of bonds and notes for the purpose of financing capital projects for the division of military and naval affairs; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds for special education and other educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing the construction of the New York state agriculture and markets food laboratory; to amend chapter 392 of the laws of 1973, constituting the medical care facilities finance agency act, in relation to including comprehensive psychiatric emergency programs and housing for mentally ill persons in the definition of mental health services facility; to amend the state finance law, in relation to the private sale of certain revenue bonds, and in relation to including assets that provide a long-term interest in land in the definition of fixed assets; to amend the public authorities law, in relation to bond issuance charges; to amend the state finance law,

in relation to the redemption price of certain revenue bonds; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of personal income tax revenue anticipation notes; to amend the public authorities law, in relation to the issuance of bonds or notes for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities; and providing for the repeal of certain provisions upon expiration thereof (Part X)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state public protection and general govern-
3 ment budget for the 2024-2025 state fiscal year. Each component is whol-
4 ly contained within a Part identified as Parts A through X. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection
9 with that particular component, shall be deemed to mean and refer to the
10 corresponding section of the Part in which it is found. Section three
11 of this act sets forth the general effective date of this act.

12 PART A

13 Section 1. Subdivision 3 of section 120.05 of the penal law, as
14 amended by chapter 267 of the laws of 2016, is amended to read as
15 follows:

16 3. With intent to prevent a peace officer, a police officer, prosecu-
17 tor as defined in subdivision thirty-one of section 1.20 of the criminal
18 procedure law, registered nurse, licensed practical nurse, public health
19 sanitarian, New York city public health sanitarian, sanitation enforce-
20 ment agent, New York city sanitation worker, a firefighter, including a
21 firefighter acting as a paramedic or emergency medical technician admin-
22 istering first aid in the course of performance of duty as such fire-
23 fighter, an emergency medical service paramedic or emergency medical
24 service technician, or medical or related personnel in a hospital emer-
25 gency department, a city marshal, a school crossing guard appointed
26 pursuant to section two hundred eight-a of the general municipal law, a

1 traffic enforcement officer, traffic enforcement agent [or], employee of
2 any entity governed by the public service law in the course of perform-
3 ing an essential service, or retail worker, from performing a lawful
4 duty, by means including releasing or failing to control an animal under
5 circumstances evincing the actor's intent that the animal obstruct the
6 lawful activity of such peace officer, police officer, prosecutor as
7 defined in subdivision thirty-one of section 1.20 of the criminal proce-
8 dure law, registered nurse, licensed practical nurse, public health
9 sanitarian, New York city public health sanitarian, sanitation enforce-
10 ment agent, New York city sanitation worker, firefighter, paramedic,
11 technician, city marshal, school crossing guard appointed pursuant to
12 section two hundred eight-a of the general municipal law, traffic
13 enforcement officer, traffic enforcement agent [or], employee of an
14 entity governed by the public service law, or retail worker, he or she
15 causes physical injury to such peace officer, police officer, prosecutor
16 as defined in subdivision thirty-one of section 1.20 of the criminal
17 procedure law, registered nurse, licensed practical nurse, public health
18 sanitarian, New York city public health sanitarian, sanitation enforce-
19 ment agent, New York city sanitation worker, firefighter, paramedic,
20 technician or medical or related personnel in a hospital emergency
21 department, city marshal, school crossing guard, traffic enforcement
22 officer, traffic enforcement agent [or], employee of an entity governed
23 by the public service law, or retail worker; or

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

1 Section 1. The penal law is amended by adding a new section 165.66 to
2 read as follows:

3 § 165.66 Fostering the sale of stolen goods.

4 A person is guilty of fostering the sale of stolen goods when such
5 person:

6 1. Hosts, advertises, or otherwise assists in the sale of stolen
7 goods, including on an internet website; and

8 2. Knew or should have known that such goods were stolen.

9 Fostering the sale of stolen goods is a class A misdemeanor.

10 § 2. This act shall take effect on the first of November next succeed-
11 ing the date upon which it shall have become a law.

12 PART C

13 Section 1. Subdivision 3 of section 485.05 of the penal law, as
14 amended by section 3 of part R of chapter 55 of the laws of 2020, is
15 amended to read as follows:

16 3. A "specified offense" is an offense defined by any of the following
17 provisions of this chapter: section 120.00 (assault in the third
18 degree); section 120.05 (assault in the second degree); section 120.06
19 (gang assault in the second degree); section 120.07 (gang assault in the
20 first degree); section 120.10 (assault in the first degree); section
21 120.12 (aggravated assault upon a person less than eleven years old);
22 section 120.13 (menacing in the first degree); section 120.14 (menacing
23 in the second degree); section 120.15 (menacing in the third degree);
24 section 120.20 (reckless endangerment in the second degree); section
25 120.25 (reckless endangerment in the first degree); section 121.11
26 (criminal obstruction of breathing or blood circulation); section 121.12

1 (strangulation in the second degree); section 121.13 (strangulation in
2 the first degree); subdivision one of section 125.15 (manslaughter in
3 the second degree); subdivision one, two or four of section 125.20
4 (manslaughter in the first degree); section 125.25 (murder in the second
5 degree); section 125.26 (aggravated murder); section 125.27 (murder in
6 the first degree); section 120.45 (stalking in the fourth degree);
7 section 120.50 (stalking in the third degree); section 120.55 (stalking
8 in the second degree); section 120.60 (stalking in the first degree);
9 [subdivision one of] section 130.20 (sexual misconduct); section 130.25
10 (rape in the third degree); section 130.30 (rape in the second degree);
11 section 130.35 (rape in the first degree); [subdivision one of] section
12 130.40 (criminal sexual act in the third degree); section 130.45 (crimi-
13 nal sexual act in the second degree); section 130.50 (criminal sexual
14 act in the first degree); [subdivision one of] section 130.52 (forcible
15 touching); section 130.53 (persistent sexual abuse); section 130.55
16 (sexual abuse in the third degree); section 130.60 (sexual abuse in the
17 second degree); section 130.65 (sexual abuse in the first degree);
18 [paragraph (a) of subdivision one of] section 130.65-a (aggravated sexu-
19 al abuse in the fourth degree); section 130.66 (aggravated sexual abuse
20 in the third degree); section 130.67 (aggravated sexual abuse in the
21 second degree); [paragraph (a) of subdivision one of] section 130.70
22 (aggravated sexual abuse in the first degree); section 135.05 (unlawful
23 imprisonment in the second degree); section 135.10 (unlawful imprison-
24 ment in the first degree); section 135.20 (kidnapping in the second
25 degree); section 135.25 (kidnapping in the first degree); section 135.35
26 (labor trafficking); section 135.37 (aggravated labor trafficking);
27 section 135.60 (coercion in the third degree); section 135.61 (coercion
28 in the second degree); section 135.65 (coercion in the first degree);

1 section 140.10 (criminal trespass in the third degree); section 140.15
2 (criminal trespass in the second degree); section 140.17 (criminal tres-
3 pass in the first degree); section 140.20 (burglary in the third
4 degree); section 140.25 (burglary in the second degree); section 140.30
5 (burglary in the first degree); section 145.00 (criminal mischief in the
6 fourth degree); section 145.05 (criminal mischief in the third degree);
7 section 145.10 (criminal mischief in the second degree); section 145.12
8 (criminal mischief in the first degree); section 145.60 (making graffi-
9 ti); section 150.01 (arson in the fifth degree); section 150.05 (arson
10 in the fourth degree); section 150.10 (arson in the third degree);
11 section 150.15 (arson in the second degree); section 150.20 (arson in
12 the first degree); section 155.25 (petit larceny); section 155.30 (grand
13 larceny in the fourth degree); section 155.35 (grand larceny in the
14 third degree); section 155.40 (grand larceny in the second degree);
15 section 155.42 (grand larceny in the first degree); section 160.05
16 (robbery in the third degree); section 160.10 (robbery in the second
17 degree); section 160.15 (robbery in the first degree); section 165.25
18 (jostling); section 230.34 (sex trafficking); section 230.34-a (sex
19 trafficking of a child); section 240.25 (harassment in the first
20 degree); subdivision one, two or four of section 240.30 (aggravated
21 harassment in the second degree); section 240.50 (falsely reporting an
22 incident in the third degree); section 240.55 (falsely reporting an
23 incident in the second degree); section 240.60 (falsely reporting an
24 incident in the first degree); section 260.10 (endangering the welfare
25 of a child); subdivision two of section 265.01 (criminal possession of a
26 weapon in the fourth degree); subdivision one of section 265.02 (crimi-
27 nal possession of a weapon in the third degree); subdivision one of
28 section 265.03 (criminal possession of a weapon in the second degree);

1 subdivision one of section 265.04 (criminal possession of a weapon in
2 the first degree); section 490.10 (soliciting or providing support for
3 an act of terrorism in the second degree); section 490.15 (soliciting or
4 providing support for an act of terrorism in the first degree); section
5 490.20 (making a terroristic threat); section 490.25 (crime of terror-
6 ism); section 490.30 (hindering prosecution of terrorism in the second
7 degree); section 490.35 (hindering prosecution of terrorism in the first
8 degree); section 490.37 (criminal possession of a chemical weapon or
9 biological weapon in the third degree); section 490.40 (criminal
10 possession of a chemical weapon or biological weapon in the second
11 degree); section 490.45 (criminal possession of a chemical weapon or
12 biological weapon in the first degree); section 490.47 (criminal use of
13 a chemical weapon or biological weapon in the third degree); section
14 490.50 (criminal use of a chemical weapon or biological weapon in the
15 second degree); section 490.55 (criminal use of a chemical weapon or
16 biological weapon in the first degree); or any attempt or conspiracy to
17 commit any of the foregoing offenses.

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

20 PART D

21 Section 1. Notwithstanding the provisions of sections 79-a and 79-b of
22 the correction law, the governor is authorized to close up to five
23 correctional facilities of the department of corrections and community
24 supervision, in the state fiscal year 2024-2025, as the governor deter-
25 mines to be necessary for the cost-effective and efficient operation of
26 the correctional system, provided that the governor provides at least 90

1 days notice prior to any such closures to the temporary president of the
2 senate and the speaker of the assembly. Such notice shall include the
3 list of facilities the governor plans to close, the number of incarcer-
4 ated individuals in said facilities, and the number of staff working in
5 said facilities. The commissioner of corrections and community super-
6 vision shall also report in detail to the temporary president of the
7 senate and the speaker of the assembly on the results of staff relo-
8 cation efforts within 60 days after such closure.

9 § 2. This act shall take effect immediately and shall be deemed to
10 have been in full force and effect on and after April 1, 2024 and shall
11 expire and be deemed repealed March 31, 2025.

12 PART E

13 Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax
14 law, as amended by section 1 of part G of chapter 55 of the laws of
15 2022, is amended to read as follows:

16 (b) The sum of one million five hundred thousand dollars must be
17 deposited into the New York state emergency services revolving loan fund
18 annually; provided, however, that such sums shall not be deposited for
19 state fiscal years two thousand eleven--two thousand twelve, two thou-
20 sand twelve--two thousand thirteen, two thousand fourteen--two thousand
21 fifteen, two thousand fifteen--two thousand sixteen, two thousand
22 sixteen--two thousand seventeen, two thousand seventeen--two thousand
23 eighteen, two thousand eighteen--two thousand nineteen, two thousand
24 nineteen--two thousand twenty, two thousand twenty--two thousand twen-
25 ty-one, two thousand twenty-one--two thousand twenty-two, two thousand
26 twenty-two--two thousand twenty-three, [and] two thousand twenty-three-

1 ~~-two thousand twenty-four, two thousand twenty-four--two thousand twen-~~
2 ~~ty-five, and two thousand twenty-five--two thousand twenty-six;~~

3 § 2. This act shall take effect April 1, 2024.

4 PART F

5 Section 1. Legislative purpose. The objective of this act, which shall
6 be referred to as the "New York State Judicial Security Act", is to
7 improve the safety and security of judges of the courts of the unified
8 court system and of the federal courts sitting in New York state, of
9 certain other persons working in or with these courts, and of the imme-
10 diate families of all of the foregoing. Greater confidence in their
11 personal safety and security, and in that of their family members, will
12 enable members of the judiciary to perform their duties fairly without
13 fear of personal reprisal by litigants and others affected by the deci-
14 sions of, judges and others who work in and with the courts.

15 This objective will be accomplished by providing a means by which (i)
16 private information concerning active and former judges, and nonjudicial
17 court personnel, and their immediate families can be kept from public
18 display; and (ii) persons, businesses, associations, and public and
19 private agencies having such information can be forbidden from posting
20 it, or sharing or trading it with others.

21 This act shall be broadly construed to favor protections of the
22 private information of those persons designated hereunder as "eligible
23 individuals".

24 § 2. The judiciary law is amended by adding a new article 22-C to read
25 as follows:

1 ARTICLE 22-C

2 NEW YORK STATE JUDICIAL SECURITY ACT

3 Section 859. New York state judicial security act.

4 § 859. New York state judicial security act. 1. Definitions. As used
5 in this article:

6 (a) "Eligible individual" shall mean:

7 (i) an actively employed or former:

8 (A) judge or justice of the unified court system or judge of the hous-
9 ing part of the civil court of the city of New York;

10 (B) clerk of a court of the unified court system or of a federal court
11 sitting in New York;

12 (C) employee of the United States Marshal Service serving in New York
13 or employee of the unified court system or a political subdivision of
14 the state whose official duties include the provision of court security
15 services; or

16 (D) employee of the unified court system or of a federal court estab-
17 lished in New York, not otherwise included in this paragraph, who has
18 been so designated by the chief administrator or the appropriate admin-
19 istrative authority for the federal courts, respectively, where, in
20 their opinion, there is either evidence of a particularized threat or
21 threats towards such employee or the employee's duties warrant such
22 designation in order to provide for the safety and security of such
23 employee; or

24 (ii) a federal judge or a senior, recalled, or retired federal judge
25 sitting or maintaining chambers in New York, where such federal judge
26 means:

27 (A) a justice of the United States or a judge of the United States, as
28 those terms are defined in section 451 of title 28, United States Code;

1 (B) a bankruptcy judge appointed under section 152 of title 28, United
2 States Code;

3 (C) a United States magistrate judge appointed under section 631 of
4 title 28, United States Code;

5 (D) a judge confirmed by the United States Senate and empowered by
6 statute in any commonwealth, territory, or possession to perform the
7 duties of a Federal judge;

8 (E) a judge of the United States Court of Federal Claims appointed
9 under section 171 of title 28, United States Code;

10 (F) a judge of the United States Court of Appeals for Veterans Claims
11 appointed under section 7253 of title 38, United States Code;

12 (G) a judge of the United States Court of Appeals for the Armed Forces
13 appointed under section 942 of title 10, United States Code;

14 (H) a judge of the United States Tax Court appointed under section
15 7443 of the Internal Revenue Code of 1986; or

16 (I) a special trial judge of the United States Tax Court appointed
17 under section 7443A of the Internal Revenue Code of 1986.

18 (b) "Immediate family" shall mean, for each eligible individual, the
19 spouse, former spouse, parent, child, sibling, and any other person who
20 regularly resides or has regularly resided in the eligible individual's
21 household.

22 (c) "Personal information" shall include the following for an eligible
23 individual and, if such individual so indicates as provided in subpara-
24 graph (ii) of paragraph (a) of subdivision two of this section, for the
25 members of their immediate family: (i) home address, including primary
26 residence and secondary residences; (ii) unlisted telephone number;
27 (iii) personal cell phone number; (iv) personal email address; (v)
28 social security number; (vi) driver license number; (vii) license plate

1 number; (viii) marital status and identity of any present and former
2 spouse; (ix) identity of children under the age of twenty-six; (x) name
3 and address of a school or day care facility attended by an immediate
4 family member; (xi) bank account number; (xii) credit or debit card
5 number; (xiii) personal identification number (PIN); (xiv) automated or
6 electronic signature; (xv) unique biometric data; and (xvi) account
7 passwords.

8 (d) "Making public the personal information" of an identified person
9 shall mean any effort or action by a person, business, association, or
10 public or private agency to post on the internet or otherwise display or
11 publish in any medium accessible to the public such identified person's
12 personal information, to share or trade such information with others, or
13 to otherwise transfer such information to others.

14 (e) "Written request" means an application in writing and signed by an
15 eligible individual, or their representative, requesting that the chief
16 administrator of the courts or the eligible individual's employer, as
17 appropriate, notify one or more persons, businesses, associations, or
18 public or private agencies, other than an excluded entity, that they
19 must refrain from making public the personal information of that eligi-
20 ble individual.

21 (f) "Excluded entity" means a commercial entity engaged in the follow-
22 ing activity:

23 (i) reporting, news-gathering, speaking, or other activity intended to
24 inform the public on matters of public interest or public concern;

25 (ii) using personal information internally, providing access to busi-
26 nesses under common ownership or affiliated by corporate control, or
27 selling or providing data for transaction or service requested by or

1 concerning the individual whose personal information is being trans-
2 ferred;

3 (iii) providing publicly available information via real-time or near
4 real-time alert services for health or safety purposes;

5 (iv) any activity where the commercial entity is a consumer reporting
6 agency subject to the Fair Credit Reporting Act (15 U.S.C. 1681, et
7 seq.);

8 (v) any activity where the commercial entity is a financial institu-
9 tion subject to the Gramm-Leach-Bliley Act (Public Law 106-102) and
10 regulations implementing that Act; and

11 (vi) the collection and sale or licensing of personal information
12 incidental to conducting the activities described in this paragraph.

13 (g) "Public agency" shall mean an agency of the state of New York and
14 any of its political subdivisions.

15 2. Written request; notification by chief administrator of the courts
16 or employer. (a) This subdivision shall apply to every eligible individ-
17 ual. An eligible individual or their representative may submit a writ-
18 ten request to the chief administrator of the courts, if the eligible
19 individual is an active or former judge, justice, judge of the housing
20 part of the civil court of the city of New York, or nonjudicial employee
21 of the unified court system, or, if not, to the eligible individual's
22 employer or, if the eligible individual is no longer in service, to the
23 person or office who would be their employer were such individual still
24 in service. For purposes of this subdivision, the employer of a federal
25 judge shall be the appropriate administrative authority for the court in
26 which such federal judge serves. The written request shall specify:

27 (i) those items of personal information that the eligible individual
28 wishes to be kept from being made public;

1 (ii) the identity of members of the eligible individual's immediate
2 family and whether, for purposes of the written request, their personal
3 information should be deemed to include that of such immediate family
4 members; and

5 (iii) each person, business, association, and public or private agency
6 that the eligible individual wishes to bar from making public the
7 personal information of such eligible individual.

8 (b) The chief administrator and each employer to which a written
9 request may be submitted under this subdivision shall develop procedures
10 to review and process such requests.

11 (c) (i) If a written request has been properly submitted and is
12 complete, the chief administrator or employer, as appropriate, shall,
13 within five business days of receipt of such written request from an
14 eligible individual, notify each person, business, association, and
15 public or private agency identified in the written request that (A)
16 beginning within seventy-two hours of receipt of such notification, they
17 must cease making public the personal information of the eligible indi-
18 vidual identified in such request, and (B) within twenty business days
19 of such receipt, must delete or otherwise remove any existing posting on
20 the internet and any display or publication in any medium accessible to
21 the public containing such personal information as is specified in the
22 written request of the eligible individual on whose behalf the notifica-
23 tion is made. For purposes of this subparagraph, notification shall be
24 by certified mail, return receipt requested, either at the recipient's
25 last known residence (if recipient is a person) or at the recipient's
26 principal office (which shall be the location at which the office of the
27 chief executive officer of the recipient is generally located).

1 (ii) Notwithstanding any provision of this paragraph to the contrary,
2 subparagraph (i) of this paragraph shall not apply to:

3 (A) display on the internet of the personal information of an eligible
4 individual if such information is relevant to and displayed as part of a
5 news story, commentary, editorial, or other speech on a matter of public
6 concern;

7 (B) personal information that the eligible individual voluntarily
8 publishes on the internet after the effective date of this section;

9 (C) personal information received from a public agency or from an
10 agency of the federal government; and

11 (D) permissible uses of personal information pursuant to the Driver's
12 Privacy Protection Act (18 U.S.C. § 2721 et seq.), except that no eligi-
13 ble individual making a written request under this article shall be
14 deemed to have given express consent to share personal information for
15 the purposes of 18 U.S.C. § 2721(b), unless the written request contains
16 an express declaration to the contrary.

17 3. Duration of notification. A notification issued by or on behalf of
18 an eligible individual pursuant to subdivision two of this section
19 expires on their death; provided, however, where a notification here-
20 under bars making public the personal information of a member of an
21 eligible individual's immediate family, that bar shall remain in effect
22 until the death of such immediate family member unless that person or
23 the eligible individual sooner rescinds it. If an eligible individual
24 wishes to rescind such a notification, they or the chief administrator
25 of the courts or the eligible individual's employer, as appropriate,
26 upon request from the covered individual, may provide a person, busi-
27 ness, association, or public or private agency with written permission
28 to make public their personal information.

1 4. Recipient of notification not to make an eligible individual's
2 personal information public; judicial relief available upon non-compli-
3 ance. (a) After a person, business, association, or public or private
4 agency has received a notification pursuant to paragraph (c) of subdivi-
5 sion two of this section, they shall have (i) seventy-two hours to cease
6 making public the personal information of the eligible individual iden-
7 tified in such notification, and (ii) twenty business days within which
8 to delete or otherwise remove any existing postings on the internet and
9 any display or publication in any medium accessible to the public
10 containing such personal information.

11 (b) An eligible individual may seek an injunction or declaratory
12 relief in a court of competent jurisdiction against a person, business,
13 association, or public or private agency that, after receiving a notifi-
14 cation pursuant to paragraph (c) of subdivision two of this section,
15 fails to timely comply with the requirements of such notification. If
16 the court grants such injunctive or declaratory relief, the affected
17 person, business, association, or agency shall be required to pay the
18 eligible individual's costs and reasonable attorney's fees.

19 (c) Upon a violation of any order granting injunctive or declarative
20 relief obtained pursuant to this subdivision, the court issuing such
21 order may: (i) where the violator is a public agency, impose a fine not
22 exceeding one thousand dollars and require the payment of court costs
23 and reasonable attorney fees; or (ii) where the violator is a person,
24 business, association, or private agency, award damages to the affected
25 eligible individual in an amount up to a maximum of three times the
26 actual damages, but not less than four thousand dollars, and require the
27 payment of court costs and reasonable attorney fees.

1 5. Notwithstanding any other provision of law, where the department
2 of motor vehicles receives a notification pursuant to paragraph (c) of
3 subdivision two of this section, such department shall comply therewith
4 except that, where the notification requires the department to cease
5 making a person's address public, the department may make their business
6 address public.

7 § 3. Section 120.09 of the penal law, as added by chapter 148 of the
8 laws of 2011, is amended to read as follows:

9 § 120.09 Assault on a judge.

10 A person is guilty of assault on a judge when, with intent to [cause
11 serious physical injury and] prevent a judge from performing official
12 judicial duties, [he or she] such person causes serious physical injury
13 to such judge. [For the purposes of this section, the term judge shall
14 mean a judge of a court of record or a justice court.]

15 Assault on a judge is a class C felony.

16 § 4. The penal law is amended by adding a new section 120.09-a to read
17 as follows:

18 § 120.09-a Aggravated assault on a judge.

19 A person is guilty of aggravated assault on a judge when, with intent
20 to cause serious physical injury and prevent a judge from performing
21 official judicial duties, such person causes serious physical injury to
22 such judge.

23 Aggravated assault on a judge is a class B felony.

24 § 5. The penal law is amended by adding a new section 120.41 to read
25 as follows:

26 § 120.41 Additional definitions.

27 For purposes of sections 120.09, 120.09-a, 120.45, 120.50, 120.55 and
28 120.60 of this article:

1 1. "Social networking websites" shall mean websites on the internet
2 that permit persons to be registered users for the purpose of establish-
3 ing relationships with other users, where such persons (i) may create
4 web pages or profiles that provide information about themselves and/or
5 upload photos, video, written posts, and other content where such web
6 pages or profiles are available to the public or to other users, and/or
7 (ii) may communicate with other users, such as through chat rooms,
8 instant messenger, direct messaging, emailing, and/or message boards.

9 2. "Personal information" shall include, but is not limited to, the
10 following: (i) home address, (ii) telephone number, (iii) cell phone
11 number, (iv) email address, (v) social security number, (vi) driver
12 license number, (vii) marital status and identity of any present and
13 former spouse, (viii) identity of children under eighteen, (ix) bank
14 account number, (x) credit or debit card number, (xi) personal identifi-
15 cation number (PIN), (xii) automated or electronic signature, (xiii)
16 unique biometric data, and (xiv) account passwords.

17 3. "Judge" shall include an employed or former judge or justice of the
18 unified court system, a judge or former judge of the housing part of the
19 civil court of the city of New York, and an actively employed or former
20 federal judge or magistrate who sits in New York state (or, if a former
21 federal judge or magistrate, who, while active, sat in New York state).

22 § 6. Subdivision 2 of section 120.45 of the penal law, as amended by
23 chapter 184 of the laws of 2014, is amended to read as follows:

24 2. causes material harm to the mental or emotional health of such
25 person, where such conduct consists of either (i) following, telephoning
26 or initiating communication or contact with such person, a member of
27 such person's immediate family or a third party with whom such person is
28 acquainted, and the actor was previously clearly informed to cease that

1 conduct, or (ii) disseminating personal information through or posting
2 personal information on social networking websites about such person, a
3 member of such person's immediate family or a third party with whom such
4 person is acquainted; or

5 § 7. The second undesignated paragraph of section 120.45 of the penal
6 law, as added by chapter 184 of the laws of 2014, is amended to read as
7 follows:

8 For the purposes of this section, it shall constitute presumptive
9 evidence of "having no legitimate purpose" when (i) the victim of the
10 conduct described under this section is an active or former judge, or a
11 member of their immediate family, and (ii) the person charged pursuant
12 to this section, or a member of such person's immediate family, was or
13 is a party to a judicial proceeding pending before that judge. For
14 purposes of subdivision two of this section, "following" shall include
15 the unauthorized tracking of such person's movements or location through
16 the use of a global positioning system or other device, and any posting
17 on social networking websites of personal information shall be consid-
18 ered a "course of conduct" when the defendant has been notified that the
19 individual whose personal information has been posted has requested the
20 dissemination cease and/or the posting be deleted or otherwise removed
21 from online publication and seventy-two hours have elapsed without the
22 defendant requesting or completing such cessation, deletion, or removal.

23 § 8. Subdivision 5 of section 120.55 of the penal law, as added by
24 chapter 598 of the laws of 2003, is amended and a new subdivision 6 is
25 added to read as follows:

26 5. Commits the crime of stalking in the third degree, as defined in
27 subdivision three of section 120.50 of this article, against ten or more

1 persons, in ten or more separate transactions, for which the actor has
2 not been previously convicted[.]; or

3 6. Commits the crime of stalking in the fourth degree, as defined in
4 section 120.45 of this article, against a judge or a member of a judge's
5 immediate family.

6 § 9. Section 120.60 of the penal law, as amended by chapter 434 of the
7 laws of 2000, is amended to read as follows:

8 § 120.60 Stalking in the first degree.

9 A person is guilty of stalking in the first degree when [he or she]
10 such person:

11 1. commits the crime of stalking in the third degree as defined in
12 subdivision three of section 120.50 or stalking in the second degree as
13 defined in section 120.55 of this article and, in the course and furth-
14 erance thereof, [he or she] such person:

15 [1.](a) intentionally or recklessly causes physical injury to the
16 victim of such crime; or

17 [2.](b) commits a class A misdemeanor defined in article one hundred
18 thirty of this chapter, or a class E felony defined in section 130.25,
19 130.40 or 130.85 of this chapter, or a class D felony defined in section
20 130.30 or 130.45 of this chapter; or

21 2. commits the crime of stalking in the second degree, as defined in
22 subdivision six of section 120.55, and has previously been convicted of
23 an offense defined under this section or section 120.45, 120.50, or
24 120.55 of this article within the prior five years.

25 Stalking in the first degree is a class D felony.

26 § 10. The penal law is amended by adding a new section 240.33 to read
27 as follows:

28 § 240.33 Aggravated harassment of a judge.

1 A person is guilty of aggravated harassment of a judge when:

2 1. With intent to harass another person, the actor either:

3 (a) communicates, anonymously or otherwise, by telephone, by computer
4 or any other electronic means, or by mail, or by transmitting or deliv-
5 ering any other form of communication, a threat to cause physical harm
6 to, or unlawful harm to the property of, a person the actor knows or
7 reasonably should know is a judge, or a member of such judge's immediate
8 family, and the actor knows or reasonably should know that such communi-
9 cation will cause such judge to reasonably fear harm to such judge's
10 physical safety or property, or to the physical safety or property of a
11 member of such judge's immediate family; or

12 (b) causes a communication to be initiated anonymously or otherwise,
13 by telephone, by computer or any other electronic means, or by mail, or
14 by transmitting or delivering any other form of communication, a threat
15 to cause physical harm to, or unlawful harm to the property of, a person
16 the actor knows or reasonably should know is a judge, or a member of
17 such judge's immediate family, and the actor knows or reasonably should
18 know that such communication will cause such judge to reasonably fear
19 harm to such person's physical safety or property, or to the physical
20 safety or property of a member of such judge's immediate family; or

21 2. With intent to harass or threaten a person the actor knows or
22 reasonably should know is a judge or a member of such judge's immediate
23 family, the actor makes a telephone call, whether or not a conversation
24 ensues, with no purpose of legitimate communication; or

25 3. With the intent to harass, annoy, threaten or alarm a person the
26 actor knows or reasonably should know is a judge or a member of such
27 judge's immediate family, the actor strikes, shoves, kicks, or otherwise
28 subjects another person to physical contact, or attempts or threatens to

1 do the same because of a belief or perception regarding such person's
2 race, color, national origin, ancestry, gender, gender identity or
3 expression, religion, religious practice, age, disability or sexual
4 orientation, regardless of whether the belief or perception is correct;
5 or

6 4. With the intent to harass, annoy, threaten or alarm a person the
7 actor knows or reasonably should know is a judge or a member of such
8 judge's immediate family, the actor strikes, shoves, kicks or otherwise
9 subjects another person to physical contact thereby causing physical
10 injury to such person or to an immediate family member of such person;
11 or

12 5. The actor commits the crime of harassment in the first degree
13 against a person the actor knows or reasonably should know is a judge or
14 a member of such judge's immediate family and has previously been
15 convicted of the crime of harassment in the first degree as defined by
16 section 240.25 of this article within the preceding ten years.

17 For purposes of this section: "judge" shall include an employed or
18 former judge or justice of the unified court system, a judge or former
19 judge of the housing part of the civil court of the city of New York,
20 and an actively employed or former federal judge or magistrate who sits
21 in New York state (or, if a former federal judge or magistrate, who,
22 while active, sat in New York state); and "immediate family" means the
23 spouse, former spouse, parent, child, sibling, or any other person who
24 regularly resides or has regularly resided in the household of a person.

25 Aggravated harassment of a judge is a class E felony.

26 § 11. Section 3-220 of the election law is amended by adding a new
27 subdivision 8 to read as follows:

1 8. Where a board of elections receives a notification pursuant to
2 paragraph (c) of subdivision two of section eight hundred fifty-nine of
3 the judiciary law, such board of elections shall comply with such
4 notification, except that where the notification requires the board of
5 elections to cease making a person's address public, such board shall
6 not comply therewith from the date of filing of any ballot access or
7 related document containing such address until thirty days after the
8 last day to commence a special proceeding or action with respect to such
9 filing.

10 § 12. This act shall take effect on the ninetieth day after it shall
11 have become a law; provided, however, the provisions of sections three,
12 four, five, six, seven, eight, nine and ten of this act shall take
13 effect the first day of November next succeeding the ninetieth day
14 following the date on which this act shall have become a law.

15 PART G

16 Section 1. Subdivision 8 of section 10 of the cannabis law, as amended
17 by section 9 of part UU of chapter 56 of the laws of 2023, is amended to
18 read as follows:

19 8. To conduct regulatory inspections during normal business hours of
20 any place of business, including a vehicle or storage facility used for
21 such business, where medical cannabis, adult-use cannabis, cannabis,
22 cannabis product, cannabinoid hemp, hemp extract products, or any
23 products marketed or labeled as such, are cultivated, processed, stored,
24 distributed or sold by any person holding a registration, license, or
25 permit under this chapter, or by any person who is engaging in activity
26 for which a license would be required under this chapter. For the

1 purposes of this subdivision, "place of business" shall not include a
2 residence or other real property not otherwise held out as open to the
3 public or otherwise being utilized in a business or commercial manner or
4 any private vehicle or storage facility on or about the same such prop-
5 erty, unless probable cause exists to believe that such residence, real
6 property, or vehicle are being used in such business or commercial
7 manner for the activity described herein.

8 § 2. Subdivisions 3 and 5 of section 11 of the cannabis law, as
9 amended by section 10 of part UU of chapter 56 of the laws of 2023, are
10 amended to read as follows:

11 3. To conduct regulatory inspections during normal business hours of
12 any place of business, including a vehicle or storage facility used for
13 such business, where cannabis, cannabis product, cannabinoid hemp, hemp
14 extract products, or any products marketed or labeled as such, are
15 cultivated, processed, manufactured, distributed, stored, or sold, irre-
16 spective of whether a registration, license, or permit has been issued
17 under this chapter. For the purposes of this subdivision, "place of
18 business" shall not include a residence or other real property not
19 otherwise held out as open to the public or otherwise being utilized in
20 a business or commercial manner or any private vehicle or storage facil-
21 ity on or about the same such property, unless probable cause exists to
22 believe that such residence, real property, or vehicle are being used in
23 such business or commercial manner for the activity described herein.

24 5. To conduct regulatory inspections during normal business hours of
25 any registered, licensed or permitted place of business, including a
26 vehicle or storage facility used for such business, where medical canna-
27 bis, adult-use cannabis, cannabinoid hemp, hemp extract products, or any
28 products marketed or labeled as such, are cultivated, processed, stored,

1 distributed or sold. For the purposes of this subdivision, "place of
2 business" shall not include a residence or other real property not
3 otherwise held out as open to the public or otherwise being utilized in
4 a business or commercial manner or any private vehicle or storage facil-
5 ity on or about the same such property, unless probable cause exists to
6 believe that such residence, real property, or vehicle are being used in
7 such business or commercial manner for the activity described herein.

8 § 3. Section 16 of the cannabis law is amended by adding a new subdi-
9 vision 7 to read as follows:

10 7. Any action or proceeding brought pursuant to this section or
11 section sixteen-a of this article or section one hundred thirty-eight-a
12 of this chapter may be filed under temporary seal and the clerk shall
13 provide a sealed index number upon request of the office or the attorney
14 general. If temporary sealing cannot be implemented via the court's
15 electronic filing system, such action or proceeding shall be permitted
16 by the court to be filed through hard copy.

17 § 4. Section 16-a of the cannabis law, as added by section 12 of part
18 UU of chapter 56 of the laws of 2023, is amended to read as follows:

19 § 16-a. Emergency relief. Following service of [a notice of violation
20 and] an order requiring immediate cessation of unlicensed activity under
21 this chapter, the office of cannabis management, or the attorney gener-
22 al, at the request of and on behalf of the office, or any county attor-
23 ney, corporation counsel, or local government authorized pursuant to
24 subdivision eight of this section to bring and maintain a civil proceed-
25 ing in accordance with the procedures set forth in this section, may
26 bring and maintain a civil proceeding in the supreme court of the county
27 in which the building or premises is located to permanently enjoin such
28 unlicensed activity when conducted, maintained, or permitted in such

1 building or premises, occupied as a place of business as described in
2 subdivision eight of section ten of this chapter, in violation of subdivi-
3 vision one or one-a of section one hundred twenty-five of this chapter
4 or subdivision eight of section one hundred thirty-two of this chapter,
5 which shall constitute an unlicensed activity that presents a danger to
6 the public health, safety, and welfare, and shall also enjoin the person
7 or persons conducting or maintaining such unlicensed activity, in
8 accordance with the following procedures:

9 1. Proceeding for permanent injunction. (a) To the extent known, the
10 owner, lessor, and lessee of a building or premises wherein the unli-
11 censed activity is being conducted, maintained, or permitted shall be
12 made defendants in the proceeding. The venue of such proceeding shall be
13 in the county where the unlicensed activity is being conducted, main-
14 tained, or permitted or in any venue where a respondent is located. The
15 existence of an adequate remedy at law shall not prevent the granting of
16 temporary or permanent relief pursuant to this section.

17 (b) The proceeding shall name as defendants the building or premises
18 wherein the unlicensed activity is being conducted, maintained, or
19 permitted, by describing it by tax lot and street address and at least
20 one of the owners of some part of or interest in the property.

21 (c) In rem jurisdiction shall be complete over the building or prem-
22 ises wherein the unlicensed activity is being conducted, maintained, or
23 permitted by affixing the notice of petition or order to show cause to
24 the door of the building or premises and by mailing the notice of peti-
25 tion or order to show cause by certified or registered mail, return
26 receipt requested, to one of the owners of some part of or interest in
27 the property. Proof of service shall be filed [within two days] promptly
28 thereafter with the clerk of the court designated in the notice of peti-

1 tion or order to show cause. In any county where e-filing is unavail-
2 able, proof of service may be mailed to the clerk. Service shall be
3 complete upon such filing or mailing.

4 (d) Defendants, other than the building or premises wherein the unli-
5 censed activity is being conducted, maintained, or permitted, shall be
6 served with the notice of petition or order to show cause as provided in
7 the civil practice law and rules or pursuant to court order. No more
8 than thirty days prior to such service, the office shall mail a copy, by
9 certified mail, of any [prior notice of violation or letter or] order to
10 cease and desist relating to the unlicensed activity at the building or
11 premises to the person in whose name the real estate affected by the
12 proceeding is recorded in the office of the city register or the county
13 clerk, as the case may be, who shall be presumed to be the owner there-
14 of. Such mailing shall constitute notice to the owner and shall be
15 deemed to be complete upon such mailing by the office as provided above.
16 No more than fifteen days prior to such service, the office, [or] the
17 attorney general, at the request of and on behalf of the office of
18 cannabis management, or any local government authorized pursuant to
19 subdivision eight of this section shall verify the ongoing occupancy of
20 any natural person who is a tenant of record and alleged to have caused
21 or permitted the unlicensed activity in the building or premises wherein
22 the unlicensed activity is alleged to have been conducted, maintained,
23 or permitted. [If at any time such defendants vacate such building or
24 premises, any action or proceeding filed in accordance with these proce-
25 dures relating to such building or premises shall be withdrawn.]

26 (e) With respect to any proceeding commenced or to be commenced pursu-
27 ant to this section by the office of cannabis management or the attorney
28 general, at the request of and on behalf of the office, may file a

1 notice of pendency pursuant to the provisions of article sixty-five of
2 the civil practice law and rules.

3 (f) The person in whose name the real estate affected by the proceed-
4 ing is recorded in the office of the city register or the county clerk,
5 as the case may be, shall be presumed to be the owner thereof. Upon
6 being served in a proceeding under this section, such owner shall, to
7 the extent known, provide to the office of cannabis management, within
8 three days, the names of any other owners, lessors and lessees of the
9 building or premises that is the subject of the proceeding. Thereafter,
10 such owners, lessors and lessees may be made parties to the proceeding.

11 (g) Whenever there is evidence that a person was the manager, opera-
12 tor, supervisor or, in any other way, in charge of the premises, at the
13 time the unlicensed activity was being conducted, maintained, or permit-
14 ted, such evidence shall be presumptive that [he or she was] they were
15 an agent or employee of the owner or lessee of the building or premises.

16 (h) A defendant shall furnish to any other party, within five days
17 after a demand, a verified statement identifying:

18 (i) If the responding party is a natural person, such party's: (1)
19 full legal name; (2) date of birth; (3) current home or business street
20 address; and (4) a unique identifying number from: (A) an unexpired
21 passport; (B) an unexpired state driver's license; or (C) an unexpired
22 identification card or document issued by a state or local government
23 agency or tribal authority for the purpose of identification of that
24 individual;

25 (ii) If the responding party is a partnership, limited liability part-
26 nership, limited liability company, or other unincorporated association,
27 including a for profit or not-for-profit membership organization or
28 club, the information required pursuant to subparagraph (i) of this

1 paragraph for each of its partners or members, as well as the state or
2 other jurisdiction of its formation;

3 (iii) If the responding party is a corporation, its state or other
4 jurisdiction of incorporation, principal place of business, and any
5 state or other jurisdiction of which that party is a citizen;

6 (iv) If the responding party is not an individual, in addition to any
7 information provided pursuant to subparagraphs (ii) and (iii) of this
8 paragraph, and to the extent not previously provided, each beneficial
9 owner of the responding party by: (1) full legal name; (2) date of
10 birth; (3) current home or business street address; and (4) a unique
11 identifying number from: (A) an unexpired passport; (B) an unexpired
12 state driver's license; or (C) an unexpired identification card or docu-
13 ment issued by a state or local government agency or tribal authority
14 for the purpose of identification of that individual. As used in this
15 subparagraph, the term "beneficial owner" shall have the same meaning as
16 defined in 31 U.S.C. § 5336(a)(3), as amended, and any regulations
17 promulgated thereunder.

18 (i) If a finding is made that the defendant has conducted, maintained,
19 or permitted the unlicensed activity a penalty, to be included in the
20 judgment, may be awarded in an amount not to exceed ten thousand dollars
21 for each day it is found that the defendant intentionally conducted,
22 maintained or permitted the unlicensed activity. With regard to any
23 defendant conducting the referenced unlicensed activity, any such penal-
24 ties may be awarded in addition to any penalties that may be imposed
25 pursuant to section one hundred thirty-two of this chapter. Upon recov-
26 ery, such penalty shall be paid to the office of cannabis management, or
27 to the county attorney, corporation counsel, or local government that
28 has been authorized pursuant to subdivision eight of this section to

1 bring and maintain a civil proceeding in accordance with the procedures
2 set forth in this section.

3 2. Preliminary injunction. (a) Pending a proceeding for a permanent
4 injunction pursuant to this section the court may grant a preliminary
5 injunction enjoining the unlicensed activity and the person or persons
6 conducting, maintaining, or permitting the unlicensed activity from
7 further conducting, maintaining, or permitting the unlicensed activity,
8 where the public health, safety or welfare immediately requires the
9 granting of such injunction. A temporary closing order may be granted
10 pending a hearing for a preliminary injunction where it appears by clear
11 and convincing evidence that unlicensed activity within the scope of
12 this section is being conducted, maintained, or permitted and that the
13 public health, safety or welfare immediately requires the granting of a
14 temporary closing order. A temporary restraining order may be granted
15 pending a hearing for a preliminary injunction.

16 (b) A preliminary injunction shall be enforced by the office or, at
17 the request of the office, the attorney general. At the request of the
18 office, a police officer or peace officer with jurisdiction may also
19 enforce the preliminary injunction.

20 (c) The office or the attorney general shall show, by affidavit and
21 such other evidence as may be submitted, that there is a cause of action
22 for a permanent injunction abating unlicensed activity.

23 3. Temporary closing order. (a) If, on a motion for a preliminary
24 injunction alleging unlicensed activity as described in this section in
25 a building or premises used for commercial purposes only, the office or
26 the attorney general demonstrates by clear and convincing evidence that
27 such unlicensed activity is being conducted, maintained, or permitted
28 and that the public health, safety, or welfare immediately requires a

1 temporary closing order, a temporary order closing such part of the
2 building or premises wherein such unlicensed activity is being
3 conducted, maintained, or permitted may be granted without notice, pend-
4 ing order of the court granting or refusing the preliminary injunction
5 and until further order of the court. Upon granting a temporary closing
6 order, the court shall direct the holding of a hearing for the prelimi-
7 nary injunction at the earliest possible time but no later than [three]
8 ten business days from the granting of such order; a decision on the
9 motion for a preliminary injunction shall be rendered by the court with-
10 in [three business] thirty calendar days after the conclusion of the
11 hearing.

12 (b) Unless the court orders otherwise, a temporary closing order
13 together with the papers upon which it was based and a notice of hearing
14 for the preliminary injunction shall be personally served, in the same
15 manner as a summons as provided in the civil practice law and rules.

16 (c) [A temporary closing order shall only be issued prior to a hearing
17 on a preliminary injunction if the building or premises is used for
18 commercial purposes only.

19 (d)] No temporary closing order shall be issued against any building
20 or premises where, in addition to the unlicensed activity which is
21 alleged, activity that is licensed or otherwise lawful remains in place
22 and the unlicensed activity is merely a de minimis part of the business.
23 In assessing whether unlicensed activity within a building or premises
24 is more than de minimis, the court shall consider such factors as: (i)
25 the presence of signs or symbols, indoors or out, advertising unlicensed
26 activity or otherwise indicating that cannabis is sold on the premises;
27 (ii) information shared in any advertisements or other marketing
28 content, including but not limited to social media, in connection with

1 the unlicensed activity; (iii) the layout of the business with regard to
2 lawful and unlicensed activities occurring on the premises; and (iv) an
3 assessment of the volume of cannabis, cannabis products, cannabinoid
4 hemp, hemp extract product, or any product marketed or labeled as such
5 at such place of business. In addition, no temporary closing order shall
6 be issued against any building or premises which is used in part as
7 residence and pursuant to local law or ordinance is zoned and lawfully
8 occupied as a residence.

9 4. Temporary restraining order. (a) If, on a motion for a preliminary
10 injunction alleging unlicensed activity as described in this section in
11 a building or premises used for commercial purposes, the office or the
12 attorney general demonstrates by clear and convincing evidence that such
13 unlicensed activity is being conducted, maintained, or permitted and
14 that the public health, safety, or welfare immediately requires a tempo-
15 rary restraining order, a temporary restraining order may be granted
16 without notice restraining the defendants and all persons from removing
17 or in any manner interfering with the furniture, fixtures and movable
18 property used in conducting, maintaining or permitting such unlicensed
19 activity, including [adult-use] cannabis, cannabis product, cannabinoid
20 hemp or hemp extract product, or any product marketed or labeled as such
21 and from further conducting, maintaining or permitting such unlicensed
22 activity, pending order of the court granting or refusing the prelimi-
23 nary injunction and until further order of the court. Upon granting a
24 temporary restraining order, the court shall direct the holding of a
25 hearing for the preliminary injunction at the earliest possible time but
26 no later than three business days from the granting of such order; a
27 decision on the motion for a preliminary injunction shall be rendered by

1 the court within [three business] thirty calendar days after the conclu-
2 sion of the hearing.

3 (b) Unless the court orders otherwise, a temporary restraining order
4 and the papers upon which it was based and a notice of hearing for the
5 preliminary injunction shall be personally served, in the same manner as
6 a summons as provided in the civil practice law and rules, upon any
7 agent, employee, or other representative of the defendant business pres-
8 ent at the time the temporary restraining order is effectuated.

9 5. Temporary closing order; temporary restraining order; additional
10 enforcement procedures. (a) If on a motion for a preliminary injunction,
11 the office of cannabis management or the attorney general submits
12 evidence warranting both a temporary closing order and a temporary
13 restraining order, the court shall grant both orders.

14 (b) Upon the request of the office, any police officer or peace offi-
15 cer with jurisdiction may assist in the enforcement of a temporary clos-
16 ing order and temporary restraining order. Any reference to police offi-
17 cer or peace officer in this subdivision and subdivisions six and seven
18 of this section shall also include any investigator employed by the
19 office of the attorney general.

20 (c) The police officer or peace officer serving a temporary closing
21 order or a temporary restraining order shall forthwith make and return
22 to the court an inventory of personal property situated in and used in
23 conducting, maintaining, or permitting the unlicensed activity within
24 the scope of this chapter and shall enter upon the building or premises
25 for such purpose. Such inventory shall be taken in any manner which is
26 deemed likely to evidence a true and accurate representation of the
27 personal property subject to such inventory including, but not limited
28 to photographing such personal property, except that any cash found on

1 the premises during such inventory shall be inventoried, seized, and
2 secured off premises pending further order of the court. Any police
3 officer or peace officer, or any representative of the office, shall be
4 permitted to review and copy records, including electronic records
5 stored on cloud platforms.

6 (d) The police officer or peace officer serving a temporary closing
7 order shall, upon service of the order, command all persons present in
8 the building or premises to vacate the premises forthwith. Upon the
9 building or premises being vacated, the premises shall be securely
10 locked and all keys delivered to the officer serving the order who there-
11 eafter [shall] may deliver the keys to the fee owner, lessor, or lessee
12 of the building or premises involved. If the fee owner, lessor, or
13 lessee is not at the building or premises when the order is being
14 executed, the officer shall securely padlock the premises and retain the
15 keys until the fee owner, lessor, or lessee of the building is ascer-
16 tained, in which event, the officer [shall] may deliver the keys to such
17 owner, lessor, or lessee or retain them pending further order of the
18 court.

19 (e) Upon service of a temporary closing order or a temporary restrain-
20 ing order, the police officer or peace officer shall post a copy thereof
21 in a conspicuous place or upon one or more of the principal doors at
22 entrances of such premises where the unlicensed activity is being
23 conducted, maintained, or permitted. In addition, where a temporary
24 closing order has been granted, the officer shall affix, in a conspicu-
25 ous place or upon one or more of the principal doors at entrances of
26 such premises, a printed notice that the premises have been closed by
27 court order, which notice shall contain the legend "closed by court
28 order" in block lettering of sufficient size to be observed by anyone

1 intending or likely to enter the premises, the date of the order, the
2 court from which issued, and the name of the officer or agency posting
3 the notice. In addition, where a temporary restraining order has been
4 granted, the police officer or peace officer shall affix, in the same
5 manner, a notice similar to the notice provided for in relation to a
6 temporary closing order except that the notice shall state that certain
7 described activity is prohibited by court order and that removal of
8 property is prohibited by court order. Mutilation or removal of such a
9 posted order or such a posted notice while it remains in force, in addi-
10 tion to any other punishment prescribed by law, shall be punishable, on
11 conviction, by a fine of not more than five thousand dollars or by
12 imprisonment not exceeding ninety days, or by both, provided such order
13 or notice contains therein a notice of such penalty. Any police officer
14 or peace officer with jurisdiction may, upon the request of the office,
15 assist in the enforcement of this section.

16 6. Temporary closing order; temporary restraining order; defendant's
17 remedies. (a) A temporary closing order or a temporary restraining order
18 [shall] may be vacated, upon notice to the office and to any county
19 attorney, corporation counsel, or local government that may have been
20 authorized pursuant to subdivision eight of this section to bring and
21 maintain the proceeding in accordance with the procedures set forth in
22 this section, if [the] a defendant who is the fee owner, lessor, or
23 lessee of the building or premises shows by affidavit and such other
24 proof as may be submitted that the unlicensed activity within the scope
25 of this chapter has been abated and that they are also not affiliated
26 with the person who is conducting the unlicensed activity. An order
27 vacating a temporary closing order or a temporary restraining order
28 shall include a provision authorizing the office, or any county attor-

1 ney, corporation counsel, or local government, as applicable, to inspect
2 the building or premises which is the subject of a proceeding pursuant
3 to this subdivision, periodically without notice, during the pendency of
4 the proceeding for the purpose of ascertaining whether or not the unli-
5 censed activity has been resumed. Any police officer or peace officer
6 with jurisdiction may, upon the request of the office, assist in the
7 enforcement of an inspection provision of an order vacating a temporary
8 closing order or temporary restraining order.

9 (b) A temporary closing order or a temporary restraining order may be
10 vacated by the court, upon notice to the office, or any county attorney,
11 corporation counsel, or local government, as applicable, when [the] a
12 defendant entitled to request vacatur pursuant to paragraph (a) of this
13 subdivision gives an undertaking and the court is satisfied that the
14 public health, safety, or welfare will be protected adequately during
15 the pendency of the proceeding. The undertaking shall be in an amount
16 equal to the assessed valuation of the building or premises where the
17 unlicensed activity is being conducted, maintained, or permitted or in
18 such other amount as may be fixed by the court. The defendant shall pay
19 to the office and the attorney general, in the event a judgment of
20 permanent injunction is obtained, their actual costs, expenses and
21 disbursements in bringing and maintaining the proceeding. In addition,
22 the defendant shall pay to the local government or law enforcement agen-
23 cy that provided assistance in enforcing any order of the court issued
24 pursuant to a proceeding brought under this section, its actual costs,
25 expenses and disbursements in assisting with the enforcement of the
26 proceeding.

27 7. Permanent injunction. (a) A judgment awarding a permanent injunc-
28 tion pursuant to this chapter shall direct that any illicit cannabis,

1 cannabis product, cannabinoid hemp or hemp extract product, or any prod-
2 uct marketed or labeled as such seized shall be turned over to the
3 office of cannabis management or their authorized representative. The
4 judgment may further direct any police officer or peace officer with
5 jurisdiction to seize and remove from the building or premises all mate-
6 rial, equipment, and instrumentalities used in the creation and mainte-
7 nance of the unlicensed activity and shall direct the sale by the sher-
8 iff of any such property in the manner provided for the sale of personal
9 property under execution pursuant to the provisions of the civil prac-
10 tice law and rules, if the estimated value of the property exceeds the
11 estimated lawful expenses of such sale, or the disposal of the property
12 if the estimated value of the property does not exceed the estimated
13 lawful expenses of such sale. The net proceeds of any such sale, after
14 deduction of the lawful expenses involved, shall be paid to the general
15 fund of the state.

16 (b) A judgment awarding a permanent injunction pursuant to this chap-
17 ter may direct the closing of the building or premises by any police
18 officer or peace officer with jurisdiction to the extent necessary to
19 abate the unlicensed activity and shall direct any police officer or
20 peace officer with jurisdiction to post a copy of the judgment and a
21 printed notice of such closing conforming to the requirements of this
22 chapter. The closing directed by the judgment shall be for such period
23 as the court may direct but in no event shall the closing be for a peri-
24 od of more than one year from the posting of the judgment provided for
25 in this section. If the owner shall file a bond in the value of the
26 property ordered to be closed and submits proof to the court that the
27 unlicensed activity has been abated and will not be created, maintained,
28 or permitted for such period of time as the building or premises has

1 been directed to be closed in the judgment, and also submits proof that
2 they are also not affiliated with the person who is conducting the unli-
3 censed activity, the court may vacate the provisions of the judgment
4 that direct the closing of the building or premises. A closing by a
5 police officer or peace officer with jurisdiction pursuant to the
6 provisions of this section shall not constitute an act of possession,
7 ownership, or control by such police officer or peace officer of the
8 closed premises.

9 (c) Upon the request of the office of cannabis management or its
10 authorized representative, or any county attorney, corporation counsel,
11 or local government authorized pursuant to subdivision eight of this
12 section to bring and maintain a civil proceeding in accordance with the
13 procedures set forth in this section, any police officer or peace offi-
14 cer with jurisdiction may assist in the enforcement of a judgment award-
15 ing a permanent injunction entered in a proceeding brought pursuant to
16 this chapter.

17 (d) A judgment rendered awarding a permanent injunction pursuant to
18 this chapter shall be and become a lien upon the building or premises
19 named in the petition in such proceeding, such lien to date from the
20 time of filing a notice of lis pendens in the office of the clerk of the
21 county wherein the building or premises is located. Every such lien
22 shall have priority before any mortgage or other lien that exists prior
23 to such filing except tax and assessment liens.

24 (e) A judgment awarding a permanent injunction pursuant to this chap-
25 ter shall provide, in addition to the costs and disbursements allowed by
26 the civil practice law and rules, upon satisfactory proof by affidavit
27 or such other evidence as may be submitted, the actual costs, expenses
28 and disbursements of the office and the attorney general, or of any

1 county attorney, corporation counsel, or local government authorized
2 pursuant to subdivision eight of this section to bring and maintain a
3 civil proceeding in accordance with the procedures set forth in this
4 section, in bringing and maintaining the proceeding.

5 8. Civil proceedings. In addition to the authority granted in this
6 section to the office of cannabis management and the attorney general,
7 any county attorney, corporation counsel, or local government in which
8 such building or premises is located may, after the office of cannabis
9 management grants permission in writing, bring and maintain a civil
10 proceeding in the supreme court of the county in which the building or
11 premises is located to permanently enjoin the unlicensed activity
12 described in this section and the person or persons conducting or main-
13 taining such unlicensed activity, in accordance with the procedures set
14 forth in this section. The office shall be permitted to intervene as of
15 right in any such proceeding. Any such governmental entity which obtains
16 a permanent injunction pursuant to this chapter shall be awarded, in
17 addition to the costs and disbursements allowed by the civil practice
18 law and rules, upon satisfactory proof by affidavit or such other
19 evidence as may be submitted, any penalties awarded pursuant to para-
20 graph (h) of subdivision one or paragraph (e) of subdivision five of
21 this section and the actual costs, expenses and disbursements in bring-
22 ing and maintaining the proceeding. The authority provided by this
23 subdivision shall be in addition to, and shall not be deemed to diminish
24 or reduce, any rights of the parties described in this section under
25 existing law for any violation pursuant to this chapter or any other
26 law.

1 § 5. Subdivision 3 of section 17 of the cannabis law, as amended by
2 section 13 of part UU of chapter 56 of the laws of 2023, is amended to
3 read as follows:

4 3. Notice and right of hearing as provided in the state administrative
5 procedure act shall be served at least fifteen days prior to the date of
6 the hearing, provided that, whenever because of danger to the public
7 health, safety or welfare it appears prejudicial to the interests of the
8 people of the state to delay action for fifteen days or with respect to
9 a violation of subdivision one or one-a of section one hundred twenty-
10 five of this chapter, the board may serve the respondent with an order
11 requiring certain action [or], the cessation of certain activities, or
12 the sealing of a premises immediately or within a specified period of
13 less than fifteen days. Whenever a notice of violation or order has been
14 served, the respondent shall be provided an opportunity to request a
15 hearing pursuant to the procedures established by the office and in
16 accordance with the state administrative procedure act and the
17 provisions of this chapter.

18 § 6. Subdivisions 5, 6, 7 and 8 of section 17 of the cannabis law are
19 renumbered subdivisions 7, 8, 9, and 10 and two new subdivisions 5 and 6
20 are added to read as follows:

21 5. Prior to a hearing, a party, other than the board or office, shall
22 furnish to any other party, within five days after a demand, or sooner
23 if the hearing is scheduled less than five days from the date of demand,
24 a verified statement setting forth:

25 (a) If the responding party is a natural person, such party's: (i)
26 full legal name; (ii) date of birth; (iii) current home or business
27 street address; and (iv) a unique identifying number from: (1) an unex-
28 pired passport; (2) an unexpired state driver's license; or (3) an unex-

1 pired identification card or document issued by a state or local govern-
2 ment agency or tribal authority for the purpose of identification of
3 that individual;

4 (b) If the responding party is a partnership, limited liability part-
5 nership, limited liability company, or other unincorporated association,
6 including a for profit or not-for-profit membership organization or
7 club, the information required pursuant to paragraph (a) of this subdi-
8 vision for all of its partners or members, as well as the state or other
9 jurisdiction of its formation;

10 (c) If the responding party is a corporation, its state or other
11 jurisdiction of incorporation, principal place of business, and any
12 state or other jurisdiction of which that party is a citizen;

13 (d) If the responding party is not an individual, in addition to any
14 information provided pursuant to paragraphs (b) and (c) of this subdivi-
15 sion, and to the extent not previously provided, each beneficial owner
16 of the responding party by: (i) full legal name; (ii) date of birth;
17 (iii) current home or business street address; and (iv) a unique identi-
18 fying number from: (1) an unexpired passport; (2) an unexpired state
19 driver's license; or (3) an unexpired identification card or document
20 issued by a state or local government agency or tribal authority for the
21 purpose of identification of that individual. As used in this section,
22 the term "beneficial owner" shall have the same meaning as defined in 31
23 U.S.C. § 5336(a)(3), as amended, and any regulations promulgated there-
24 under.

25 6. Prior to a hearing, the office may, at its discretion, request a
26 stay of any proceeding and the board or those designated by them shall
27 grant such request. The initiation of any action, by or on behalf of the
28 office, in state or federal court on matters directly or indirectly

1 related to the subject of any pending administrative proceeding shall,
2 upon a request by the office, provide sufficient basis for an immediate
3 stay of such administrative proceeding.

4 § 7. Subdivision 8 of section 17 of the cannabis law, as amended by
5 section 13 of part UU of chapter 56 of the laws of 2023 and as renun-
6 bered by section six of this act, is amended to read as follows:

7 8. Following a hearing, the board may make appropriate determinations
8 and issue a final order in accordance therewith. Any such order may
9 include financial penalties as well as injunctive relief, including an
10 order to seal a premises in accordance with section one hundred thirty-
11 eight-b of this chapter. The respondent and the office shall have thirty
12 days to submit a written appeal to the board. If [the respondent does
13 not] any party fails to submit a written appeal within thirty days of
14 the determination of the board the order shall be final.

15 § 8. Subdivision 1 of section 125 of the cannabis law is amended and a
16 new subdivision 1-b is added to read as follows:

17 1. No person shall cultivate, process, distribute for sale or sell at
18 wholesale or retail or deliver to consumers any cannabis, cannabis prod-
19 uct, medical cannabis or cannabinoid hemp or hemp extract product, or
20 any product marketed or labeled as such, within the state without
21 obtaining the appropriate registration, license, or permit therefor
22 required by this chapter unless otherwise authorized by law.

23 1-b. Any activity conducted in violation of subdivision one or one-a
24 of this section creates a significant risk of imminent physical harm to
25 natural persons, presents a danger to public health, safety, or welfare,
26 and constitutes a public nuisance.

27 § 9. Section 131 of the cannabis law is amended by adding a new subdi-
28 vision 3 to read as follows:

1 3. Any county, town, city or village governing bodies may adopt local
2 laws or ordinances pertaining to unlicensed persons selling cannabis,
3 cannabis products, or any product marketed or labeled as such in a place
4 of business without obtaining the appropriate registration, license, or
5 permit therefor, or engaging in an indirect retail sale in a place of
6 business, provided that no two such local laws or ordinances shall
7 relate to the same geographic region. Any such laws or ordinances shall:

8 (a) establish a local registry, which shall mirror a list maintained
9 by the office for this purpose, as updated, and shall reflect the
10 current name and address of all registered organizations, licensees, or
11 permittees with licensed or permitted premises within the geographical
12 boundaries of the county, town, city, or village;

13 (b) establish civil penalties for any persons engaging in selling
14 cannabis, cannabis products, or any product marketed or labeled as such
15 in a place of business without appearing on the local registry adopted
16 pursuant to local law or ordinance, or any indirect retail sales, which
17 may include fees, fines or other financial penalties or other remedies,
18 including closures of the premises or building where such retail sales
19 or indirect retail sales are taking place, and a process for adjudicat-
20 ing any hearings required in connection with the issuance of such penal-
21 ties;

22 (c) establish a process by which the county, town, city, or village
23 shall execute any closure orders, and a process by which the enforcing
24 entity shall be required to seize all cannabis, cannabis products, and
25 any products marketed or labeled as such, and to destroy such products;

26 (d) designate a local official who shall serve as the liaison to the
27 office and who shall be required to receive local registry updates from
28 the office, immediately adopt such updates, coordinate with the office

1 on such local enforcement efforts, and send monthly reports to the
2 office in a manner and format prescribed by the office detailing recent
3 enforcement efforts and, when executing closure orders, the amount and
4 nature of the cannabis products seized; and

5 (e) require that a copy of such local law or ordinance be filed with
6 the office a minimum of ten days before the effective date of such law
7 or ordinance.

8 § 10. Subdivisions 1 and 1-a of section 132 of the cannabis law,
9 subdivision 1 as amended and subdivision 1-a as added by section 17 of
10 part UU of chapter 56 of the laws of 2023, are amended to read as
11 follows:

12 1.(a) Any person who cultivates for sale, offers to sell, or sells
13 cannabis, cannabis products, medical cannabis, or any product marketed
14 or labeled as such, without having an appropriate registration, license
15 or permit therefor, including a person whose registration, license, or
16 permit has been revoked, surrendered or cancelled, where such person is
17 engaging in activity for which a license would be required under this
18 chapter, may be subject to a civil penalty of not more than ten thousand
19 dollars for each day during which such violation continues and an addi-
20 tional civil penalty in an amount of no more than five times the revenue
21 from such prohibited sales or, in an amount of no more than three times
22 the projected revenue for any such product found in the possession of
23 such person based on the retail list price of such products; provided,
24 however, that any such person who engages in such activity from a resi-
25 dence or other real property not otherwise held out as open to the
26 public or otherwise being utilized in a business or commercial manner or
27 any private vehicle on or about same such property, and the quantity of
28 such product on such premises or vehicle does not exceed the limits of

1 personal use under article two hundred twenty-two of the penal law, may
2 be subject to a civil penalty of no more than five thousand dollars.

3 Provided, further, that where such person has been ordered to cease
4 such conduct pursuant to subdivision one of section one hundred thirty-
5 eight-a of this [chapter] article, such person may be assessed a civil
6 penalty of no more than twenty thousand dollars per day for each day
7 during which such violation continues after receiving such order in
8 addition to the additional civil penalties set forth above; provided,
9 however, that any such person who engages in such activity from a resi-
10 dence or other real property not otherwise held out as open to the
11 public or otherwise being utilized in a business or commercial manner or
12 any private vehicle on or about same such property, and the quantity of
13 such product on such premises or vehicle does not exceed the limits of
14 personal use under article two hundred twenty-two of the penal law, may
15 be subject to a civil penalty of no more than ten thousand dollars.

16 (b) If a person engaging in the conduct described in paragraph (a) of
17 this subdivision[,] or subdivision one-a of this section refuses to
18 permit the office or the board from performing a regulatory inspection,
19 such person may be assessed a civil penalty of up to [four] twenty thou-
20 sand dollars for a first refusal and up to [eight] forty thousand
21 dollars for a second or subsequent refusal within three years of a prior
22 refusal. If the office or board is not permitted access for a regulatory
23 inspection pursuant to section ten or section eleven of this chapter, as
24 applicable, by such person, the attorney general, upon the request of
25 the office or the board, shall be authorized to apply, without notice to
26 such person, to the supreme court in the county in which the place of
27 business is located for an order granting the office or board access to
28 such place of business. The court may grant such an order if it deter-

1 mines, based on evidence presented by the attorney general, that there
2 is reasonable cause to believe that such place of business is a place of
3 business which does not possess a valid registration, license, or permit
4 issued by the office or board.

5 (c) In assessing the civil penalties under this subdivision or subdivi-
6 vision one-a of this section, the board or office shall take into
7 consideration the nature of such violation and shall assess a penalty
8 that is proportionate to the violation; provided, however, that an affi-
9 davit from a representative of the office, the office of the attorney
10 general, or a local government, or a local police officer confirming the
11 presence of conduct described in this subdivision or subdivision one-a
12 following an inspection by the office after the office has ordered such
13 conduct to cease shall be sufficient to establish a prima facie case
14 that such conduct had been continuing for each business day between the
15 initial inspection and the last observed or otherwise documented
16 conduct, and shall require the imposition of the maximum per day penalty
17 permitted under paragraph (a) of this subdivision, and the documented
18 presence of such conduct upon or at the completion of an administrative
19 inspection or investigation shall require the assessment of the maximum
20 penalty permitted under paragraph (b) of this subdivision.

21 1-a. Any person [found to have] who engaged in indirect retail sale in
22 violation of subdivision one-a of section one hundred twenty-five of
23 this [chapter] article, shall be subject to a civil penalty in an amount
24 equaling the lesser of three times the revenue for such indirect retail
25 sales or up to two thousand five hundred dollars for each such sale,
26 provided, however, that where such conduct also constitutes a violation
27 of subdivision one of this section, such person may only be subject to
28 the civil penalties under one such subdivision, and provided, further,

1 that where such person has been ordered to cease such conduct pursuant
2 to subdivision one of section one hundred thirty-eight-a of this arti-
3 cle, such person may be assessed a civil penalty of up to five thousand
4 dollars for each day during which such violation continues in addition
5 to any civil penalties set forth above.

6 § 11. Subdivisions 2, 4 and 5 of section 138-a of the cannabis law,
7 subdivision 2 as added and subdivisions 4 and 5 as amended by section 20
8 of part UU of chapter 56 of the laws of 2023, are amended and eight new
9 subdivisions 6, 7, 8, 9, 10, 11, 12, and 13 are added to read as
10 follows:

11 2. seize any cannabis, cannabis product, cannabinoid hemp or hemp
12 extract product, or any product marketed or labeled as such, found in
13 the possession of a person engaged in the conduct described in subdivi-
14 sion one of this section and their place of business, including a vehi-
15 cle or storage facility used for such business;

16 4. seek injunctive relief against any person engaging in conduct in
17 violation of this section; [and]

18 5. request that the attorney general obtain judicial enforcement of an
19 order issued under subdivision one of this section or bring an action or
20 proceeding for any relief otherwise authorized under this chapter for a
21 violation of this chapter, including the recovery of any applicable
22 civil penalties[.];

23 6. in connection with any regulatory inspection or investigation or
24 action thereafter, review, seize and copy records, including electronic
25 records stored on cloud platforms, which may establish the duration or
26 extent of any unlawful operation;

27 7. in connection with any action or proceeding authorized by this
28 chapter, request that the attorney general or any police officer or

1 peace officer seize or remove all material, equipment, and instrumental-
2 ities used in the creation and maintenance of the conduct described in
3 subdivision one of this section;

4 8. in connection with any inspection or subsequent investigation of a
5 person engaged in the conduct described in subdivision one of this
6 section, issue subpoenas to any owners, managers, or employees of such
7 person for information regarding the person and the conduct;

8 9. with the assistance of law enforcement, seize or impound other
9 property used in furtherance of the conduct described in subdivision one
10 of this section;

11 10. upon an ex parte order to a court, request the court to issue a
12 restraining order freezing liquid assets to enforce the provisions of
13 this section and section sixteen-a of this chapter and section one
14 hundred thirty-two of this article;

15 11. in accordance with the procedures outlined in section one hundred
16 thirty-eight-b of this chapter, issue and execute an order to seal a
17 building or premises of any unlicensed businesses in which any person is
18 engaged in conduct in violation of this section or section one hundred
19 twenty-five or one hundred thirty-two of this article;

20 12. upon receipt of one or more complaints that a person is engaged in
21 conduct described in subdivision one of this section, apply or request
22 that the attorney general apply, without notice to such person, to the
23 supreme court in the county in which the place of business is located
24 for an order granting the office or board access to such place of busi-
25 ness. The court may grant such an order if it determines, based on
26 evidence presented by the attorney general, that there is reasonable
27 cause to believe that such place of business is the same place of busi-
28 ness for which the office has received such complaints. Upon inspection,

1 such person may be assessed a civil penalty of up to ten thousand
2 dollars unless the person provides books and records to the office indi-
3 cating that all transactions at the place of business do not constitute
4 activities described in subdivision one of this section; and

5 13. if any penalty is not paid within six months, enter the amount
6 thereof as a judgment in the office of the clerk of the county of Albany
7 and in any other county in which the person resides, has a place of
8 business, or through which it operates. If such judgment has not been
9 satisfied within thirty days thereafter, no license, registration, or
10 permit shall be issued by the board to such person for three years ther-
11 eafter.

12 § 12. The cannabis law is amended by adding a new section 138-b to
13 read as follows:

14 § 138-b. Orders to seal. 1. In addition to any other authority
15 conferred in this chapter, pursuant to the provisions of this section,
16 the board or the office shall have the authority to seal the building or
17 premises, including the storage facility, of any businesses engaged in
18 unlicensed activity, when such activity is conducted, maintained, or
19 permitted in such building or premises, occupied as a place of business
20 as described in subdivision eight of section ten of this chapter, in
21 violation of subdivision one or one-a of section one hundred twenty-five
22 or subdivisions one or eight of section one hundred thirty-two of this
23 article.

24 2. Upon service of a notice of violation and order requiring immediate
25 cessation of unlicensed activity pursuant to section one hundred thir-
26 ty-eight-a of this article, the office may issue an order to seal any
27 building or premises involved in the unlicensed activity in accordance
28 with subdivision one of this section. Such order to seal shall be served

1 and posted in accordance with the provisions of this chapter and regu-
2 lations promulgated by the board, shall be made effective on the
3 fifteenth calendar day after the delivery and posting of such order, and
4 shall contain notice of the right to request a hearing within fourteen
5 days of delivery and posting of such order to seal. If a hearing is
6 requested within such fourteen-day period, the order shall be effective
7 as set forth in the determination of the board or their designee. If no
8 hearing is requested within such fourteen-day period, the order shall be
9 effective as noticed on the order.

10 3. Notwithstanding the provisions of subdivision two of this section,
11 the office may issue an order to seal with an immediate effective date
12 if such order is based upon a finding by the office of an imminent
13 threat to the public health or safety. In such cases a hearing shall be
14 held within three business days of a request for such hearing, unless
15 otherwise adjourned by agreement of the parties, and a determination
16 shall be rendered within four business days of the conclusion of such
17 hearing.

18 4. The finding of whether an imminent threat to the public health or
19 safety exists shall be based on factors that include but are not limited
20 to:

21 (a) documented sales to minors;

22 (b) unlicensed processing of cannabis products at the building or
23 premises;

24 (c) sales of products grown, processed, or packaged in another state,
25 or labeled as such;

26 (d) orders issued following issuance of an order by a court to inspect
27 the building or premises;

1 (e) orders issued following an inspection wherein the person engaged
2 in the unlicensed activity engaged in violent, tumultuous, or other
3 behaviors indicating expressed intent to not comply with the office's
4 order to cease the unlicensed activity;

5 (f) documented presence of unlawful firearms at the building or prem-
6 ises;

7 (g) proximity of the building or premises to locations such as
8 schools, houses of worship, or public youth facilities; or

9 (h) other factors that the board may establish by rule or regulation
10 pursuant to the state administrative procedure act.

11 Such orders to seal shall be served in the same manner as the notice
12 of violation and order to cease unlicensed activity.

13 5. Notwithstanding the factors listed in subdivision four of this
14 section, the office may issue an order to seal with an immediate effec-
15 tive date upon a second, third, or fourth inspection in which unlicensed
16 activity is confirmed to be continuing more than ten calendar days after
17 a notice of violation and order to cease unlicensed activity was previ-
18 ously issued by the office.

19 6. An order to seal may be issued by the office or the board pursuant
20 to subdivision three of this section only if: (a) no part of the build-
21 ing or premises to be sealed is used in part as a residence and pursuant
22 to local law or ordinance is zoned and lawfully occupied as a residence;
23 and (b) the unlicensed activity as described in this section is more
24 than a de minimis part of the business activity on the premises or in
25 the building to be sealed pursuant to the order.

26 7. In assessing whether unlicensed activity within a building or prem-
27 ises is more than de minimis, the office or board, as relevant, shall
28 consider such factors as:

1 (a) the presence of signs or symbols, indoors or out, advertising the
2 sale of cannabis or otherwise indicating that cannabis is sold on the
3 premises;

4 (b) information shared in any advertisements or other marketing
5 content in connection with the unlicensed business and any direct or
6 indirect sales of cannabis or other conduct in violation of this chap-
7 ter; and

8 (c) an assessment of the volume of illicit cannabis products on site.

9 8. Upon a request by the office, any police officer or peace officer
10 with jurisdiction may assist in the enforcement of an order to seal
11 issued by the office or the board, in accordance with the following
12 procedures:

13 (a) The police officer or peace officer serving and executing the
14 order to seal shall forthwith make and return to the office an inventory
15 of personal property situated in and used in conducting, maintaining, or
16 permitting the unlicensed activity within the scope of this chapter and
17 shall enter upon the building or premises for such purpose. Such inven-
18 tory shall be taken in any manner which is deemed likely to evidence a
19 true and accurate representation of the personal property subject to
20 such inventory including, but not limited to photographing such personal
21 property.

22 (b) The police officer or peace officer serving and executing the
23 order to seal shall enter the building or premises and, upon service of
24 the order, command all persons present in the building or premises to
25 vacate the premises forthwith. Upon the building or premises being
26 vacated, the premises shall be securely locked and all keys delivered to
27 the officer serving the order who thereafter shall deliver the keys to
28 the fee owner, lessor, or lessee of the building or premises involved.

1 If the fee owner, lessor, or lessee is not at the building or premises
2 when the order is being executed, the officer shall securely padlock the
3 premises and retain the keys until the fee owner, lessor, or lessee of
4 the building is ascertained, in which event, the officer shall deliver
5 the keys to such fee owner, lessor, or lessee.

6 (c) Upon service and execution of the order to seal, the police offi-
7 cer or peace officer shall post a copy thereof in a conspicuous place or
8 upon one or more of the principal doors at entrances of such premises
9 where the unlicensed activity is being conducted, maintained, or permit-
10 ted. In addition, the officer shall affix, in a conspicuous place or
11 upon one or more of the principal doors at entrances of such premises, a
12 printed notice that the premises have been closed by order of the canna-
13 bis control board, and the name of the officer or agency posting the
14 notice.

15 (d) Mutilation or removal of such a posted order or such a posted
16 notice while it remains in force, in addition to any other punishment
17 prescribed by law, shall be punishable, on conviction, by a fine of not
18 more than five thousand dollars or by imprisonment not exceeding ninety
19 days, or by both, provided such order or notice contains therein a
20 notice of such penalty. Such penalty shall be enforced by the board or,
21 upon a request by the office, the office of the attorney general or by a
22 court of competent jurisdiction.

23 (e) Mutilation or removal of the secure padlock while the order to
24 seal remains in place shall be punishable, upon conviction, by a fine of
25 not more than twenty thousand dollars or by a class E felony, or both.

26 The office shall also adhere to these procedures when executing an
27 order to seal issued in accordance with this section.

1 9. Any order to seal issued by the office or the board shall be effec-
2 tive for one year from the posting of the judgment provided for in this
3 section. An order to seal may be vacated by the office or the board,
4 upon notice to the office, if the respondent shows by affidavit and such
5 other proof as may be submitted by the respondent that the unlicensed
6 activity has been abated. An order vacating a previously issued order to
7 seal shall include a provision authorizing the office, or any police
8 officer or peace officer who assisted with the execution of the order to
9 seal, to inspect the building or premises periodically without notice
10 for the purpose of ascertaining whether or not the unlicensed activity
11 has been resumed. Any police officer or peace officer with jurisdiction
12 may, upon the request of the office, assist in the enforcement of an
13 inspection provision of an order vacating an order to seal.

14 10. The office shall mail a copy, by certified mail, of any order to
15 seal issued by the office or board within five days following issuance
16 of such order to the person in whose name the real estate affected by
17 the order is recorded in the office of the city register or the county
18 clerk, as the case may be, who shall be presumed to be the owner there-
19 of. Such mailing shall constitute notice to the owner and shall be
20 deemed to be complete upon such mailing by the office as provided above.

21 11. If at any time a respondent vacates the building or premises
22 subject to an order to seal issued by the office or board, or if the
23 building owner provides sufficient proof thereof, any action or proceed-
24 ing filed in accordance with these procedures relating to such building
25 or premises may be withdrawn by the office or the board without preju-
26 dice, and any order to seal may be vacated.

1 12. The remedies provided for in this section are not exclusive and
2 the office or board may also request and recover penalties in accordance
3 with other provisions in this chapter.

4 § 13. This act shall take effect immediately and shall apply to
5 offenses committed on or after the date this act shall have become a
6 law; provided, however that the amendments to section 16-a of the canna-
7 bis law made by section four of this act shall not affect the repeal of
8 such section and shall be deemed repealed therewith.

9 PART H

10 Section 1. The opening paragraph of subdivision 1 of section 110-b of
11 the alcoholic beverage control law, as amended by chapter 222 of the
12 laws of 2019, is amended to read as follows:

13 Not [less than thirty nor] more than two hundred [and] seventy days
14 before filing any of the following applications, an applicant shall
15 notify the municipality in which the premises is located of such appli-
16 cant's intent to file such an application:

17 § 2. The opening paragraph of subdivision 2 of section 99-d of the
18 alcoholic beverage control law, as amended by chapter 560 of the laws of
19 2011, is amended to read as follows:

20 Before any change in the members of a limited liability company or the
21 transfer or assignment of a membership interest in a limited liability
22 company or any corporate change in stockholders, stockholdings, alcohol-
23 ic beverage officers, officers or directors, except officers and direc-
24 tors of a premises licensed as a club or a luncheon club under this
25 chapter can be effectuated for the purposes of this chapter, there shall
26 be filed with the liquor authority an application for permission to make

1 such change and there shall be paid to the liquor authority in advance
2 upon filing of the application a fee of one hundred twenty-eight
3 dollars. Such application shall be deemed approved and in effect if not
4 disapproved by the authority prior to the expiration of ninety days
5 after receipt by the authority.

6 § 3. Subdivision 1 of section 98 of the alcoholic beverage control
7 law, as amended by chapter 703 of the laws of 2022, is amended to read
8 as follows:

9 1. The liquor authority is hereby authorized to issue to a retail
10 licensee for on-premises consumption or a licensed off-premises caterer
11 furnishing provisions and service for use at a particular function,
12 occasion or event in a hotel, restaurant, club, ballroom or other prem-
13 ises a temporary [indoor] permit effective for a period not to exceed
14 twenty-four consecutive hours, which shall authorize the service of
15 alcoholic beverages at such function, occasion or event within the
16 hours, fixed by or pursuant to subdivision five of section one hundred
17 six of this chapter, during which alcoholic beverages may lawfully be
18 sold or served upon premises licensed to sell alcoholic beverages at
19 retail for on-premises consumption in the community in which is located
20 the premises in which such function, occasion or event is held. The fee
21 therefor shall be thirty-eight dollars. Such a permit and the exercise
22 of the privilege granted thereby may be subjected to such rules by the
23 liquor authority as it deems necessary and such rules as are in conform-
24 ity with the provisions of subdivision two of this section. Such a
25 permit may also be issued for functions, occasions or events at premises
26 for which a summer license has been previously issued pursuant to this
27 chapter.

1 § 4. Subdivision 1 of section 97 of the alcoholic beverage control
2 law, as amended by section 19 of part Z of chapter 85 of the laws of
3 2002, is amended to read as follows:

4 1. The liquor authority is hereby authorized to issue temporary
5 permits effective for a period not to exceed twenty-four consecutive
6 hours to authorize the sale of beer [and], wine [manufactured in New
7 York state], cider, mead and/or braggot, and liquor at outdoor or indoor
8 gatherings, functions, occasions or events, within the hours fixed by or
9 pursuant to subdivision five of section one hundred six of this chapter,
10 during which alcoholic beverages may lawfully be sold or served upon
11 premises licensed to sell alcoholic beverages at retail for on-premises
12 consumption in the community in which is located the premises in which
13 such gathering, function, occasion or event is held. The fee for such
14 permit shall be twenty-six dollars. Such permit and the exercise of the
15 privilege granted thereby shall be subject to such rules of the liquor
16 authority as it deems necessary.

17 § 5. Subdivision 2 of section 105 of the alcoholic beverage control
18 law is REPEALED.

19 § 6. This act shall take effect immediately, and shall apply to all
20 applications received by the state liquor authority on and after such
21 date. Effective immediately, the addition, amendment and/or repeal of
22 any rule or regulation by the state liquor authority necessary for the
23 implementation of this act on its effective date are authorized to be
24 made and completed on or before such effective date.

1 Section 1. The alcoholic beverage control law is amended by adding a
2 new section 97-d to read as follows:

3 § 97-d. Temporary wholesale permit. 1. Any person may apply to the
4 liquor authority for a temporary permit to operate any alcoholic bever-
5 age wholesale facility as may be licensed under this chapter. Such
6 application shall be in writing and verified and shall contain informa-
7 tion as the liquor authority shall require. Such application shall be
8 accompanied by a check or draft in the amount of one hundred twenty-five
9 dollars for such permit.

10 2. Upon application, the liquor authority may issue such temporary
11 permit when:

12 (a) the applicant has a wholesale license application at the same
13 premises pending before the liquor authority, together with all required
14 filing and license fees;

15 (b) the applicant has obtained and provided evidence of all permits,
16 licenses and other documents necessary for the operation of such a busi-
17 ness; and

18 (c) any current license in effect at the premises has been surrendered
19 or placed in safekeeping, or has been deemed abandoned by the authority.

20 3. The liquor authority in granting such permit shall ensure that:

21 (a) issuance of the permit will not inordinately hinder the operation
22 or effective administration of this chapter;

23 (b) the applicant would in all likelihood be able to ultimately obtain
24 the wholesale license being applied for; and

25 (c) the applicant has substantially complied with the requirements
26 necessary to obtain such license.

1 4. The application for a permit shall be approved or denied by the
2 liquor authority within forty-five days after the receipt of such appli-
3 cation.

4 5. A temporary permit shall authorize the permittee to operate a
5 wholesale facility for the purchase, warehousing, and sale of alcoholic
6 beverages according to the laws applicable to the type of wholesale
7 license being applied for.

8 6. Such temporary permit shall remain in effect for six months or
9 until the wholesale license being applied for is approved and the
10 license granted, whichever is shorter. Such permit may be extended at
11 the discretion of the liquor authority for additional three-month peri-
12 ods of time upon payment of an additional fee of fifty dollars for each
13 such extension.

14 7. Notwithstanding any provision of law to the contrary, a temporary
15 wholesale permit may be summarily cancelled or suspended at any time if
16 the liquor authority determines that good cause for cancellation or
17 suspension exists. The liquor authority shall promptly notify the
18 permittee in writing of such cancellation or suspension and shall set
19 forth the reasons for such action.

20 8. The liquor authority in reviewing such application shall review the
21 entire record and grant the temporary permit unless good cause is other-
22 wise shown. A decision on an application shall be based on substantial
23 evidence in the record and supported by a preponderance of the evidence
24 in favor of the applicant.

25 § 2. Section 104 of the alcoholic beverage control law is amended by
26 adding a new subdivision 4 to read as follows:

27 4. Notwithstanding any other provision of this chapter to the contra-
28 ry, the authority may issue a cider producer or wholesaler's license,

1 beer wholesaler's license, wine wholesaler's license, or liquor whole-
2 saler's license to the holder of any wholesaler's license issued pursu-
3 ant to this chapter for use at such licensee's existing licensed prem-
4 ises. The liquor authority is hereby authorized to adopt such rules as
5 it may deem necessary to carry out the purposes of this subdivision.

6 § 3. This act shall take effect immediately and shall apply to all
7 applications filed after the date it shall have become a law.

8 PART J

9 Section 1. Section 4 of chapter 118 of the laws of 2012 amending the
10 alcoholic beverage control law relating to the powers of the chairman
11 and members of the authority, as amended by chapter 124 of the laws of
12 2021, is amended to read as follows:

13 § 4. This act shall take effect immediately [and shall expire and be
14 deemed repealed twelve years after such date].

15 § 2. This act shall take effect immediately.

16 PART K

17 Section 1. Section 5 of chapter 396 of the laws of 2010 amending the
18 alcoholic beverage control law relating to liquidator's permits and
19 temporary retail permits, as amended by section 1 of part 0 of chapter
20 55 of the laws of 2023, is amended to read as follows:

21 § 5. This act shall take effect on the sixtieth day after it shall
22 have become a law, provided that paragraph (b) of subdivision 1 of
23 section 97-a of the alcoholic beverage control law as added by section

1 two of this act shall expire and be deemed repealed October 12, [2024]
2 2025.

3 § 2. This act shall take effect immediately.

4 PART L

5 Section 1. Chapter 238 of the laws of 2021 is REPEALED.

6 § 2. The alcoholic beverage control law is amended by adding a new
7 section 111-a to read as follows:

8 § 111-a. Use of contiguous and non-contiguous municipal public space
9 for on-premises alcoholic beverage sales by certain licensees. 1. The
10 holder of a retail on-premises license issued pursuant to sections
11 fifty-five, sixty-four, sixty-four-a, sixty-four-c, sixty-four-d, eight-
12 y-one, or eighty-one-a of this chapter or a manufacturing license that
13 includes a privilege to sell and/or serve alcoholic beverages at retail
14 for on-premises consumption on the licensed premises issued pursuant to
15 section thirty, thirty-one, fifty-one, fifty-one-a, fifty-eight, fifty-
16 eight-c, subdivision two-c of section sixty-one, section seventy-six,
17 seventy-six-a, seventy-six-c, or seventy-six-d of this chapter may file
18 an alteration application with the authority pursuant to subdivision one
19 of section ninety-nine-d of this chapter for permission to add municipal
20 public space that is either contiguous or non-contiguous to the licensed
21 premises. Upon approval of such alteration application, such a licensee
22 may exercise the privilege to sell and/or serve alcoholic beverages at
23 retail for on-premises consumption on contiguous municipal public space
24 or non-contiguous municipal public space provided:

25 (a) the municipality in which the licensed premises is located issues
26 a permit or the responsible municipal regulatory body or agency issues

1 written authorization to the licensee to sell and/or serve food on such
2 contiguous municipal public space or non-contiguous municipal public
3 space;

4 (b) the licensee submits to the liquor authority a copy of such munic-
5 ipal permit or other written authorization along with the alteration
6 application;

7 (c) the licensee submits to the liquor authority a copy of the permit
8 application submitted to the municipality to obtain the municipal permit
9 or other written authorization from the municipality along with the
10 alteration application;

11 (d) the licensee submits to the liquor authority a diagram depicting
12 both the licensed premises and the contiguous municipal public space or
13 non-contiguous municipal public space to be used by the licensee with
14 the alteration application;

15 (e) the licensee submits to the liquor authority proof that it has
16 provided community notification to the municipality, including munici-
17 palities outside the city of New York, in a manner consistent with or
18 required by subdivision two of section one hundred ten-b of this article
19 as required for the city of New York; and

20 (f) use of any such contiguous or non-contiguous municipal space meets
21 all applicable federal, state or local laws, rules, regulations, guid-
22 ance, conditions or requirements.

23 2. For the purposes of this section: (a) "non-contiguous space" shall
24 mean space that: (i) is located in front of, behind, or to the side of
25 the licensed premises; (ii) is within the property boundaries of the
26 licensed premises as extended out; or within the property boundaries of
27 the nearest adjacent properties on either side; (iii) does not extend
28 further than the midline of any public roadway; (iv) is separated from

1 the licensed premises only by one or more of the following: a pedestrian
2 thoroughfare, a thoroughfare primarily restricted to use by bicycles, or
3 a portion of a thoroughfare with such restrictions; and (v) otherwise
4 complies with all applicable federal, state and local requirements.

5 (b) "Contiguous municipal public space" shall mean space that: (i) is
6 located in front of, behind, or to the side of the licensed premises;
7 (ii) is within the property boundaries of the licensed premises as
8 extended out; or within the property boundaries of the nearest adjacent
9 properties on either side; (iii) otherwise complies with all applicable
10 federal, state and local requirements.

11 3. Licensees choosing to utilize non-contiguous municipal space that
12 includes a thoroughfare primarily restricted to use by bicycles, or a
13 portion of a thoroughfare with such restrictions, shall post a sign or
14 poster in said municipal outdoor space with conspicuous lettering in at
15 least seventy-two point bold face font that states: "CAUTION: BICYCLE
16 LANE" prior to and while utilizing any such municipal space for on-prem-
17 ises alcoholic beverage sales to patrons. Such licensees shall be solely
18 responsible for production of and maintenance of such signage. Compli-
19 ance by the licensee with the provisions of any local law requiring
20 posting of warning signs regarding bicycle lanes enacted on or before
21 the effective date of this section shall be deemed to be in compliance
22 with the provisions of this section. Nothing contained herein, however,
23 shall be deemed to exempt any licensee not otherwise subject to the
24 provisions of any such local law from complying with the provisions of
25 this section.

26 4. If at any time the municipality revokes, cancels or suspends or
27 otherwise terminates the licensee's authorization to use such contiguous
28 municipal public space or non-contiguous municipal public space, the

1 licensee shall immediately cease exercising the privilege to sell and/or
2 serve alcoholic beverages at retail for consumption on such municipal
3 public space. The licensee shall then file a new alteration application
4 removing the municipal public space from its licensed premises. The
5 failure to file a new alteration application with the authority within
6 ten business days of the revocation, cancellation, suspension, or other
7 termination by the local municipality of the licensee's authorization to
8 use such contiguous or non-contiguous municipal public space shall be
9 cause for revocation, cancellation, suspension and/or imposition of a
10 civil penalty against the license in accordance with section one hundred
11 eighteen of this article.

12 5. The authority may promulgate guidance, rules and/or regulations
13 necessary to implement the provisions of this section. Notwithstanding
14 existing provisions of this chapter, the authority is authorized to
15 provide simplified applications and notification procedures for licen-
16 sees seeking to utilize municipal space for on-premises alcoholic bever-
17 age sales whenever possible or appropriate. Nothing in this section
18 shall prohibit the authority from requesting additional information from
19 any applicant seeking to use new municipal space or renewal of existing
20 municipal space.

21 § 3. This act shall take effect immediately and shall apply to all
22 applications received by the state liquor authority on and after such
23 effective date. Effective immediately, the authority is authorized to
24 undertake the addition, amendment and/or repeal of any rule or regu-
25 lation necessary for the implementation of this act.

1 Section 1. Subdivision 15 of section 201 of the workers' compensation
2 law, as added by section 2 of part SS of chapter 54 of the laws of 2016,
3 is amended to read as follows:

4 15. "Family leave" shall mean any leave taken by an employee from
5 work: (a) to participate in providing care, including physical or
6 psychological care, for a family member of the employee made necessary
7 by a serious health condition of the family member; or (b) to bond with
8 the employee's child during the first twelve months after the child's
9 birth, or the first twelve months after the placement of the child for
10 adoption or foster care with the employee; or (c) because of any quali-
11 fying exigency as interpreted under the family and medical leave act, 29
12 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R. S.825.126(a)(1)-(8), arising out
13 of the fact that the spouse, domestic partner, child, or parent of the
14 employee is on active duty (or has been notified of an impending call or
15 order to active duty) in the armed forces of the United States; or (d)
16 for an employee to receive prenatal care during the employee's
17 pregnancy.

18 § 2. Section 201 of the workers' compensation law is amended by adding
19 a new subdivision 25 to read as follows:

20 25. "Prenatal care" means the health care received by an employee
21 during pregnancy related to such pregnancy. Prenatal care includes phys-
22 ical exams, monitoring and testing as well as discussions with a health
23 care provider related to the pregnancy.

24 § 3. Paragraph (a) of subdivision 2 of section 204 of the workers'
25 compensation law, as added by section 5 of part SS of chapter 54 of the
26 laws of 2016, is amended to read as follows:

27 (a) The weekly benefit for family leave that occurs (i) on or after
28 January first, two thousand eighteen shall not exceed eight weeks during

1 any fifty-two week calendar period and shall be fifty percent of the
2 employee's average weekly wage but shall not exceed fifty percent of the
3 state average weekly wage, (ii) on or after January first, two thousand
4 nineteen shall not exceed ten weeks during any fifty-two week calendar
5 period and shall be fifty-five percent of the employee's average weekly
6 wage but shall not exceed fifty-five percent of the state average weekly
7 wage, (iii) on or after January first, two thousand twenty shall not
8 exceed ten weeks during any fifty-two week calendar period and shall be
9 sixty percent of the employee's average weekly wage but shall not exceed
10 sixty percent of the state average weekly wage, and (iv) on or after
11 January first of each succeeding year, shall not exceed twelve weeks
12 during any fifty-two week calendar period and shall be sixty-seven
13 percent of the employee's average weekly wage but shall not exceed
14 sixty-seven percent of the New York state average weekly wage in effect.
15 On or after January first, two thousand twenty-five, the benefit for
16 prenatal care shall not exceed forty hours during any fifty-two week
17 calendar period and such leave for prenatal care may be taken in hourly
18 increments and in addition to any other family leave benefits the
19 employee may be eligible for during the same fifty-two week period. The
20 superintendent of financial services shall have discretion to delay the
21 increases in the family leave benefit level provided in subparagraphs
22 (ii), (iii), and (iv) of this paragraph by one or more calendar years.
23 In determining whether to delay the increase in the family leave benefit
24 for any year, the superintendent of financial services shall consider:
25 (1) the current cost to employees of the family leave benefit and any
26 expected change in the cost after the benefit increase; (2) the current
27 number of insurers issuing insurance policies with a family leave bene-
28 fit and any expected change in the number of insurers issuing such poli-

1 cies after the benefit increase; (3) the impact of the benefit increase
2 on employers' business and the overall stability of the program to the
3 extent that information is readily available; (4) the impact of the
4 benefit increase on the financial stability of the disability and family
5 leave insurance market and carriers; and (5) any additional factors that
6 the superintendent of financial services deems relevant. If the super-
7 intendent of financial services delays the increase in the family leave
8 benefit level for one or more calendar years, the family leave benefit
9 level that shall take effect immediately following the delay shall be
10 the same benefit level that would have taken effect but for the delay.
11 The weekly benefits for family leave that occurs on or after January
12 first, two thousand eighteen shall not be less than one hundred dollars
13 per week except that if the employee's wages at the time of family leave
14 are less than one hundred dollars per week, the employee shall receive
15 his or her full wages. Benefits may be payable to employees for paid
16 family leave taken intermittently or for less than a full work week in
17 increments of one full day or one fifth of the weekly benefit. Notwith-
18 standing the foregoing, family leave benefits under paragraph (d) of
19 subdivision fifteen of section two hundred one of this article may be
20 payable to employees in hourly increments.

21 § 4. Section 205 of the workers' compensation law, as amended by
22 section 6 of part SS of chapter 54 of the laws of 2016, is amended to
23 read as follows:

24 § 205. Disabilities, family leave and periods for which benefits are
25 not payable. 1. No employee shall be entitled to disability benefits
26 under this article:

27 (a) For more than twenty-six weeks minus any days taken for family
28 leave during any fifty-two consecutive calendar weeks during a period of

1 fifty-two consecutive calendar weeks or during any one period of disa-
2 bility, or for more than twenty-six weeks; provided, however, that fami-
3 ly leave under paragraph (d) of subdivision fifteen of section two
4 hundred one of this article shall not reduce this amount;

5 (b) for any period of disability during which an employee is not under
6 the care of a duly licensed physician or with respect to disability
7 resulting from a condition of the foot which may lawfully be treated by
8 a duly registered and licensed podiatrist of the state of New York or
9 with respect to a disability resulting from a condition which may
10 lawfully be treated by a duly registered and licensed chiropractor of
11 the state of New York or with respect to a disability resulting from a
12 condition which may lawfully be treated by a duly licensed dentist of
13 the state of New York or with respect to a disability resulting from a
14 condition which may lawfully be treated by a duly registered and
15 licensed psychologist of the state of New York or with respect to a
16 disability resulting from a condition which may lawfully be treated by a
17 duly certified nurse midwife, for any period of such disability during
18 which an employee is neither under the care of a physician nor a podia-
19 trist, nor a chiropractor, nor a dentist, nor a psychologist, nor a
20 certified nurse midwife; and for any period of disability during which
21 an employee who adheres to the faith or teachings of any church or
22 denomination and who in accordance with its creed, tenets or principles
23 depends for healing upon prayer through spiritual means alone in the
24 practice of religion, is not under the care of a practitioner duly
25 accredited by the church or denomination, and provided such employee
26 shall submit to all physical examinations as required by this chapter.

27 2. No employee shall be entitled to family leave benefits under this
28 article:

1 (a) For more than twelve weeks, or the maximum duration permitted as
2 set forth in paragraph (a) of subdivision two of section two hundred
3 four of this article, during a period of fifty-two consecutive calendar
4 weeks, or for any period in which the family leave combined with the
5 disability benefits previously paid exceeds twenty-six weeks during the
6 same fifty-two consecutive calendar weeks; provided, however, that fami-
7 ly leave under paragraph (d) of subdivision fifteen of section two
8 hundred one of this article shall not reduce this amount;

9 (b) For any period of family leave wherein the notice and medical
10 certification as prescribed by the chair has not been filed. At the
11 discretion of the chair or chair's designee pursuant to section two
12 hundred twenty-one of this article, the family member who is the recipi-
13 ent of care may be required to submit to a physical examination by a
14 qualified health care provider. Such examination shall be paid for by
15 the carrier; and

16 (c) As a condition of an employee's initial receipt of family leave
17 benefits during any fifty-two consecutive calendar weeks in which an
18 employee is eligible for these benefits, an employer may offer an
19 employee who has accrued but unused vacation time or personal leave
20 available at the time of use of available family leave to choose whether
21 to charge all or part of the family leave time to accrued but unused
22 vacation or personal leave, and receive full salary, or to not charge
23 time to accrued but unused vacation or personal leave, and receive the
24 benefit as set forth in section two hundred four of this article. An
25 employer that pays full salary during a period of family leave may
26 request reimbursement in accordance with section two hundred thirty-sev-
27 en of this article. With the election of either option, the employee
28 shall receive the full protection of the reinstatement provision set

1 forth in section two hundred three-b of this article, and shall concur-
2 rently use available family medical leave act and paid family leave
3 credits. In no event can an employee utilize family leave beyond twelve
4 weeks, or the maximum duration permitted as set forth in paragraph (a)
5 of subdivision two of section two hundred four of this article, per any
6 fifty-two week period set forth in this article; provided, however, that
7 family leave under paragraph (d) of subdivision fifteen of section two
8 hundred one of this article shall not reduce this amount. This paragraph
9 may not be construed in a manner that relieves an employer of any duty
10 of collective bargaining the employer may have with respect to the
11 subject matter of this paragraph.

12 3. No employee shall be entitled to disability or family leave bene-
13 fits under this article:

14 (a) for any disability occasioned by the wilful intention of the
15 employee to bring about injury to or the sickness of himself or another,
16 or resulting from any injury or sickness sustained in the perpetration
17 by the employee of an illegal act;

18 (b) for any day of disability or family leave during which the employ-
19 ee performed work for remuneration or profit; provided, however, that
20 family leave under paragraph (d) of subdivision fifteen of section two
21 hundred one of this article may be taken in hourly increments;

22 (c) for any day of disability or family leave for which the employee
23 is entitled to receive from his or her employer, or from a fund to which
24 the employer has contributed, remuneration or maintenance in an amount
25 equal to or greater than that to which he or she would be entitled under
26 this article; but any voluntary contribution or aid which an employer
27 may make to an employee or any supplementary benefit paid to an employee
28 pursuant to the provisions of a collective bargaining agreement or from

1 a trust fund to which contributions are made pursuant to the provisions
2 of a collective bargaining agreement shall not be considered as contin-
3 ued remuneration or maintenance for this purpose;

4 (d) for any period in respect to which such employee is subject to
5 suspension or disqualification of the accumulation of unemployment
6 insurance benefit rights, or would be subject if he or she were eligible
7 for such benefit rights, except for ineligibility resulting from the
8 employee's disability;

9 (e) for any disability due to any act of war, declared or undeclared;

10 (f) for any disability or family leave commencing before the employee
11 becomes eligible to benefits under this section.

12 4. An employee may not collect benefits concurrently under both subdi-
13 visions one and two of this section.

14 5. In any case in which the necessity for family leave is foreseeable
15 based on an expected birth or placement, the employee shall provide the
16 employer with not less than thirty days notice before the date the leave
17 is to begin, of the employee's intention to take family leave under this
18 article, except that if the date of the birth or placement requires
19 leave to begin in less than thirty days, the employee shall provide such
20 notice as is practicable. In any case in which the necessity for family
21 leave is foreseeable based on planned medical treatment, the employee
22 shall provide the employer with not less than thirty days notice, before
23 the date the leave is to begin, of the employees intention to take fami-
24 ly leave under this article, except that if the date of the treatment
25 requires leave to begin in less than thirty days, the employee shall
26 provide such notice as is practicable.

1 § 5. Paragraph (d) of subdivision 3 of section 206 of the workers'
2 compensation law, as added by section 7 of part SS of chapter 54 of the
3 laws of 2016, is amended to read as follows:

4 (d) With the exception of leave for prenatal care which may be taken
5 in hourly increments, for any day in which claimant works at least part
6 of that day for remuneration or profit for the covered employer or for
7 any other employer while working for remuneration or profit, for him or
8 herself, or another person or entity, during the same or substantially
9 similar working hours as those of the covered employer from which family
10 leave benefits are claimed, except that occasional scheduling adjust-
11 ments with respect to secondary employments shall not prevent receipt of
12 family leave benefits.

13 § 6. Subdivision 1 of section 208 of the workers' compensation law, as
14 amended by section 9 of part SS of chapter 54 of the laws of 2016, is
15 amended to read as follows:

16 1. Benefits provided under this article shall be paid periodically and
17 promptly and, except as to a contested period of disability or family
18 leave, without any decision by the board, or designee of the chair
19 pursuant to section two hundred twenty-one of this article. The first
20 payment of benefits shall be due on the fourteenth day of disability or
21 family leave and benefits for that period shall be paid directly to the
22 employee within four business days thereafter or within four business
23 days after the filing of required proof of claim, whichever is the
24 later. Family leave benefits for prenatal care may be paid in hourly
25 installments or, upon election of the employer or insurance carrier and
26 upon notice to the employee at the time of the request for such family
27 leave, in an aggregate payment that corresponds to the hours in the
28 employee's regular workday upon submission of proof of leave for prena-

1 tal care for such hours and within fourteen days of the last hourly
2 increment and four business days after such submission. If the employer
3 or carrier rejects an initial claim for family leave benefits, the
4 employer or carrier must notify the employee in a manner prescribed by
5 the chair within eighteen days of filing of the proof of claim. Failure
6 to timely reject shall constitute a waiver of objection to the family
7 leave claim. Thereafter benefits shall be due and payable bi-weekly in
8 like manner. The chair or chair's designee, pursuant to section two
9 hundred twenty-one of this article, may determine that benefits may be
10 paid monthly or semi-monthly if wages were so paid, and may authorize
11 deviation from the foregoing requirements to facilitate prompt payment
12 of benefits. Any inquiry which requires the employee's response in order
13 to continue benefits uninterrupted or unmodified shall provide a reason-
14 able time period in which to respond and include a clear and prominent
15 statement of the deadline for responding and consequences of failing to
16 respond.

17 § 7. Subdivision 1 of section 217 of the workers' compensation law, as
18 amended by section 16 of part SS of chapter 54 of the laws of 2016, is
19 amended to read as follows:

20 1. Written notice and proof of disability or proof of need for family
21 leave shall be furnished to the employer by or on behalf of the employee
22 claiming benefits or, in the case of a claimant under section two
23 hundred seven of this article, to the chair, within thirty days after
24 commencement of the period of disability or family leave, or for family
25 leave for prenatal care within thirty days of the last hour for such
26 leave period as prescribed in subdivision one of section two hundred
27 eight of this article. Additional proof shall be furnished thereafter
28 from time to time as the employer or carrier or chair may require but

1 not more often than once each week. Such proof shall include a statement
2 of disability by the employee's attending physician or attending podia-
3 trist or attending chiropractor or attending dentist or attending
4 psychologist or attending certified nurse midwife or family leave care
5 recipient's health care provider, or in the case of an employee who
6 adheres to the faith or teachings of any church or denomination, and who
7 in accordance with its creed, tenets or principles depends for healing
8 upon prayer through spiritual means alone in the practice of religion,
9 by an accredited practitioner, containing facts and opinions as to such
10 disability in compliance with regulations of the chair. Failure to
11 furnish notice or proof within the time and in the manner above provided
12 shall not invalidate the claim but no benefits shall be required to be
13 paid for any period more than two weeks prior to the date on which the
14 required proof is furnished unless it shall be shown to the satisfaction
15 of the chair not to have been reasonably possible to furnish such notice
16 or proof and that such notice or proof was furnished as soon as possi-
17 ble; provided, however, that no benefits shall be paid unless the
18 required proof of disability is furnished within the period of actual
19 disability or family leave that does not exceed the statutory maximum
20 period permitted under section two hundred four of this article. No
21 limitation of time provided in this section shall run as against any
22 disabled employee who is mentally incompetent, or physically incapable
23 of providing such notice as a result of a serious medical condition, or
24 a minor so long as such person has no guardian of the person and/or
25 property.

26 § 8. This act shall take effect January 1, 2025.

1 Section 1. Subdivision 16 of section 2 of the workers' compensation
2 law, as added by chapter 6 of the laws of the 2007 and as further
3 amended by section 104 of part A of chapter 62 of the laws of 2011, is
4 amended to read as follows:

5 16. "New York state average weekly wage" shall mean the average weekly
6 wage of the state of New York for the previous calendar year as reported
7 by the commissioner of labor to the superintendent of financial services
8 on [March] May thirty-first.

9 § 2. Section 200 of the workers' compensation law, as amended by
10 section 1 of part SS of chapter 54 of the laws of 2016, is amended to
11 read as follows:

12 § 200. Short title. This article shall be known and may be cited as
13 the "disability [benefits law] and [the] paid family leave benefits
14 law."

15 § 3. Subdivisions 14, 15 and 22 of section 201 of the workers' compen-
16 sation law, subdivision 14 as amended and subdivisions 15 and 22 as
17 added by section 2 of part SS of chapter 54 of the laws of 2016, are
18 amended to read as follows:

19 14. "A day of disability" means any day on which the employee was
20 prevented from performing work because of disability[, including any day
21 which the employee uses for family leave,] and for which the employee
22 has not received [his or her] their regular remuneration.

23 15. "Family leave" shall mean any leave taken by an employee from
24 work: (a) to participate in providing care, including physical or
25 psychological care, for a family member of the employee made necessary
26 by a serious health condition of the family member; or (b) to bond with
27 the employee's child during the first twelve months after the child's
28 birth, or the first twelve months after the placement of the child for

1 adoption or foster care with the employee; or (c) because of any quali-
2 fying exigency as interpreted under the family and medical leave act, 29
3 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R. S.825.126[(a)(1)-(8)], arising out
4 of the fact that the spouse, domestic partner, child, or parent of the
5 employee is on active duty (or has been notified of an impending call or
6 order to active duty) in the armed forces of the United States.

7 22. "Health care provider" shall mean for the purpose of [family
8 leave] this article, a person licensed under article one hundred thir-
9 ty-one, one hundred thirty-one-B, one hundred thirty-two, one hundred
10 thirty-three, one hundred thirty-six, one hundred thirty-nine, one
11 hundred forty-one, one hundred forty-three, one hundred forty-four, one
12 hundred fifty-three, one hundred fifty-four, one hundred fifty-six or
13 one hundred fifty-nine of the education law or a person licensed under
14 the public health law, article one hundred forty of the education law or
15 article one hundred sixty-three of the education law.

16 § 4. Section 203-a of the workers' compensation law, as added by
17 section 4 of part SS of chapter 54 of the laws of 2016, is amended to
18 read as follows:

19 § 203-a. Retaliatory action prohibited for [family] leave. 1. The
20 provisions of section one hundred twenty of this chapter and section two
21 hundred forty-one of this article shall be applicable to family and
22 disability leave.

23 2. Nothing in this section shall be deemed to diminish the rights,
24 privileges, or remedies of any employee under any collective bargaining
25 agreement or employment contract.

26 § 5. Section 203-b of the workers' compensation law, as added by
27 section 4 of part SS of chapter 54 of the laws of 2016, is amended to
28 read as follows:

1 § 203-b. Reinstatement following [family] leave. Any eligible employee
2 of a covered employer who takes leave under this article shall be enti-
3 tled, on return from such leave, to be restored by the employer to the
4 position of employment held by the employee when the leave commenced, or
5 to be restored to a comparable position with comparable employment bene-
6 fits, pay and other terms and conditions of employment. The taking of
7 family or disability leave shall not result in the loss of any employ-
8 ment benefit accrued prior to the date on which the leave commenced.
9 Nothing in this section shall be construed to entitle any restored
10 employee to the accrual of any seniority or employment benefits during
11 any period of leave, or any right, benefit or position to which the
12 employee would have been entitled had the employee not taken the leave.

13 § 6. Section 203-c of the workers' compensation law, as added by
14 section 4 of part SS of chapter 54 of the laws of 2016, is amended to
15 read as follows:

16 § 203-c. Health insurance during [family] leave. In accordance with
17 the Family and Medical Leave Act (29 U.S.C. §§ 2601-2654), during any
18 period of family or disability leave the employer shall maintain any
19 existing health benefits of the employee in force for the duration of
20 such leave as if the employee had continued to work from the date [he or
21 she] they commenced family or disability leave until the date [he or she
22 returns] they return to employment.

23 § 7. Section 204 of the workers' compensation law, as amended by
24 section 5 of part SS of chapter 54 of the laws of 2016, is amended to
25 read as follows:

26 § 204. Disability and family leave during employment. 1. Disability
27 benefits shall be payable to an eligible employee for disabilities,
28 beginning with the eighth day of disability and thereafter during the

1 continuance of disability, subject to the limitations as to maximum and
2 minimum amounts and duration and other conditions and limitations in
3 this section and in sections two hundred five and two hundred six of
4 this article. Family leave benefits shall be payable to an eligible
5 employee for the first full day when family leave is required and there-
6 after during the continuance of the need for family leave, subject to
7 the limitations as to maximum and minimum amounts and duration and other
8 conditions and limitations in this section and in sections two hundred
9 five and two hundred six of this article. Successive periods of disabil-
10 ity or family leave caused by the same or related injury or sickness or
11 qualifying event shall shall be deemed a single period of disability or
12 family leave only if separated by less than three months.

13 2. (a) The weekly benefit for family leave that occurs (i) on or after
14 January first, two thousand eighteen shall not exceed eight weeks during
15 any fifty-two week calendar period and shall be fifty percent of the
16 employee's average weekly wage but shall not exceed fifty percent of the
17 state average weekly wage, (ii) on or after January first, two thousand
18 nineteen shall not exceed ten weeks during any fifty-two week calendar
19 period and shall be fifty-five percent of the employee's average weekly
20 wage but shall not exceed fifty-five percent of the state average weekly
21 wage, (iii) on or after January first, two thousand twenty shall not
22 exceed ten weeks during any fifty-two week calendar period and shall be
23 sixty percent of the employee's average weekly wage but shall not exceed
24 sixty percent of the state average weekly wage, and (iv) on or after
25 January first of each succeeding year, shall not exceed twelve weeks
26 during any fifty-two week calendar period and shall be sixty-seven
27 percent of the employee's average weekly wage but shall not exceed
28 sixty-seven percent of the New York state average weekly wage in effect.

1 The superintendent of financial services shall have discretion to delay
2 the increases in the family leave benefit level provided in subpara-
3 graphs (ii), (iii), and (iv) of this paragraph by one or more calendar
4 years. In determining whether to delay the increase in the family leave
5 benefit for any year, the superintendent of financial services shall
6 consider: (1) the current cost to employees of the family leave benefit
7 and any expected change in the cost after the benefit increase; (2) the
8 current number of insurers issuing insurance policies with a family
9 leave benefit and any expected change in the number of insurers issuing
10 such policies after the benefit increase; (3) the impact of the benefit
11 increase on employers' business and the overall stability of the program
12 to the extent that information is readily available; (4) the impact of
13 the benefit increase on the financial stability of the disability and
14 family leave insurance market and carriers; and (5) any additional
15 factors that the superintendent of financial services deems relevant. If
16 the superintendent of financial services delays the increase in the
17 family leave benefit level for one or more calendar years, the family
18 leave benefit level that shall take effect immediately following the
19 delay shall be the same benefit level that would have taken effect but
20 for the delay. The weekly benefits for family leave that occurs on or
21 after January first, two thousand eighteen shall not be less than one
22 hundred dollars per week except that if the employee's wages at the time
23 of family leave are less than one hundred dollars per week, the employee
24 shall receive [his or her] their full wages. Benefits may be payable to
25 employees for paid family leave taken intermittently or for less than a
26 full work week in increments of one full day or one fifth of the weekly
27 benefit.

1 (b) The weekly benefit which the disabled employee is entitled to
2 receive for the first twelve weeks of disability commencing: (i) on or
3 after January first, two thousand twenty-five shall be fifty percent of
4 the employee's average weekly wage but shall not exceed four hundred
5 dollars; (ii) on or after January first, two thousand twenty-six shall
6 be fifty percent of the employee's average weekly wage but shall not
7 exceed six hundred thirty dollars; (iii) on or after January first, two
8 thousand twenty-seven shall be fifty percent of the employee's average
9 weekly wage but shall not exceed fifty percent of the state average
10 weekly wage; (iv) on or after January first, two thousand twenty-eight
11 shall be sixty percent of the employee's weekly average wage but shall
12 not exceed sixty percent of the state average weekly wage; and (v) on or
13 after January first of each succeeding year, shall be sixty-seven
14 percent of the employee's average weekly wage but shall not exceed
15 sixty-seven percent of the state average weekly wage. The superintendent
16 of financial services shall have discretion to delay the increases in
17 the disability benefit level provided in subparagraphs (ii), (iii), (iv)
18 and (v) of this paragraph by one or more calendar years. In determining
19 whether to delay the increase in the disability benefit for any year,
20 the superintendent of financial services shall consider: (1) the current
21 cost to employees and employers of the benefit and any expected change
22 in the cost after the benefit increase; (2) the current number of insur-
23 ers issuing insurance policies with a disability benefit and any
24 expected change in the number of insurers issuing such policies after
25 the benefit increase; (3) the impact of the benefit increase on employ-
26 ers' business and the overall stability of the program to the extent
27 that information is readily available; (4) the impact of the benefit
28 increase on the financial stability of the disability and family leave

1 insurance market and carriers; and (5) any additional factors that the
2 superintendent of financial services deems relevant. If the superinten-
3 dent of financial services delays the increase in the disability benefit
4 level for one or more calendar years, the disability benefit level that
5 shall take effect immediately following the delay shall be the same
6 benefit level that would have taken effect but for the delay. The weekly
7 benefit which the disabled employee is entitled to receive for the peri-
8 ods of disability after the twelfth week of disability and through the
9 twenty-sixth week of disability (A) on or after January first, two thou-
10 sand twenty-five shall be fifty percent of the employee's average weekly
11 wage but shall not exceed two hundred eighty dollars per week; (B) on or
12 after January first, two thousand twenty-eight shall be sixty percent of
13 the employee's average weekly wage but shall not exceed two hundred
14 eighty per week; and (C) on or after January first, two thousand twen-
15 ty-nine and each succeeding year shall be sixty-seven percent of the
16 employee's average weekly wage but shall not exceed two hundred eighty
17 dollars per week. The weekly benefit which the disabled employee is
18 entitled to receive for disability leave that occurs on or after January
19 first, two thousand twenty-five shall not be less than one hundred
20 dollars per week except that if the employee's wages at the time of
21 family leave are less than one hundred dollars per week, the employee
22 shall receive their full wages. The weekly benefit which the disabled
23 employee is entitled to receive for disability commencing on or after
24 May first, nineteen hundred eighty-nine and prior to January first, two
25 thousand twenty-five shall be one-half of the employee's weekly wage,
26 but in no case shall such benefit exceed one hundred seventy dollars;
27 except that if the employee's average weekly wage is less than twenty
28 dollars, the benefit shall be such average weekly wage. The weekly bene-

1 fit which the disabled employee is entitled to receive for disability
2 commencing on or after July first, nineteen hundred eighty-four shall be
3 one-half of the employee's weekly wage, but in no case shall such bene-
4 fit exceed one hundred forty-five dollars; except that if the employee's
5 average weekly wage is less than twenty dollars, the benefit shall be
6 such average weekly wage. The weekly benefit which the disabled employee
7 is entitled to receive for disability commencing on or after July first,
8 nineteen hundred eighty-three and prior to July first, nineteen hundred
9 eighty-four shall be one-half of the employee's average weekly wage, but
10 in no case shall such benefit exceed one hundred thirty-five dollars nor
11 be less than twenty dollars; except that if the employee's average week-
12 ly wage is less than twenty dollars the benefit shall be such average
13 weekly wage. The weekly benefit which the disabled employee is entitled
14 to receive for disability commencing on or after July first, nineteen
15 hundred seventy-four, and prior to July first, nineteen hundred eighty-
16 three, shall be one-half of the employee's average weekly wage, but in
17 no case shall such benefit exceed ninety-five dollars nor be less than
18 twenty dollars; except that if the employee's average weekly wage is
19 less than twenty dollars, the benefit shall be such average weekly wage.
20 The weekly benefit which the disabled employee is entitled to receive
21 for disability commencing on or after July first, nineteen hundred
22 seventy and prior to July first, nineteen hundred seventy-four shall be
23 one-half of the employee's average weekly wage, but in no case shall
24 such benefit exceed seventy-five dollars nor be less than twenty
25 dollars; except that if the employee's average weekly wage is less than
26 twenty dollars the benefit shall be such average weekly wage. For any
27 period of disability less than a full week, the benefits payable shall
28 be calculated by dividing the weekly benefit by the number of the

1 employee's normal work days per week and multiplying the quotient by the
2 number of normal work days in such period of disability. The weekly
3 benefit for a disabled employee who is concurrently eligible for bene-
4 fits in the employment of more than one covered employer shall, within
5 the maximum and minimum herein provided, be one-half of the total of the
6 employee's average weekly wages received from all such covered employ-
7 ers, and shall be allocated in the proportion of their respective aver-
8 age weekly wage payments.

9 § 8. Subdivision 2 of section 206 of the workers' compensation law, as
10 amended by section 7 of part SS of chapter 54 of the laws of 2016, is
11 amended to read as follows:

12 2. If an employee who is eligible for disability benefits under
13 section two hundred three or two hundred seven of this article is disa-
14 bled and has claimed or subsequently claims workers' compensation bene-
15 fits under this chapter or benefits under the volunteer firefighters'
16 benefit law or the volunteer ambulance workers' benefit law, and such
17 claim is controverted on the ground that the employee's disability was
18 not caused by an accident that arose out of and in the course of [his]
19 their employment or by an occupational disease, or by an injury in line
20 of duty as a volunteer firefighter or volunteer ambulance worker, the
21 employee shall be entitled in the first instance to receive benefits
22 under this article for [his or her] their disability. If benefits have
23 been paid under this article in respect to a disability alleged to have
24 arisen out of and in the course of the employment or by reason of an
25 occupational disease, or in line of duty as a volunteer firefighter or a
26 volunteer ambulance worker, the employer or carrier or the chair making
27 such payment may, at any time before award of workers' compensation
28 benefits, or volunteer firefighters' benefits or volunteer ambulance

1 workers' benefits, is made, file with the board a claim for reimburse-
2 ment out of the proceeds of such award to the employee for the period
3 for which disability benefits were paid to the employee under this arti-
4 cle, and shall have a lien against the full award for reimbursement,
5 notwithstanding the provisions of section thirty-three of this chapter
6 or section twenty-three of the volunteer firefighters' benefit law or
7 section twenty-three of the volunteer ambulance workers' benefit law
8 provided the insurance carrier liable for payment of the award receives,
9 before such award is made, a copy of the claim for reimbursement from
10 the employer, carrier or chair who paid disability benefits, or provided
11 the board's decision and award directs such reimbursement therefrom.

12 § 9. Paragraph (a) of subdivision 3 of section 209 of the workers'
13 compensation law, as amended by section 10 of part SS of chapter 54 of
14 the laws of 2016, is amended to read as follows:

15 (a) Disability benefits. The contribution of each such employee to the
16 cost of disability benefits provided by this article shall be one-half
17 of one per centum of the employee's wages paid to him or her on and
18 after July first, nineteen hundred fifty, but not in excess of sixty
19 cents per week. Beginning January first, two thousand twenty-five, the
20 maximum employee contribution that a covered employer is authorized to
21 collect from each employee for the cost of disability benefits provided
22 by this article shall be one-half of one per centum of the employee's
23 wages but shall not exceed forty percent of the average of the combina-
24 tion of all employee and employer contributions to disability benefits
25 provided pursuant to paragraph (b) of subdivision two of section two
26 hundred four of this article during the prior calendar year, as deter-
27 mined annually by the superintendent of financial services pursuant to
28 subsection (n) of section four thousand two hundred thirty-five of the

1 insurance law. A self-insurer shall submit reports to the superinten-
2 dent of financial services for the purpose of determining forty percent
3 of the average of the combination of all employee and employer contrib-
4 utions to disability benefits provided pursuant to paragraph (b) of
5 subdivision two of section two hundred four of this article during the
6 prior calendar year, pursuant to subsection (n) of section four thousand
7 two hundred thirty-five of the insurance law.

8 § 10. The opening paragraph and subdivision 1 of section 214 of the
9 workers' compensation law, as amended by section 26 of part GG of chap-
10 ter 57 of the laws of 2013, are amended to read as follows:

11 There is hereby created a fund which shall be known as the special
12 fund for disability benefits to provide for the payment of [disability]
13 benefits under sections two hundred seven, two hundred thirteen and
14 attendance fees under section two hundred thirty-two of this article.

15 1. As promptly as practicable after April first, in each year, the
16 chairman shall ascertain the condition of the fund, and if as of any
17 such date the net assets of the fund shall be one million dollars or
18 more below the sum of twelve million dollars, the chairman shall assess
19 and collect an amount sufficient to restore the fund to an amount equal
20 to twelve million dollars.[.] Such assessment shall be included in the
21 assessment rate established pursuant to subdivision two of section one
22 hundred fifty-one of this chapter. Such assessments shall be deposited
23 with the commissioner of taxation and finance and transferred to the
24 benefit of such fund upon payment of debt service, if any, pursuant to
25 section one hundred fifty-one of this chapter.

26 § 11. Subdivision 1 of section 217 of the workers' compensation law,
27 as amended by section 16 of part SS of chapter 54 of the laws of 2016,
28 is amended to read as follows:

1 1. Written notice and proof of disability or proof of need for family
2 leave shall be furnished to the employer by or on behalf of the employee
3 claiming benefits or, in the case of a claimant under section two
4 hundred seven of this article, to the chair, within thirty days after
5 commencement of the period of disability. Additional proof shall be
6 furnished thereafter from time to time as the employer or carrier or
7 chair may require but not more often than once each week. Such proof
8 shall include a statement of disability by the employee's [attending
9 physician or attending podiatrist or attending chiropractor or attending
10 dentist or attending psychologist or attending certified nurse midwife
11 or family leave care recipient's health care provider, or in the case of
12 an employee who adheres to the faith or teachings of any church or
13 denomination, and who in accordance with its creed, tenets or principles
14 depends for healing upon prayer through spiritual means alone in the
15 practice of religion, by an accredited practitioner,] health care
16 provider containing facts and opinions as to such disability in compli-
17 ance with regulations of the chair. Failure to furnish notice or proof
18 within the time and in the manner above provided shall not invalidate
19 the claim but no benefits shall be required to be paid for any period
20 more than two weeks prior to the date on which the required proof is
21 furnished unless it shall be shown to the satisfaction of the chair not
22 to have been reasonably possible to furnish such notice or proof and
23 that such notice or proof was furnished as soon as possible; provided,
24 however, that no benefits shall be paid unless the required proof [of
25 disability] is furnished within the period of actual disability or fami-
26 ly leave that does not exceed the statutory maximum period permitted
27 under section two hundred four of this article. No limitation of time
28 provided in this section shall run as against any disabled employee who

1 is mentally incompetent, or physically incapable of providing such
2 notice as a result of a serious medical condition, or a minor so long as
3 such person has no guardian of the person and/or property.

4 § 12. Section 218 of the workers' compensation law, as added by chap-
5 ter 600 of the laws of 1949, subdivision 2 as amended by chapter 809 of
6 the laws of 1985, is amended to read as follows:

7 § 218. [Disability benefit] Benefit rights inalienable. 1. Any agree-
8 ment by an employee to waive [his] their rights under this article shall
9 be void.

10 2. Disability or family leave benefits payable under this article
11 shall not be assigned or released, except as provided in this article,
12 and shall be exempt from all claims of creditors and from levy,
13 execution and attachment or other remedy for recovery or collection of a
14 debt, which exemption may not be waived provided, however, that such
15 benefits shall be subject to an income execution or order for support
16 enforcement pursuant to section fifty-two hundred forty-one or fifty-two
17 hundred forty-two of the civil practice law and rules.

18 § 13. Section 221 of the workers' compensation law, as amended by
19 section 19 of part SS of chapter 54 of the laws of 2016, is amended to
20 read as follows:

21 § 221. Determination of contested claims for disability and family
22 leave benefits. In accordance with regulations adopted by the chair,
23 within twenty-six weeks of written notice of rejection of claim, the
24 employee may file with the chair a notice that [his or her] their claim
25 for disability or family leave benefits has not been paid, and the
26 employee shall submit proof of disability or entitlement to family leave
27 and of [his or her] their employment, wages and other facts reasonably
28 necessary for determination of the employee's right to such benefits.

1 Failure to file such notice within the time provided, may be excused if
2 it can be shown not to have been reasonably possible to furnish such
3 notice and that such notice was furnished as soon as possible. On demand
4 the employer or carrier shall forthwith deliver to the board the
5 original or a true copy of the health care provider's report, wage and
6 employment data and all other documentation in the possession of the
7 employer or carrier with respect to such claim.

8 The chair or designee, shall have full power and authority to deter-
9 mine all issues in relation to every such claim for disability benefits
10 required or provided under this article, and shall file its decision in
11 the office of the chairman. Upon such filing, the chairman shall send to
12 the parties a copy of the decision. Either party may present evidence
13 and be represented by counsel at any hearing on such claim. The decision
14 of the board shall be final as to all questions of fact and, except as
15 provided in section twenty-three of this chapter, as to all questions of
16 law. Every decision shall be complied with in accordance with its terms
17 within ten days thereafter except as permitted by law upon the filing of
18 a request for review, and any payments due under such decision shall
19 draw simple interest from thirty days after the making thereof at the
20 rate provided in section five thousand four of the civil practice law
21 and rules. The chair shall adopt rules and regulations to carry out the
22 provisions of this article including but not limited to resolution of
23 contested claims and requests for review thereof, and payment of costs
24 for resolution of disputed claims by carriers. Any designated process
25 shall afford the parties the opportunity to present evidence and to be
26 represented by counsel in any such proceeding. The chair shall have the
27 authority to provide for alternative dispute resolution procedures for
28 claims arising under disability and family leave, including but not

1 limited to referral and submission of disputed claims to a neutral arbi-
2 trator under the auspices of an alternative dispute resolution associ-
3 ation pursuant to article seventy-five of the civil practice law and
4 rules. Neutral arbitrator shall mean an arbitrator who does not have a
5 material interest in the outcome of the arbitration proceeding or an
6 existing and substantial relationship, including but not limited to
7 pecuniary interests, with a party, counsel or representative of a party.
8 Any determination made by alternative dispute resolution shall not be
9 reviewable by the board and the venue for any appeal shall be to a court
10 of competent jurisdiction.

11 § 14. Section 228 of the workers' compensation law, as added by
12 section 27 of part GG of chapter 57 of the laws of 2013, is amended to
13 read as follows:

14 § 228. Administrative expenses. 1. The estimated annual expenses
15 necessary for the workers' compensation board to administer the
16 provisions of the disability and paid family leave benefits law shall be
17 borne by all affected employers and included as part of the assessment
18 rate generated pursuant to subdivision two of section one hundred
19 fifty-one of this chapter.

20 2. Annually, as soon as practicable after the first day of April, the
21 chair and department of audit and control shall ascertain the total
22 amount of actual expenses.

23 § 15. Subsection (n) of section 4235 of the insurance law is amended
24 by adding a new paragraph 4 to read as follows:

25 (4)(A) The superintendent shall establish by September first of each
26 year the maximum employee contribution that a covered employer, as
27 defined in section two hundred two of the workers' compensation law, is
28 authorized to collect from each employee for the cost of disability

1 benefits provided pursuant to article nine of the workers' compensation
2 law through a group accident and health insurance policy or through a
3 self-funded employer for its employees. Beginning January first, two
4 thousand twenty-five, the maximum employee contribution amount shall be
5 one-half of one percent of the employee's wages but shall not exceed
6 forty percent of the average of the combination of all employee and
7 employer contributions to disability benefits provided pursuant to para-
8 graph (b) of subdivision two of section two hundred four of the workers'
9 compensation law during the prior calendar year, which the superinten-
10 dent shall determine and publish on the department's website.

11 (B) A self-funded employer shall submit reports to the superintendent
12 for the purpose of determining forty percent of the average of the
13 combination of all employee and employer contributions to disability
14 benefits provided pursuant to paragraph (b) of subdivision two of
15 section two hundred four of the workers' compensation law. A self-fund-
16 ed employer shall submit a report to the superintendent by July first,
17 two thousand twenty-four that sets forth employee and employer contrib-
18 utions to disability benefits provided pursuant to paragraph (b) of
19 subdivision two of section two hundred four of the workers' compensation
20 law for the year-ending two thousand twenty-three, in a format deter-
21 mined by the superintendent. Beginning April first, two thousand twen-
22 ty-five, and annually thereafter, a self-funded employer shall submit a
23 report to the superintendent that sets forth employee and employer
24 contributions to disability benefits provided pursuant to paragraph (b)
25 of subdivision two of section two hundred four of the workers' compen-
26 sation law for the prior calendar year, in a format determined by the
27 superintendent.

1 (C) The superintendent may delay the increases in the disability bene-
2 fit level provided in subparagraphs (ii), (iii), (iv), and (v) of para-
3 graph (b) of subdivision two of section two hundred four of the workers'
4 compensation law by one or more calendar years if the superintendent
5 determines it is in the best interest of the people of this state. In
6 determining whether to delay the increase in the disability benefit for
7 any year, the superintendent shall consider: (i) the current cost to
8 employees and employers of the benefit and any expected change in the
9 cost after the benefit increase; (ii) the current number of insurers
10 issuing insurance policies with a disability benefit and any expected
11 change in the number of insurers issuing such policies after the benefit
12 increase; (iii) the impact of the benefit increase on employers' busi-
13 nesses and the overall stability of the program to the extent that
14 information is readily available; (iv) the impact of the benefit
15 increase on the financial stability of the disability and family leave
16 insurance market and insurers; and (v) any additional factors that the
17 superintendent deems relevant. If the superintendent delays the
18 increase in the disability benefit level for one or more calendar years,
19 the disability benefit level that shall take effect immediately follow-
20 ing the delay shall be the same benefit level that would have taken
21 effect but for the delay.

22 § 16. Section 2605 of the insurance law is amended to read as follows:

23 § 2605. Penalty for violating workers' compensation law. The super-
24 intendent may impose a penalty not to exceed twenty-five hundred dollars
25 per violation upon any insurer required to be licensed under the
26 provisions of this chapter, if, after notice to and a hearing of such
27 insurer, [he] the superintendent finds it has unreasonably failed to
28 comply with the workers' compensation law.

1 § 17. This act shall take effect immediately and shall apply to all
2 policies issued, renewed, modified, altered, or amended on or after
3 January 1, 2025.

4 PART O

5 Section 1. This act shall be known and may be cited as the "Stop
6 Addictive Feeds Exploitation (SAFE) for Kids act".

7 § 2. The general business law is amended by adding a new article 45 to
8 read as follows:

9 ARTICLE 45

10 SAFE FOR KIDS ACT

11 Section 1500. Definitions.

12 1501. Prohibition of addictive feeds.

13 1502. Time controls.

14 1503. Age flags.

15 1504. Nondiscrimination.

16 1505. Rulemaking authority.

17 1506. Scope.

18 1507. Remedies.

19 § 1500. Definitions. For the purposes of this article, the following
20 terms shall have the following meanings:

21 1. "Addictive feed" shall mean a website, online service, online
22 application, or mobile application, or a portion thereof, in which
23 multiple pieces of media generated or shared by users of a website,
24 online service, online application, or mobile application, either
25 concurrently or sequentially, are recommended, selected, or prioritized
26 for display to a user based, in whole or in part, on information associ-

1 ated with the user or the user's device, unless any of the following
2 conditions are met, alone or in combination with one another:

3 (a) the information is not persistently associated with the user or
4 user's device, and does not concern the user's previous interactions
5 with media generated or shared by others;

6 (b) the information is user-selected privacy or accessibility
7 settings, technical information concerning the user's device, or device
8 communications or signals concerning whether the user is a minor;

9 (c) the user expressly and unambiguously requested the specific media
10 or media by the author, creator, or poster of the media, provided that
11 the media is not recommended, selected, or prioritized for display
12 based, in whole or in part, on other information associated with the
13 user or the user's device that is not otherwise permissible under this
14 subdivision;

15 (d) the media are direct, private communications; or

16 (e) the media recommended, selected, or prioritized for display is
17 exclusively the next media in a pre-existing sequence from the same
18 author, creator, poster, or source.

19 2. "Addictive social media platform" shall mean a website, online
20 service, online application, or mobile application, that offers or
21 provides users an addictive feed that is not incidental to the provision
22 of such website, online service, online application, or mobile applica-
23 tion.

24 3. "Covered minor" shall mean a user of a website, online service,
25 online application, or mobile application in New York when the operator
26 has actual knowledge the user is a minor.

27 4. "Covered user" shall mean a user of a website, online service,
28 online application, or mobile application in New York.

1 5. "Media" shall mean text, an image, or a video.

2 6. "Minor" shall mean an individual under the age of eighteen.

3 7. "Operator" shall mean any person who operates or provides a website
4 on the internet, an online service, an online application, or a mobile
5 application.

6 8. "Parent" shall mean parent or legal guardian.

7 9. "User" shall mean a person not acting as an agent of an operator.

8 § 1501. Prohibition of addictive feeds. 1. It shall be unlawful for
9 the operator of an addictive social media platform to provide an addic-
10 tive feed to a covered user unless:

11 (a) the operator has used commercially reasonable methods to determine
12 that the covered user is not a covered minor; or

13 (b) the operator has obtained verifiable parental consent to provide
14 an addictive feed to the covered user.

15 2. Information collected for the purpose of determining a covered
16 user's age under paragraph (a) of subdivision one of this section shall
17 not be used for any purpose other than age determination.

18 3. Nothing in this section shall be construed as requiring the opera-
19 tor of an addictive social media platform to give a parent who grants
20 verifiable parental consent any additional or special access to or
21 control over the data or accounts of their child.

22 4. Nothing in this section shall be construed as preventing any action
23 taken in good faith to restrict access to or availability of media that
24 the operator of an addictive social media platform considers to be
25 obscene, lewd, lascivious, filthy, excessively violent, harassing, or
26 otherwise objectionable, whether or not such material is constitu-
27 tionally protected.

1 § 1502. Time controls. 1. It shall be unlawful for the operator of an
2 addictive social media platform to, between the hours of 12 AM Eastern
3 and 6 AM Eastern, send notifications concerning an addictive social
4 media platform to a covered minor unless the operator has obtained veri-
5 fiable parental consent to send such nighttime notifications.

6 2. The operator of an addictive social media platform shall provide a
7 mechanism through which the verified parent of a covered minor may:

8 (a) prevent their child from accessing the addictive social media
9 platform between the hours of 12 AM Eastern and 6 AM Eastern; and

10 (b) limit their child's access to the addictive social media platform
11 to a length of time per day specified by the verified parent.

12 3. Nothing in this section shall be construed as requiring the opera-
13 tor of an addictive social media platform to give a parent any addi-
14 tional or special access to or control over the data or accounts of
15 their child.

16 § 1503. Age flags. For the purposes of this article, the operator of
17 an addictive social medial platform shall treat a user as a minor if the
18 user's device communicates or signals that the user is or shall be
19 treated as a minor, including through a browser plug-in or privacy
20 setting, device setting, or other mechanism.

21 § 1504. Nondiscrimination. An operator of an addictive social media
22 platform shall not withhold, degrade, lower the quality, or increase the
23 price of any product, service, or feature, other than as required by
24 this article, to a covered user due to the operator not being permitted
25 to provide an addictive feed to such covered user under subdivision one
26 of section fifteen hundred one of this article or not being permitted to
27 provide such covered user access to or send notifications concerning an

1 addictive social media platform between the hours of 12 AM Eastern and 6
2 AM Eastern under section fifteen hundred two of this article.

3 § 1505. Rulemaking authority. The attorney general may promulgate such
4 rules and regulations as are necessary to effectuate and enforce the
5 provisions of this article.

6 § 1506. Scope. 1. This article shall apply to conduct that occurs in
7 whole or in part in New York. For purposes of this article, conduct
8 takes place wholly outside of New York if the addictive social media
9 platform is accessed by a user who is physically located outside of New
10 York.

11 2. Nothing in this article shall be construed to impose liability for
12 commercial activities or actions by operators subject to 15 U.S.C. §
13 6501 that is inconsistent with the treatment of such activities or
14 actions under 15 U.S.C. § 6502.

15 § 1507. Remedies. 1. Whenever it appears to the attorney general,
16 either upon complaint or otherwise, that any person, within or outside
17 the state, has engaged in or is about to engage in any of the acts or
18 practices stated to be unlawful in this article, the attorney general
19 may bring an action or special proceeding in the name and on behalf of
20 the people of the state of New York to enjoin any violation of this
21 article, to obtain restitution of any moneys or property obtained
22 directly or indirectly by any such violation, to obtain disgorgement of
23 any profits or gains obtained directly or indirectly by any such
24 violation, including but not limited to the destruction of unlawfully
25 obtained data and algorithms trained on such data, to obtain damages
26 caused directly or indirectly by any such violation, to obtain civil
27 penalties of up to five thousand dollars per violation, and to obtain

1 any such other and further relief as the court may deem proper, includ-
2 ing preliminary relief.

3 2. Any covered user, or the parent of a covered minor may bring an
4 action for a violation of section fifteen hundred one or section fifteen
5 hundred two of this article, to obtain:

6 (a) damages of up to five thousand dollars per covered user per inci-
7 dent or actual damages, whichever is greater;

8 (b) injunctive or declaratory relief; and/or

9 (c) any other relief the court deems proper.

10 3. Actions brought pursuant to this section may be brought on a class-
11 wide basis.

12 4. The court shall award reasonable attorneys' fees to a prevailing
13 plaintiff.

14 5. Prior to bringing any action for a violation of section fifteen
15 hundred one or fifteen hundred two of this article, a covered user shall
16 provide the business thirty days' written notice identifying the specif-
17 ic provisions of this article the covered user alleges have been or are
18 being violated. In the event a cure is possible, if within the thirty
19 days the business cures the noticed violation and provides the covered
20 user an express written statement that the violations have been cured
21 and that no further violations shall occur, no action for individual
22 statutory damages or class-wide statutory damages may be initiated
23 against the business. No notice shall be required prior to an individual
24 consumer initiating an action solely for actual pecuniary damages
25 suffered as a result of the alleged violations of this article. If a
26 business continues to violate this article in breach of an express writ-
27 ten statement provided to the covered user pursuant to this section, the
28 covered user may initiate an action against the business to enforce the

1 written statement and may pursue statutory damages for each breach of
2 the express written statement, as well as any other violation of the
3 article that postdates the written statement.

4 § 3. Severability. If any clause, sentence, paragraph, subdivision,
5 section or part of this act shall be adjudged by any court of competent
6 jurisdiction to be invalid, such judgment shall not affect, impair, or
7 invalidate the remainder thereof, but shall be confined in its operation
8 to the clause, sentence, paragraph, subdivision, section or part thereof
9 directly involved in the controversy in which such judgment shall have
10 been rendered. It is hereby declared to be the intent of the legislature
11 that this act would have been enacted even if such invalid provisions
12 had not been included herein.

13 § 4. This act shall take effect on the one hundred eightieth day after
14 the office of the attorney general shall promulgate rules and regu-
15 lations necessary to effectuate the provisions of this act; provided
16 that the office of the attorney general shall notify the legislative
17 bill drafting commission upon the occurrence of the enactment of the
18 rules and regulations necessary to effectuate and enforce the
19 provisions of section two of this act in order that the commission may
20 maintain an accurate and timely effective data base of the official text
21 of the laws of the state of New York in furtherance of effectuating the
22 provisions of section 44 of the legislative law and section 70-b of the
23 public officers law. Effective immediately, the addition, amendment
24 and/or repeal of any rule or regulation necessary for the implementation
25 of this act on its effective date are authorized to be made and
26 completed on or before such effective date.

1 Section 1. The general business law is amended by adding a new article
2 39-FF to read as follows:

3 ARTICLE 39-FF

4 NEW YORK CHILD DATA PROTECTION ACT

5 Section 899-ee. Definitions.

6 899-ff. Privacy protection by default.

7 899-gg. Third parties.

8 899-hh. Ongoing safeguards.

9 899-ii. Respecting user-provided age flags.

10 899-jj. Protections for third-party operators.

11 899-kk. Rulemaking authority.

12 899-ll. Scope.

13 899-mm. Remedies.

14 § 899-ee. Definitions. For purposes of this article, the following
15 terms shall have the following meanings:

16 1. "Covered user" shall mean a user of a website, online service,
17 online application, mobile application, or connected device, or portion
18 thereof, in the state of New York who is:

19 (a) actually known by the operator of such website, online service,
20 online application, mobile application, or connected device to be a
21 minor; or

22 (b) a user of a website, online service, online application, mobile
23 application, or connected device primarily directed to minors.

24 2. "Minor" shall mean a natural person under the age of eighteen.

25 3. "Operator" shall mean any person:

26 (a) who operates or provides a website on the internet, online
27 service, online application, mobile application, or connected device;

28 and

1 (b) who:

2 (i) collects or maintains, either directly or through another person,
3 personal data from or about the users of such website, service, applica-
4 tion, or connected device;

5 (ii) integrates with another website, service, application, or
6 connected device and directly collects personal data from the users of
7 such website, service, application, or connected device;

8 (iii) allows another person to collect personal data directly from
9 users of such website, service, application, or connected device; or

10 (iv) allows users of such website, service, application, or connected
11 device to publicly disclose personal data.

12 4. "Personal data" shall mean any data that identifies or could
13 reasonably be linked, directly or indirectly, with a specific natural
14 person or device.

15 5. "Process" or "processing" shall mean an operation or set of oper-
16 ations performed on personal data, including but not limited to the
17 collection, use, access, sharing, sale, monetization, analysis,
18 retention, creation, generation, derivation, recording, organization,
19 structuring, storage, disclosure, transmission, disposal, licensing,
20 destruction, deletion, modification, or deidentification of personal
21 data.

22 6. "Primarily directed to minors" shall mean a website, online
23 service, online application, mobile application, or connected device, or
24 a portion thereof, that is targeted to minors. A website, online
25 service, online application, mobile application, or connected device, or
26 portion thereof, shall not be deemed directed primarily to minors solely
27 because such website, online service, online application, mobile appli-
28 cation, or connected device, or portion thereof refers or links to any

1 other website, online service, online application, mobile application,
2 or connected device directed to minors by using information location
3 tools, including a directory, index, reference, pointer, or hypertext
4 link. A website, online service, online application, mobile application,
5 or connected device, or portion thereof, shall be deemed directed to
6 minors when it has actual knowledge that it is collecting personal data
7 of users directly from users of another website, online service, online
8 application, mobile application, or connected device primarily directed
9 to minors.

10 7. "Sell" shall mean to share personal data for monetary or other
11 valuable consideration. "Selling" shall not include the sharing of
12 personal data for monetary or other valuable consideration to another
13 person as an asset that is part of a merger, acquisition, bankruptcy, or
14 other transaction in which that person assumes control of all or part of
15 the operator's assets.

16 8. "Third party" shall mean any person who is not any of the follow-
17 ing:

18 (a) the operator with whom the user intentionally interacts and who
19 collects personal data from the user as part of the user's current
20 interaction with the operator;

21 (b) the user whose personal data the operator processes; or

22 (c) the parent or legal guardian of a user under thirteen years old
23 whose personal data the operator processes.

24 § 899-ff. Privacy protection by default. 1. Except as provided for in
25 subdivision six of this section and section eight hundred ninety-nine-jj
26 of this article, an operator shall not process, or allow a third party
27 to process, the personal data of a covered user collected through the

1 use of a website, online service, online application, mobile applica-
2 tion, or connected device unless and to the extent:

3 (a) the covered user is twelve years of age or younger and processing
4 is permitted under 15 U.S.C. § 6502 and its implementing regulations; or

5 (b) the covered user is thirteen years of age or older and processing
6 is strictly necessary for an activity set forth in subdivision two of
7 this section, or informed consent has been obtained as set forth in
8 subdivision three of this section.

9 2. For the purposes of paragraph (b) of subdivision one of this
10 section, the processing of personal data of a covered user is permissi-
11 ble where it is strictly necessary for the following activities:

12 (a) providing or maintaining a specific product or service requested
13 by the covered user;

14 (b) conducting the operator's internal business operations. For
15 purposes of this paragraph, such internal business operations shall not
16 include any activities related to marketing, advertising, or providing
17 products or services to third parties, or prompting covered users to use
18 the website, online service, online application, mobile application, or
19 connected device when it is not in use;

20 (c) identifying and repairing technical errors that impair existing or
21 intended functionality;

22 (d) protecting against malicious, fraudulent, or illegal activity;

23 (e) investigating, establishing, exercising, preparing for, or defend-
24 ing legal claims;

25 (f) complying with federal, state, or local laws, rules, or regu-
26 lations;

1 (g) complying with a civil, criminal, or regulatory inquiry, investi-
2 gation, subpoena, or summons by federal, state, local, or other govern-
3 mental authorities;

4 (h) detecting, responding to, or preventing security incidents or
5 threats; or

6 (i) protecting the vital interests of a natural person.

7 3. (a) For the purposes of paragraph (b) of subdivision one of this
8 section, to process personal data of a covered user where such process-
9 ing is not strictly necessary under subdivision two of this section,
10 informed consent must be obtained from the covered user either through a
11 device communication or signal pursuant to the provisions of subdivision
12 two of section eight hundred ninety-nine-ii of this article or through a
13 request. Requests for such informed consent shall:

14 (i) be made separately from any other transaction or part of a trans-
15 action;

16 (ii) be made in the absence of any mechanism that has the purpose or
17 substantial effect of obscuring, subverting, or impairing a covered
18 user's decision-making regarding authorization for the processing;

19 (iii) if requesting informed consent for multiple types of processing,
20 allow the covered user to provide or withhold consent separately for
21 each type of processing;

22 (iv) clearly and conspicuously state that the processing is optional,
23 and that the covered user may decline without preventing continued use
24 of the website, online service, online application, mobile application,
25 or connected device; and

26 (v) clearly present an option to refuse to provide consent as the most
27 prominent option.

1 (b) Such informed consent, once given, shall be freely revocable at
2 any time, and shall be at least as easy to revoke as it was to provide.

3 (c) If a covered user declines to provide or revokes informed consent
4 for processing, another request may not be made for such processing for
5 the following calendar year.

6 (d) If a covered user's device communicates or signals that the
7 covered user declines to provide informed consent for processing pursu-
8 ant to the provisions of subdivision two of section eight hundred nine-
9 ty-nine-ii of this article, an operator shall not request informed
10 consent for such processing.

11 4. Except where processing is strictly necessary to provide a product,
12 service, or feature, an operator may not withhold, degrade, lower the
13 quality, or increase the price of any product, service, or feature to a
14 covered user due to the operator not obtaining verifiable parental
15 consent under 15 U.S.C. § 6502 and its implementing regulations or
16 informed consent under subdivision three of this section.

17 5. Except as provided for in section eight hundred ninety-nine-jj of
18 this article, an operator shall not purchase or sell, or allow a third
19 party to purchase or sell, the personal data of a covered user.

20 6. Within fourteen days of determining that a user is a covered user,
21 an operator shall:

22 (a) dispose of, destroy, or delete all personal data of such covered
23 user that it maintains, unless processing such personal data is permit-
24 ted under 15 U.S.C. § 6502 and its implementing regulations, is strictly
25 necessary for an activity listed in subdivision two of this section, or
26 informed consent is obtained as set forth in subdivision three of this
27 section; and

1 (b) notify any third parties to whom it disclosed the personal data,
2 and any third parties it allowed to process the personal data, that the
3 user is a covered user.

4 § 899-gg. Third parties. 1. Except as provided for in section eight
5 hundred ninety-nine-jj of this article, no operator shall disclose the
6 personal data of a covered user to a third party, or allow the process-
7 ing of the personal data of a covered user by a third party, without a
8 written, binding agreement governing such disclosure or processing. Such
9 agreement shall clearly set forth instructions for the nature and
10 purpose of the third-party's processing of the personal data,
11 instructions for using or further disclosing the personal data, and the
12 rights and obligations of both parties.

13 2. Except as provided for in section eight hundred ninety-nine-jj of
14 this article, prior to disclosing personal data to a third party, the
15 operator shall inform the third party if such data is the personal data
16 of a covered user.

17 3. An agreement pursuant to subdivision one of this section shall
18 require that the third party:

19 (a) process the personal data of covered users only when and to the
20 extent strictly necessary for an activity listed pursuant to subdivision
21 two of section eight hundred ninety-nine-ff of this article, or where
22 informed consent was obtained pursuant to subdivision three of section
23 eight hundred ninety-nine-ff of this article;

24 (b) delete or return to the operator all personal data of covered
25 users at the end of its provision of services, unless retention of the
26 personal data is required by law;

1 (c) upon reasonable request of the operator, make available to the
2 operator all data in its possession necessary to demonstrate the third-
3 party's compliance with the obligations in this section;

4 (d) allow, and cooperate with, reasonable assessments by the operator
5 or the operator's designated assessor for purposes of evaluating compli-
6 ance with the obligations of this article. Alternatively, the third
7 party may arrange for a qualified and independent assessor to conduct an
8 assessment of the third-party's policies and technical and organiza-
9 tional measures in support of the obligations under this article using
10 an appropriate and accepted control standard or framework and assessment
11 procedure for such assessments. The third party shall provide a report
12 of such assessment to the operator upon request; and

13 (e) notify the operator a reasonable time in advance before disclosing
14 or transferring the personal data of covered users to any further third
15 parties, which may be in the form of a regularly updated list of further
16 third parties that may access personal data of covered users.

17 § 899-hh. Ongoing safeguards. Upon learning that a user is no longer a
18 covered user, an operator may not process the personal data of such
19 person in a manner not previously permitted unless and until it receives
20 informed consent pursuant to subdivision three of section eight hundred
21 ninety-nine-ff of this article.

22 § 899-ii. Respecting user-provided age flags. 1. For the purposes of
23 this article, an operator shall treat a user as a covered user if the
24 user's device communicates or signals that the user is or shall be
25 treated as a minor, including through a browser plug-in or privacy
26 setting, device setting, or other mechanism.

27 2. For the purposes of subdivision three of section eight hundred
28 ninety-nine-ff of this article, an operator shall adhere to any clear

1 and unambiguous communications or signals from a covered user's device,
2 including through a browser plug-in or privacy setting, device setting,
3 or other mechanism, concerning processing that the covered user consents
4 to or declines to consent to. An operator shall not adhere to unclear or
5 ambiguous communications or signals from a covered user's device, and
6 shall instead request informed consent pursuant to the provisions of
7 paragraph a of subdivision three of section eight hundred ninety-nine-ff
8 of this article.

9 § 899-jj. Protections for third-party operators. Sections eight
10 hundred ninety-nine-ff and eight hundred ninety-nine-gg of this article
11 shall not apply to an operator processing the personal data of a covered
12 user of another website, online service, online application, mobile
13 application, or connected device, or portion thereof, where the operator
14 received reasonable written representations that the covered user
15 provided informed consent for such processing, or:

16 1. the operator does not have actual knowledge that the covered user
17 is a minor; and

18 2. the operator does not have actual knowledge that the other website,
19 online service, online application, mobile application, or connected
20 device, or portion thereof, is primarily directed to minors.

21 § 899-kk. Rulemaking authority. The attorney general may promulgate
22 such rules and regulations as are necessary to effectuate and enforce
23 the provisions of this article.

24 § 899-ll. Scope. 1. This article shall apply to conduct that occurs in
25 whole or in part in the state of New York. For purposes of this article,
26 commercial conduct takes place wholly outside of the state of New York
27 if the business collected such information while the covered user was
28 outside of the state of New York, no part of the use of the covered

1 user's personal data occurred in the state of New York, and no personal
2 data collected while the covered user was in the state of New York is
3 used.

4 2. Nothing in this article shall be construed to prohibit an operator
5 from storing a covered user's personal data that was collected pursuant
6 to section eight hundred ninety-nine-ff of this article when such
7 covered user is in the state.

8 3. Nothing in this article shall be construed to impose liability for
9 commercial activities or actions by operators subject to 15 U.S.C. 6501
10 that is inconsistent with the treatment of such activities or actions
11 under 15 U.S.C. 6502.

12 § 899-mm. Remedies. 1. Whenever it appears to the attorney general,
13 either upon complaint or otherwise, that any person, within or outside
14 the state, has engaged in or is about to engage in any of the acts or
15 practices stated to be unlawful in this article, the attorney general
16 may bring an action or special proceeding in the name and on behalf of
17 the people of the state of New York to enjoin any violation of this
18 article, to obtain restitution of any moneys or property obtained
19 directly or indirectly by any such violation, to obtain disgorgement of
20 any profits or gains obtained directly or indirectly by any such
21 violation, including but not limited to the destruction of unlawfully
22 obtained data and algorithms trained on such data, to obtain damages
23 caused directly or indirectly by any such violation, to obtain civil
24 penalties of up to five thousand dollars per violation, and to obtain
25 any such other and further relief as the court may deem proper, includ-
26 ing preliminary relief.

27 2. Any covered user who has been injured by a violation of section
28 eight hundred ninety-nine-ff of this article, or the parent or legal

1 guardian of a covered minor who has been injured by a violation of
2 section eight hundred ninety-nine-ff of this article, may bring an
3 action to obtain:

4 (a) Damages of up to five thousand dollars per covered user per inci-
5 dent or actual damages, whichever is greater;

6 (b) Injunctive or declaratory relief; and/or

7 (c) Any other relief the court deems proper.

8 3. Actions pursuant to this section may be brought on a class-wide
9 basis.

10 4. The court may award reasonable attorneys' fees to a prevailing
11 plaintiff.

12 5. Prior to bringing any action for violations of this article pursu-
13 ant to subdivision two of this section, a covered user shall provide the
14 operator thirty days' written notice identifying the specific provisions
15 of this article the covered user alleges have been or are being
16 violated. In the event a cure is possible, if within the thirty days the
17 operator actually cures the noticed violation and provides the covered
18 user an express written statement that the violations have been cured
19 and that no further violations shall occur, no action for individual
20 statutory damages or class-wide statutory damages may be initiated
21 against the operator. No notice shall be required prior to an individual
22 consumer initiating an action solely for actual pecuniary damages
23 suffered as a result of the alleged violations of this title. If a busi-
24 ness continues to violate this article in breach of the express written
25 statement provided to the covered user under this section, the covered
26 user may initiate an action against the business to enforce the written
27 statement and may pursue statutory damages for each breach of the

1 express written statement, as well as any other violation of the article
2 that postdates such written statement.

3 § 2. Severability. If any clause, sentence, paragraph, subdivision,
4 section or part of this act shall be adjudged by any court of competent
5 jurisdiction to be invalid, such judgment shall not affect, impair, or
6 invalidate the remainder thereof, but shall be confined in its operation
7 to the clause, sentence, paragraph, subdivision, section or part thereof
8 directly involved in the controversy in which such judgment shall have
9 been rendered. It is hereby declared to be the intent of the legislature
10 that this act would have been enacted even if such invalid provisions
11 had not been included herein.

12 § 3. This act shall take effect one year after it shall have become a
13 law. Effective immediately, the addition, amendment and/or repeal of any
14 rule or regulation necessary for the implementation of this act on its
15 effective date are authorized to be made and completed on or before such
16 effective date.

17 PART Q

18 Section 1. Subdivision 2 of section 200 of the state finance law, as
19 added by chapter 78 of the laws of 1982, is amended to read as follows:

20 2. Notwithstanding the provisions of subdivision one of this section,
21 where the state and an employee organization representing state officers
22 and employees who are in positions which are in collective negotiating
23 units established pursuant to article fourteen of the civil service law
24 enter into an agreement providing for an alternative procedure for the
25 payment of salaries to such employees or where the director of employee
26 relations shall authorize an alternative procedure for the payment of

1 salaries to state officers or employees in the executive branch who are
2 in positions which are not in collective negotiating units, such alter-
3 native procedure shall be implemented in lieu of the procedure specified
4 in subdivision one of this section. Notwithstanding any other provision
5 of law to the contrary, where the state and an employee organization
6 representing officers and employees in the executive branch who are in
7 positions which are in collective negotiating units established pursuant
8 to article fourteen of the civil service law enter into an agreement, or
9 where the director of employee relations shall authorize for officers
10 and employees in the executive branch who are in positions which are not
11 in collective negotiating units, the alternate procedure specified
12 herein shall be terminated for officers and employees hired on or after
13 July first, two thousand twenty-four. The alternate procedure specified
14 herein shall also be terminated for: (i) nonjudicial officers and
15 employees of the unified court system hired on or after July first, two
16 thousand twenty-four, if the chief administrator of the courts so
17 elects; (ii) employees of the senate hired on or after July first, two
18 thousand twenty-four, if the temporary president of the senate so
19 elects; (iii) employees of the assembly hired on or after July first,
20 two thousand twenty-four, if the speaker of the assembly so elects; and
21 (iv) employees of joint legislative employers hired on or after July
22 first, two thousand twenty-four, if the temporary president of the
23 senate and the speaker of the assembly mutually so elect for all such
24 joint legislative employers. Any election made pursuant to paragraph
25 (i), (ii), (iii), or (iv) of this subdivision shall be in writing and
26 filed with the state comptroller not later than thirty days after the
27 enactment of this legislation.

1 § 2. Paragraph (c) of subdivision 2-a of section 200 of the state
2 finance law, as added by chapter 947 of the laws of 1990, is amended to
3 read as follows:

4 (c) For officers and employees hired after the effective date of this
5 act, the withholding of five days of salary shall be accomplished in the
6 same manner provided in paragraph (a) of this section provided, however,
7 such withholding shall be taken on the first five payment dates in which
8 such new employees would otherwise have received their salary. Notwith-
9 standing any other provision of law to the contrary, where the state and
10 an employee organization representing officers and employees in the
11 executive branch who are in positions which are in collective negotiat-
12 ing units established pursuant to article fourteen of the civil service
13 law enter into an agreement, or where the director of employee relations
14 shall authorize for officers or employees in the executive branch who
15 are in positions which are not in collective negotiating units, officers
16 and employees hired on or after July first, two thousand twenty-four,
17 shall not be subject to the withholding of five days of salary on their
18 first five payment dates as specified herein. Such withholding shall not
19 be taken for: (i) nonjudicial officers and employees of the unified
20 court system hired on or after July first, two thousand twenty-four, if
21 the chief administrator of the courts so elects; (ii) employees of the
22 senate hired on or after July first, two thousand twenty-four, if the
23 temporary president of the senate so elects; (iii) employees of the
24 assembly hired on or after July first, two thousand twenty-four, if the
25 speaker of the assembly so elects; and (iv) employees of joint legisla-
26 tive employers hired on or after July first, two thousand twenty-four,
27 if the temporary president of the senate and the speaker of the assembly
28 mutually so elect for all such joint legislative employers. Any

1 election made pursuant to subparagraph (i), (ii), (iii), or (iv) of this
2 paragraph shall be in writing and filed with the state comptroller not
3 later than thirty days after the enactment of this legislation.

4 § 3. Paragraph (a) of subdivision 2-b of section 200 of the state
5 finance law, as amended by chapter 171 of the laws of 1991, is amended
6 to read as follows:

7 (a) For nonjudicial officers and employees of the unified court
8 system: commencing with the earliest administratively feasible payroll
9 period (and corresponding payment date) subsequent to the date this
10 subdivision becomes a law, payment on the payment date of the five
11 payroll periods commencing thereon shall be for nine-tenths of that
12 amount paid each payroll period until a total of five-tenths of salary
13 for one payroll period that would be paid but for this provision has
14 been withheld. For nonjudicial officers and employees hired after the
15 date this subdivision becomes a law, the withholding of five days of
16 salary shall be accomplished in the same manner described above,
17 provided, however, such withholding shall be made on the first five
18 payment dates in which such new officers or employees would otherwise
19 have received their salary. Notwithstanding any other provision of law
20 to the contrary, such withholding shall not be taken for nonjudicial
21 officers and employees of the unified court system hired on or after
22 July first, two thousand twenty-four, if the chief administrator of the
23 courts so elects. Any election made pursuant to this subdivision shall
24 be in writing and filed with the state comptroller not later than thirty
25 days after the enactment of this legislation.

26 § 4. This act shall take effect July 1, 2024.

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

4 (a) [Interest shall be at the rate of nine per centum per annum,
5 except where otherwise provided by statute; provided] Notwithstanding
6 any other provision of law or regulation to the contrary, including any
7 law or regulation that limits the annual rate of interest to be paid on
8 a judgment or accrued claim, the annual rate of interest to be paid on a
9 judgment or accrued claim shall be calculated at the one-year United
10 States treasury bill rate. For purposes of this section, the "one-year
11 United States treasury bill rate" means the weekly average one-year
12 constant maturity treasury yield, as published by the board of governors
13 of the federal reserve system, for the calendar week preceding the date
14 of the entry of the judgment awarding damages; provided however, that
15 this section shall not apply to any provision of the tax law which
16 provides for the annual rate of interest to be paid on a judgment or
17 accrued claim. Provided, however, the annual rate of interest to be paid
18 in an action arising out of a consumer debt where a natural person is a
19 defendant shall be two per centum per annum (i) on a judgment or accrued
20 claim for judgments entered on or after the effective date of [the]
21 chapter eight hundred thirty-one of the laws of two thousand twenty-one
22 [which amended this section], and (ii) for interest upon a judgment
23 pursuant to section five thousand three of this article from the date of
24 the entry of judgment on any part of a judgment entered before the
25 effective date of [the] chapter eight hundred thirty-one of the laws of
26 two thousand twenty-one [which amended this section] that is unpaid as
27 of such effective date.

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

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

14 § 3. This act shall take effect immediately, and shall be deemed to
15 have been in full force and effect on and after April 1, 2024.

16 PART S

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

20 § 167-a. Reimbursement for medicare premium charges. Upon exclusion
21 from the coverage of the health benefit plan of supplementary medical
22 insurance benefits for which an active or retired employee or a depend-
23 ent covered by the health benefit plan is or would be eligible under the
24 federal old-age, survivors and disability insurance program, an amount
25 equal to the standard medicare premium charge for such supplementary
26 medical insurance benefits for such active or retired employee and his

1 or her dependents, if any, shall be paid monthly or at other intervals
2 to such active or retired employee from the health insurance fund.
3 Furthermore, effective January first, two thousand twenty-five there
4 shall be no payment whatsoever for the income related monthly adjustment
5 amount incurred on or after January first, two thousand twenty-four to
6 any active or retired employee and his or her dependents, if any. Where
7 appropriate, such standard medicare premium amount may be deducted from
8 contributions payable by the employee or retired employee; or where
9 appropriate in the case of a retired employee receiving a retirement
10 allowance, such standard medicare premium amount may be included with
11 payments of his or her retirement allowance. All state employer, employ-
12 ee, retired employee and dependent contributions to the health insurance
13 fund, including contributions from public authorities, public benefit
14 corporations or other quasi-public organizations of the state eligible
15 for participation in the health benefit plan as authorized by subdivi-
16 sion two of section one hundred sixty-three of this article, shall be
17 adjusted as necessary to cover the cost of reimbursing federal old-age,
18 survivors and disability insurance program premium charges under this
19 section. This cost shall be included in the calculation of premium or
20 subscription charges for health coverage provided to employees and
21 retired employees of the state, public authorities, public benefit
22 corporations or other quasi-public organizations of the state; provided,
23 however, the state, public authorities, public benefit corporations or
24 other quasi-public organizations of the state shall remain obligated to
25 pay no less than its share of such increased cost consistent with its
26 share of premium or subscription charges provided for by this article.
27 All other employer contributions to the health insurance fund shall be
28 adjusted as necessary to provide for such payments.

1 § 2. This act shall take effect immediately and shall apply on January
2 1, 2024 for the income related monthly adjustment amount incurred on or
3 after January 1, 2024.

4 PART T

5 Section 1. Subdivision 2 of section 163 of the civil service law, as
6 amended by section 6 of part S of chapter 57 of the laws of 2023, is
7 amended to read as follows:

8 2. The contract or contracts shall provide for health benefits for
9 retired employees of the state and of the state colleges of agriculture,
10 home economics, industrial labor relations and veterinary medicine, the
11 state agricultural experiment station at Geneva, and any other institu-
12 tion or agency under the management and control of Cornell university as
13 the representative of the board of trustees of the state university of
14 New York, and the state college of ceramics under the management and
15 control of Alfred university as the representative of the board of trus-
16 tees of the state university of New York, and their spouses and depend-
17 ent children as defined by the regulations of the president, on such
18 terms as the president may deem appropriate, and the president may
19 authorize the inclusion in the plan of the employees and retired employ-
20 ees of public authorities, public benefit corporations, school
21 districts, special districts, district corporations, municipal corpo-
22 rations excluding active employees and retired employees of cities
23 having a population of one million or more inhabitants whose compen-
24 sation is or was before retirement paid out of the city treasury, or
25 other appropriate agencies, subdivisions or quasi-public organizations
26 of the state, including active members of volunteer fire and volunteer

1 ambulance companies serving one or more municipal corporations pursuant
2 to subdivision seven of section ninety-two-a of the general municipal
3 law, and their spouses and dependent children as defined by the regu-
4 lations of the president. Notwithstanding any law or regulation to the
5 contrary, active members of volunteer ambulance companies serving one or
6 more municipal corporations pursuant to subdivision seven of section
7 ninety-two-a of the general municipal law shall be eligible for health
8 benefits regardless of the amount of funds derived from public sources.
9 Any such corporation, district, agency or organization electing to
10 participate in the plan shall be required to pay: (a) its proportionate
11 share of the expenses of administration of the plan in such amounts and
12 at such times as determined and fixed by the president; and (b) at the
13 president's discretion, if such amount is not paid on the date due,
14 interest for such late payment, as determined and fixed by the president
15 and which in no case shall be greater than the interest incurred by the
16 health insurance plan as a result of such late payment. For any amounts
17 past due as of the effective date of this paragraph, interest shall be
18 calculated on such amounts commencing thirty days after the effective
19 date of this paragraph. All amounts payable for such expenses of admin-
20 istration shall be paid to the commissioner of taxation and finance and
21 shall be applied to the reimbursement of funds previously advanced for
22 such purposes. Neither the state nor any other participant in the plan
23 shall be charged with the particular experience attributable to the
24 employees of the participant, and all dividends or retroactive rate
25 credits shall be distributed pro-rata based upon the number of employees
26 of such participant covered by the plan.

1 § 2. Subdivision 5 of section 163 of the civil service law, as amended
2 by section 4 of part T of chapter 56 of the laws of 2010, is amended to
3 read as follows:

4 5. The chief fiscal officer of any such participating employer shall
5 be authorized to deduct from the wages or salary paid to its employees
6 who are participants in such health benefit plan the sums required to be
7 paid by them under such plan. Each such participating employer is
8 authorized to appropriate such sums as are required to be paid by it as
9 its share in connection with the operation of such plan. Notwithstand-
10 ing any other provision of law, to the extent a participating employer
11 fails to pay its share in connection with the operation of such plan,
12 the director of the budget, at their discretion, is authorized to inter-
13 cept any funds appropriated and paid by the state, and direct such
14 amounts to the health insurance fund.

15 § 3. This act shall take effect immediately.

16 PART U

17 Section 1. Section 239-bb of the general municipal law, as added by
18 section 1 of part EE of chapter 55 of the laws of 2018, subdivision 8 as
19 amended by chapter 717 of the laws of 2022, subdivisions 9 and 11 as
20 amended by chapter 294 of the laws of 2021, and subdivision 12 as added
21 by chapter 773 of the laws of 2023, is amended to read as follows:

22 § 239-bb. County-wide shared services panels. 1. Definitions. The
23 following terms shall have the following meanings for the purposes of
24 this article:

25 a. "County" shall mean any county not wholly contained within a city.

1 b. "County CEO" shall mean the county executive, county manager or
2 other chief executive of the county, or, where none, the chair of the
3 county legislative body.

4 c. "Panel" shall mean a county-wide shared services panel established
5 pursuant to subdivision two of this section.

6 d. "Plan" shall mean a county-wide shared services property tax
7 savings plan.

8 2. County-wide shared services panels. a. There [shall] may be a coun-
9 ty-wide shared services panel in each county consisting of the county
10 CEO, and one representative from each city, town and village in the
11 county. The chief executive officer of each town, city and village shall
12 be the representative to a panel and shall be the mayor, if a city or a
13 village, or shall be the supervisor, if a town. The county CEO shall
14 serve as chair. [All panels established in each county pursuant to part
15 BBB of chapter fifty-nine of the laws of two thousand seventeen, and
16 prior to the enactment of this article, shall continue in satisfaction
17 of this section in such form as they were established, provided that the
18 county CEO may alter the membership of the panel consistent with para-
19 graph b of this subdivision.]

20 b. The county CEO may invite any school district, board of cooperative
21 educational services, fire district, fire protection district, or
22 special improvement district in the county to join a panel. Upon such
23 invitation, the governing body of such school district, board of cooper-
24 ative educational services, fire district, fire protection district, or
25 other special district may accept such invitation by selecting a repre-
26 sentative of such governing body, by majority vote, to serve as a member
27 of the panel. [Such school district, board of cooperative educational
28 services, fire district, fire protection district or other special

1 district shall maintain such representation until the panel either
2 approves a plan or transmits a statement to the secretary of state on
3 the reason the panel did not approve a plan, pursuant to paragraph d of
4 subdivision seven of this section. Upon approval of a plan or a trans-
5 mission of a statement to the secretary of state that a panel did not
6 approve a plan in any calendar year, the county CEO may, but need not,
7 invite any school district, board of cooperative educational services,
8 fire district, fire protection district or special improvement district
9 in the county to join a panel thereafter convened.]

10 3. [a.] Each county CEO [shall, after satisfying the requirements of
11 part BBB of chapter fifty-nine of the laws of two thousand seventeen,
12 annually] may convene the panel and [shall] undertake to revise and
13 update a previously approved plan or alternatively develop a new plan
14 [through December thirty-first, two thousand twenty-one]. Such plans
15 shall contain new, recurring property tax savings resulting from actions
16 such as, but not limited to, the elimination of duplicative services;
17 shared services arrangements including, joint purchasing, shared highway
18 equipment, shared storage facilities, shared plowing services and energy
19 and insurance purchasing cooperatives; reducing back office and adminis-
20 trative overhead; and better coordinating services. The secretary of
21 state may provide advice and/or recommendations on the form and struc-
22 ture of such plans.

23 [b. After having convened at least two meetings in a calendar year, a
24 panel may, by majority vote, determine that it is not in the best inter-
25 est of the taxpayers to revise and update a previously approved plan or
26 to develop a new plan in such year. The county CEO of such panel shall
27 then comply with the provisions of paragraph (d) of subdivision seven of
28 this section.

1 4. While revising or updating a previously approved plan, or while
2 developing a new plan, the county CEO shall regularly consult with, and
3 take recommendations from, the representatives: on the panel; of each
4 collective bargaining unit of the county and the cities, towns, and
5 villages; and of each collective bargaining unit of any participating
6 school district, board of cooperative educational services, fire
7 district, fire protection district, or special improvement district.

8 5. The county CEO, the county legislative body and a panel shall
9 accept input from the public, civic, business, labor and community lead-
10 ers on any proposed plan. The county CEO shall cause to be conducted a
11 minimum of three public hearings prior to submission of a plan to a vote
12 of a panel. All such public hearings shall be conducted within the coun-
13 ty, and public notice of all such hearings shall be provided at least
14 one week prior in the manner prescribed in subdivision one of section
15 one hundred four of the public officers law. Civic, business, labor, and
16 community leaders, as well as members of the public, shall be permitted
17 to provide public testimony at any such hearings.

18 6. a. The county CEO shall submit each plan, accompanied by a certif-
19 ication as to the accuracy of the savings contained therein, to the
20 county legislative body at least forty-five days prior to a vote by the
21 panel.

22 b. The county legislative body shall review and consider each plan
23 submitted in accordance with paragraph a of this subdivision. A majority
24 of the members of such body may issue an advisory report on each plan,
25 making recommendations as deemed necessary. The county CEO may modify a
26 plan based on such recommendations, which shall include an updated
27 certification as to the accuracy of the savings contained therein.

1 7. a. A panel shall duly consider any plan properly submitted to the
2 panel by the county CEO and may approve such plan by a majority vote of
3 the panel. Each member of a panel may, prior to the panel-wide vote,
4 cause to be removed from a plan any proposed action affecting the unit
5 of government represented by the respective member. Written notice of
6 such removal shall be provided to the county CEO prior to a panel-wide
7 vote on a plan.

8 b. Plans approved by a panel shall be transmitted to the secretary of
9 state no later than thirty days from the date of approval by a panel
10 accompanied by a certification as to the accuracy of the savings accom-
11 panied therein, and shall be publicly disseminated to residents of the
12 county in a concise, clear, and coherent manner using words with common
13 and everyday meaning.

14 c. The county CEO shall conduct a public presentation of any approved
15 plan no later than thirty days from the date of approval by a panel.
16 Public notice of such presentation shall be provided at least one week
17 prior in the manner prescribed in subdivision one of section one hundred
18 four of the public officers law.

19 d. Beginning in two thousand twenty, by January fifteenth following
20 any calendar year during which a panel did not approve a plan and trans-
21 mit such plan to the secretary of state pursuant to paragraph b of this
22 subdivision, the county CEO of such panel shall release to the public
23 and transmit to the secretary of state a statement explaining why the
24 panel did not approve a plan that year, including, for each vote on a
25 plan, the vote taken by each panel member and an explanation by each
26 panel member of their vote.

27 8. For each county, new shared services actions in an approved and
28 submitted plan pursuant to this section or part BBB of chapter fifty-

1 nine of the laws of two thousand seventeen, may be eligible for funding
2 to match savings from such action, subject to available appropriation.
3 Savings that are actually and demonstrably realized by the participating
4 local governments are eligible for matching funding. For actions that
5 are part of an approved plan transmitted to the secretary of state in
6 accordance with paragraph b of subdivision seven of this section,
7 savings achieved during either: (i) January first through December thir-
8 ty-first from new actions implemented on or after January first through
9 December thirty-first of the year immediately following an approved and
10 transmitted plan, or (ii) July first of the year immediately following
11 an approved and transmitted plan through June thirtieth of the subse-
12 quent year from new actions implemented July first of the year imme-
13 diately following an approved plan through June thirtieth of the subse-
14 quent year may be eligible for matching funding. Only net savings
15 between local governments for each action would be eligible for matching
16 funding. Savings from internal efficiencies or any other action taken by
17 a local government without the participation of another local government
18 are not eligible for matching funding. Each county and all of the local
19 governments within the county that are part of any action to be imple-
20 mented as part of an approved plan must collectively apply for the
21 matching funding and agree on the distribution and use of any matching
22 funding in order to qualify for matching funding.

23 9. The department of state shall prepare a report to the governor, the
24 temporary president of the senate and the speaker of the assembly on the
25 county-wide shared services plans approved by the county-wide shared
26 services panels created pursuant to part BBB of chapter fifty-nine of
27 the laws of two thousand seventeen and this article and shall post the
28 report on the department's website. Such report shall be provided on or

1 before June thirtieth, two thousand twenty-five and shall include, but
2 not be limited to, the following:

3 a. a detailed summary of projects included in county-wide shared
4 services plans by category, such as:

- 5 (1) public health and insurance;
- 6 (2) emergency services;
- 7 (3) sewer, water, and waste management systems;
- 8 (4) energy procurement and efficiency;
- 9 (5) parks and recreation;
- 10 (6) education and workforce training;
- 11 (7) law and courts;
- 12 (8) shared equipment, personnel, and services;
- 13 (9) joint purchasing;
- 14 (10) governmental reorganization;
- 15 (11) transportation and highway departments; and
- 16 (12) records management and administrative functions.

17 b. for each of the counties the following information:

18 (1) a detailed summary of each of the savings plans, including
19 revisions and updates submitted each year or the statement explaining
20 why the county did not approve a plan in any year;

21 (2) the anticipated savings for each plan;

22 (3) the number of cities, towns and villages in the county;

23 (4) the number of cities, towns and villages that participated in a
24 panel, as reported in a plan;

25 (5) the number of school districts, boards of cooperative educational
26 services, fire districts, fire protection districts, or other special
27 districts in the county; and

1 (6) the number of school districts, boards of cooperative educational
2 services, fire districts, fire protection districts, or other special
3 districts that participated in a panel, as reported in a plan.

4 10. The secretary of state may solicit, and the panels may provide at
5 her or his request, advice and recommendations concerning matters
6 related to the operations of local governments and shared services
7 initiatives, including, but not limited to, making recommendations
8 regarding grant proposals incorporating elements of shared services,
9 government dissolutions, government and service consolidations, or prop-
10 erty taxes and such other grants where the secretary deems the input of
11 the panels to be in the best interest of the public. The panel shall
12 advance such advice or recommendations by a vote of the majority of the
13 members present at such meeting.

14 11. The authority granted by this article to a county CEO to convene a
15 panel for the purpose of revising or updating a previously approved
16 plan, or developing a new plan, or to provide the secretary of state
17 information pursuant to subdivision ten of this section, shall cease on
18 December thirty-first, two thousand twenty-four.

19 12. Notwithstanding any other provision of law to the contrary, monies
20 constituting the funds of the village incorporation commission estab-
21 lished pursuant to section 2-259 of the village law shall be deposited
22 with the state comptroller and held for the purposes of the village
23 incorporation commission established in article two of the village law;
24 provided, however, that such monies shall be derived from the appropri-
25 ation dedicated to the matching funds program pursuant to subdivision
26 eight of this section and provided further, that such funding for such
27 entity shall not be subject to the requirements of subdivision eight of
28 this section related to savings.]

1 § 2. This act shall take effect immediately and shall be deemed to
2 have been in full force and effect on and after April 1, 2024.

3 PART V

4 Section 1. Subdivision 1 of section 2799-gg of the public authorities
5 law, as amended by chapter 182 of the laws of 2009, is amended to read
6 as follows:

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

14 The aggregate principal amount of such bonds, notes or other obli-
15 gations outstanding shall not exceed [thirteen billion, five hundred
16 million dollars (\$13,500,000,000)], beginning July first, two thousand
17 twenty-four, nineteen billion five hundred million dollars
18 (\$19,500,000,000), and beginning July first, two thousand twenty-five,
19 twenty-five billion five hundred million dollars (\$25,500,000,000),
20 excluding bonds, notes or other obligations issued pursuant to sections
21 twenty-seven hundred ninety-nine-ss and twenty-seven hundred ninety-
22 nine-tt of this title; provided, however, that upon any refunding or
23 repayment of bonds (which term shall not, for this purpose, include bond
24 anticipation notes), the total aggregate principal amount of outstanding
25 bonds, notes or other obligations may be greater than [thirteen billion,
26 five hundred million dollars (\$13,500,000,000)], beginning July first,

1 two thousand twenty-four, nineteen billion five hundred million dollars
2 (\$19,500,000,000), and beginning July first, two thousand twenty-five,
3 twenty-five billion five hundred million dollars (\$25,500,000,000), only
4 if the refunding or repayment bonds, notes or other obligations were
5 issued in accordance with the provisions of subparagraph (a) of subdivi-
6 sion two of paragraph b of section 90.10 of the local finance law, as
7 amended from time to time. Notwithstanding the foregoing, bonds, notes
8 or other obligations issued by the authority may be outstanding in an
9 amount greater than the amount permitted by the preceding sentence,
10 provided that such additional amount at issuance, together with the
11 amount of indebtedness contracted by the city of New York, shall not
12 exceed the limit prescribed by section 104.00 of the local finance law.
13 The authority shall have the power from time to time to refund any bonds
14 of the authority by the issuance of new bonds whether the bonds to be
15 refunded have or have not matured, and may issue bonds partly to refund
16 bonds of the authority then outstanding and partly to pay the cost of
17 any project pursuant to section twenty-seven hundred ninety-nine-ff of
18 this title. Bonds issued by the authority shall be payable solely out of
19 particular revenues or other moneys of the authority as may be desig-
20 nated in the proceedings of the authority under which the bonds shall be
21 authorized to be issued, subject to any agreements entered into between
22 the authority and the city, and subject to any agreements with the hold-
23 ers of outstanding bonds pledging any particular revenues or moneys.

24 § 2. This act shall take effect immediately and shall be deemed to
25 have been in full force and effect on and after April 1, 2024.

1 Section 1. Paragraphs t, u and v of subdivision 10 of section 54 of
2 the state finance law, paragraph v as relettered by section 3 of part K
3 of chapter 55 of the laws of 2013, are relettered paragraphs u, v and w
4 and a new paragraph t is added to read as follows:

5 t. Local government efficiency grant program beginning in the state
6 fiscal year commencing April first, two thousand twenty-four. (i) (1)
7 For the purposes of this paragraph, "municipality" shall mean a county,
8 city, town, village, special improvement district, fire district, public
9 library, association library, or public library system as defined by
10 section two hundred seventy-two of the education law; provided, however,
11 that for the purposes of this definition, a public library system shall
12 be considered a municipality only in instances where such public library
13 system advances a joint application on behalf of its member libraries,
14 water authority, sewer authority, regional planning and development
15 board, school district, or board of cooperative educational services;
16 provided, however, that for the purposes of this definition, a board of
17 cooperative educational services shall be considered a municipality only
18 in instances where such board of cooperative educational services
19 advances a joint application on behalf of school districts and other
20 municipalities within the board of cooperative educational services
21 region; provided, however, that any agreements with a board of cooper-
22 ative educational services: shall not generate additional state aid;
23 shall be deemed not to be a part of the program, capital and administra-
24 tive budgets of the board of cooperative educational services for the
25 purposes of computing charges upon component school districts pursuant
26 to subdivision one and subparagraph seven of paragraph b of subdivision
27 four of section nineteen hundred fifty, and subdivision one of section
28 nineteen hundred fifty-one of the education law; and shall be deemed to

1 be a cooperative municipal service for purposes of subparagraph two of
2 paragraph d of subdivision four of section nineteen hundred fifty of the
3 education law.

4 (2) For the purposes of this paragraph, "functional consolidation"
5 shall mean one municipality completely providing a service or function
6 for another municipality, which no longer provides such service or func-
7 tion.

8 (ii) Within the annual amounts appropriated therefor, the secretary of
9 state may award competitive grants to municipalities to cover costs
10 associated with local government efficiency projects, including, but not
11 limited to, planning for or implementation of a municipal consolidation
12 or dissolution, a functional consolidation, a city or county charter
13 revision that includes functional consolidation, shared or cooperative
14 services, and regionalized delivery of services; provided, however, that
15 such local government efficiency projects must demonstrate new opportu-
16 nities for financial savings and operational efficiencies; provided,
17 further, that eligible local government efficiency projects shall not
18 include studies and plans for a local government re-organization eligi-
19 ble to receive a local government citizens re-organization empowerment
20 grant pursuant to paragraph q of this subdivision. The secretary of
21 state may focus the grant program in specific functional areas, within
22 distressed communities and areas of historically high local government
23 costs and property taxes, or in areas of unique opportunity, in which
24 case such areas of focus shall be detailed in a request for applica-
25 tions.

26 (iii) Any approved project shall include an examination of financial
27 savings, return on public investment and management improvements result-
28 ing from project implementation.

1 (iv) Local government efficiency grants may be used to cover costs
2 including, but not limited to, legal and consultant services, capital
3 improvements, transitional personnel costs and other necessary expenses
4 related to implementing the approved local government efficiency grant
5 work plan. Grants may be used for capital improvements, transitional
6 personnel costs or joint equipment purchases only where such expenses
7 are integral to implementation of the local government efficiency
8 project. No part of the grant shall be used by the applicant for recur-
9 ring expenses such as salaries, except that the salaries of certain
10 transitional personnel essential for the implementation of the approved
11 local government efficiency grant work plan shall be eligible for a
12 period not to exceed three years. The amounts awarded to a school
13 district pursuant to this subparagraph shall not be included in the
14 approved operating expense of the school district as defined in para-
15 graph t of subdivision one of section thirty-six hundred two of the
16 education law.

17 (v) The maximum cumulative grant award for a local government effi-
18 ciency project shall not exceed two hundred fifty thousand dollars per
19 municipality; provided, however, that in no case shall such a project
20 receive a cumulative grant award in excess of one million two hundred
21 fifty thousand dollars. The maximum grant award for a local government
22 efficiency planning project, or the planning component of a project that
23 includes both planning and implementation of a local government effi-
24 ciency project, shall not exceed twenty thousand dollars per munici-
25 pality; provided, however, that in no event shall such a planning
26 project receive a grant award in excess of one hundred thousand dollars.

27 (vi) Local matching funds equal to at least fifty percent of the total
28 cost of activities under the grant work plan approved by the department

1 of state shall be required for planning grants, and local matching funds
2 equal to at least ten percent of the total cost of activities under the
3 grant work plan approved by the department of state shall be required
4 for implementation grants. In the event an applicant is implementing a
5 project that the applicant developed through a successfully completed
6 planning grant funded under the local government efficiency grant
7 program or the shared municipal services incentive grant program, the
8 local matching funds required shall be reduced by the local matching
9 funds required by such successfully completed planning grant up to the
10 amount of local matching funds required for the implementation grant.

11 (vii) In the selection of grant awards, the secretary of state shall
12 give the highest priority to applications: (1) that would result in the
13 dissolution or consolidation of municipalities; (2) that would implement
14 the complete functional consolidation of a municipal service; or (3) by
15 local governments with historically high costs of local government or
16 sustained increases in property taxes. Priority will also be given to
17 municipalities that have previously completed a planning grant pursuant
18 to this program or the shared municipal services incentive grant
19 program, and to local governments currently involved in regional devel-
20 opment projects that have received funds through state community and
21 infrastructure development programs.

22 (viii) Within one week of the receipt of an application, the depart-
23 ment of state shall review the application to ensure the applicant has
24 filed the correct application, and to determine if any required sections
25 of the application contain no information. Within one business day of
26 determining an applicant has filed an incorrect application, or deter-
27 mining an application contains no information in a section required to
28 contain information, the department shall so notify the applicant.

1 Applicants shall be permitted to amend an application found to be miss-
2 ing information, and such application shall be reconsidered for approval
3 if it is amended by the application deadline. If an applicant has
4 submitted an incorrect application, the applicant may submit the correct
5 application to the appropriate program by the deadline for such program
6 for consideration. Under no circumstances shall this subparagraph be
7 deemed to require the extension of any application deadline established
8 by the department, nor shall it obligate the department to conduct a
9 substantive review of the contents of any application outside of the
10 procedures established by the department for the purposes of maintaining
11 the competitive integrity of the grant program.

12 (ix) Written notice shall be provided to an applicant of a decision
13 regarding the grant or denial of an award under this paragraph, within
14 thirty days after such decision.

15 (x) The department of state shall prepare an annual report to the
16 governor and the legislature on the effectiveness of the local govern-
17 ment efficiency grant program and the local government citizens re-or-
18 ganization empowerment grant program. Such report shall be provided on
19 or before October first of each year and shall include, but not be
20 limited to, the following: a summary of applications and awards for each
21 grant category, an assessment of progress in implementing initiatives
22 that received grant awards, and estimated financial savings and signif-
23 icant improvements in service realized by municipalities that have
24 received grants.

25 § 2. This act shall take effect immediately and shall be deemed to
26 have been in full force and effect on and after April 1, 2024.

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

- 5 1. DOL-Child performer protection account (20401).
- 6 2. Local government records management account (20501).
- 7 3. Child health plus program account (20810).
- 8 4. EPIC premium account (20818).
- 9 5. Education - New (20901).
- 10 6. VLT - Sound basic education fund (20904).
- 11 7. Sewage treatment program management and administration fund
12 (21000).
- 13 8. Hazardous bulk storage account (21061).
- 14 9. Utility environmental regulatory account (21064).
- 15 10. Federal grants indirect cost recovery account (21065).
- 16 11. Low level radioactive waste account (21066).
- 17 12. Recreation account (21067).
- 18 13. Public safety recovery account (21077).
- 19 14. Environmental regulatory account (21081).
- 20 15. Natural resource account (21082).
- 21 16. Mined land reclamation program account (21084).
- 22 17. Great lakes restoration initiative account (21087).
- 23 18. Environmental protection and oil spill compensation fund (21200).
- 24 19. Public transportation systems account (21401).
- 25 20. Metropolitan mass transportation (21402).
- 26 21. Operating permit program account (21451).
- 27 22. Mobile source account (21452).

- 1 23. Statewide planning and research cooperative system account
- 2 (21902).
- 3 24. New York state thruway authority account (21905).
- 4 25. Financial control board account (21911).
- 5 26. Regulation of racing account (21912).
- 6 27. State university dormitory income reimbursable account (21937).
- 7 28. Criminal justice improvement account (21945).
- 8 29. Environmental laboratory reference fee account (21959).
- 9 30. Training, management and evaluation account (21961).
- 10 31. Clinical laboratory reference system assessment account (21962).
- 11 32. Indirect cost recovery account (21978).
- 12 33. Multi-agency training account (21989).
- 13 34. Bell jar collection account (22003).
- 14 35. Industry and utility service account (22004).
- 15 36. Real property disposition account (22006).
- 16 37. Parking account (22007).
- 17 38. Courts special grants (22008).
- 18 39. Asbestos safety training program account (22009).
- 19 40. Batavia school for the blind account (22032).
- 20 41. Investment services account (22034).
- 21 42. Surplus property account (22036).
- 22 43. Financial oversight account (22039).
- 23 44. Regulation of Indian gaming account (22046).
- 24 45. Rome school for the deaf account (22053).
- 25 46. Seized assets account (22054).
- 26 47. Administrative adjudication account (22055).
- 27 48. New York City assessment account (22062).
- 28 49. Cultural education account (22063).

- 1 50. Local services account (22078).
- 2 51. DHCR mortgage servicing account (22085).
- 3 52. Housing indirect cost recovery account (22090).
- 4 53. Voting Machine Examinations account (22099).
- 5 54. DHCR-HCA application fee account (22100).
- 6 55. Low income housing monitoring account (22130).
- 7 56. Restitution account (22134).
- 8 57. Corporation administration account (22135).
- 9 58. New York State Home for Veterans in the Lower-Hudson Valley
10 account (22144).
- 11 59. Deferred compensation administration account (22151).
- 12 60. Rent revenue other New York City account (22156).
- 13 61. Rent revenue account (22158).
- 14 62. Transportation aviation account (22165).
- 15 63. Tax revenue arrearage account (22168).
- 16 64. New York State Campaign Finance Fund account (22211).
- 17 65. New York state medical indemnity fund account (22240).
- 18 66. Behavioral health parity compliance fund (22246).
- 19 67. Pharmacy benefit manager regulatory fund (22255).
- 20 68. State university general income offset account (22654).
- 21 69. Lake George park trust fund account (22751).
- 22 70. Highway safety program account (23001).
- 23 71. DOH drinking water program account (23102).
- 24 72. NYCCC operating offset account (23151).
- 25 73. Commercial gaming revenue account (23701).
- 26 74. Commercial gaming regulation account (23702).
- 27 75. Highway use tax administration account (23801).
- 28 76. New York state secure choice administrative account (23806).

- 1 77. New York state cannabis revenue fund (24800).
- 2 78. Fantasy sports administration account (24951).
- 3 79. Mobile sports wagering fund (24955).
- 4 80. Highway and bridge capital account (30051).
- 5 81. State university residence hall rehabilitation fund (30100).
- 6 82. State parks infrastructure account (30351).
- 7 83. Clean water/clean air implementation fund (30500).
- 8 84. Hazardous waste remedial cleanup account (31506).
- 9 85. Youth facilities improvement account (31701).
- 10 86. Housing assistance fund (31800).
- 11 87. Housing program fund (31850).
- 12 88. Highway facility purpose account (31951).
- 13 89. New York racing account (32213).
- 14 90. Capital miscellaneous gifts account (32214).
- 15 91. Information technology capital financing account (32215).
- 16 92. New York environmental protection and spill remediation account
- 17 (32219).
- 18 93. Mental hygiene facilities capital improvement fund (32300).
- 19 94. Correctional facilities capital improvement fund (32350).
- 20 95. New York State Storm Recovery Capital Fund (33000).
- 21 96. OGS convention center account (50318).
- 22 97. Empire Plaza Gift Shop (50327).
- 23 98. Unemployment Insurance Benefit Fund, Interest Assessment Account
- 24 (50651).
- 25 99. Centralized services fund (55000).
- 26 100. Archives records management account (55052).
- 27 101. Federal single audit account (55053).
- 28 102. Civil service administration account (55055).

1 103. Civil service EHS occupational health program account (55056).
2 104. Banking services account (55057).
3 105. Cultural resources survey account (55058).
4 106. Neighborhood work project account (55059).
5 107. Automation & printing chargeback account (55060).
6 108. OFT NYT account (55061).
7 109. Data center account (55062).
8 110. Intrusion detection account (55066).
9 111. Domestic violence grant account (55067).
10 112. Centralized technology services account (55069).
11 113. Labor contact center account (55071).
12 114. Human services contact center account (55072).
13 115. Tax contact center account (55073).
14 116. Department of law civil recoveries account (55074).
15 117. Executive direction internal audit account (55251).
16 118. CIO Information technology centralized services account (55252).
17 119. Health insurance internal service account (55300).
18 120. Civil service employee benefits division administrative account
19 (55301).
20 121. Correctional industries revolving fund (55350).
21 122. Employees health insurance account (60201).
22 123. Medicaid management information system escrow fund (60900).
23 124. Virtual currency assessments account.
24 125. Animal shelter regulation account.
25 126. Department of financial services IT modernization capital
26 account.
27 § 2. The state comptroller is hereby authorized and directed to loan
28 money in accordance with the provisions set forth in subdivision 5 of

1 section 4 of the state finance law to any account within the following
2 federal funds, provided the comptroller has made a determination that
3 sufficient federal grant award authority is available to reimburse such
4 loans:

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

14 § 3. Notwithstanding any law to the contrary, and in accordance with
15 section 4 of the state finance law, the comptroller is hereby authorized
16 and directed to transfer, upon request of the director of the budget, on
17 or before March 31, 2025, up to the unencumbered balance or the follow-
18 ing amounts:

19 Economic Development and Public Authorities:

- 20 1. \$2,175,000 from the miscellaneous special revenue fund, underground
21 facilities safety training account (22172), to the general fund.
- 22 2. An amount up to the unencumbered balance from the miscellaneous
23 special revenue fund, business and licensing services account (21977),
24 to the general fund.
- 25 3. \$19,810,000 from the miscellaneous special revenue fund, code
26 enforcement account (21904), to the general fund.
- 27 4. \$3,000,000 from the general fund to the miscellaneous special
28 revenue fund, tax revenue arrearage account (22168).

1 5. \$100,000,000 from the miscellaneous special revenue fund, iola
2 private contribution account (20301), to the general fund.

3 Education:

4 1. \$2,792,000,000 from the general fund to the state lottery fund,
5 education account (20901), as reimbursement for disbursements made from
6 such fund for supplemental aid to education pursuant to section 92-c of
7 the state finance law that are in excess of the amounts deposited in
8 such fund for such purposes pursuant to section 1612 of the tax law.

9 2. \$1,096,000,000 from the general fund to the state lottery fund, VLT
10 education account (20904), as reimbursement for disbursements made from
11 such fund for supplemental aid to education pursuant to section 92-c of
12 the state finance law that are in excess of the amounts deposited in
13 such fund for such purposes pursuant to section 1612 of the tax law.

14 3. \$121,600,000 from the general fund to the New York state commercial
15 gaming fund, commercial gaming revenue account (23701), as reimbursement
16 for disbursements made from such fund for supplemental aid to education
17 pursuant to section 97-nnnn of the state finance law that are in excess
18 of the amounts deposited in such fund for purposes pursuant to section
19 1352 of the racing, pari-mutuel wagering and breeding law.

20 4. \$995,000,000 from the general fund to the mobile sports wagering
21 fund, education account (24955), as reimbursement for disbursements made
22 from such fund for supplemental aid to education pursuant to section
23 92-c of the state finance law that are in excess of the amounts deposit-
24 ed in such fund for such purposes pursuant to section 1367 of the
25 racing, pari-mutuel wagering and breeding law.

26 5. \$25,000,000 from the interactive fantasy sports fund, fantasy
27 sports education account (24950), to the state lottery fund, education
28 account (20901), as reimbursement for disbursements made from such fund

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

3 6. An amount up to the unencumbered balance in the fund on March 31,
4 2025 from the charitable gifts trust fund, elementary and secondary
5 education account (24901), to the general fund, for payment of general
6 support for public schools pursuant to section 3609-a of the education
7 law.

8 7. Moneys from the state lottery fund (20900) up to an amount deposit-
9 ed in such fund pursuant to section 1612 of the tax law in excess of the
10 current year appropriation for supplemental aid to education pursuant to
11 section 92-c of the state finance law.

12 8. \$300,000 from the New York state local government records manage-
13 ment improvement fund, local government records management account
14 (20501), to the New York state archives partnership trust fund, archives
15 partnership trust maintenance account (20351).

16 9. \$900,000 from the general fund to the miscellaneous special revenue
17 fund, Batavia school for the blind account (22032).

18 10. \$900,000 from the general fund to the miscellaneous special reven-
19 ue fund, Rome school for the deaf account (22053).

20 11. \$343,400,000 from the state university dormitory income fund
21 (40350) to the miscellaneous special revenue fund, state university
22 dormitory income reimbursable account (21937).

23 12. \$79,100,000 from the state university income fund, state universi-
24 ty hospitals income reimbursable account (22656) to the general fund for
25 hospital debt service for the period April 1, 2024 through March 31,
26 2025.

1 13. \$24,000,000 from any of the state education department's special
2 revenue and internal service funds to the miscellaneous special revenue
3 fund, indirect cost recovery account (21978).

4 14. \$4,200,000 from any of the state education department's special
5 revenue or internal service funds to the capital projects fund (30000).

6 15. \$30,013,000 from the general fund to the miscellaneous special
7 revenue fund, HESC-insurance premium payments account (21960).

8 Environmental Affairs:

9 1. \$16,000,000 from any of the department of environmental conserva-
10 tion's special revenue federal funds, and/or federal capital funds, to
11 the environmental conservation special revenue fund, federal indirect
12 recovery account (21065).

13 2. \$5,000,000 from any of the department of environmental conserva-
14 tion's special revenue federal funds, and/or federal capital funds, to
15 the conservation fund (21150) or Marine Resources Account (21151) as
16 necessary to avoid diversion of conservation funds.

17 3. \$3,000,000 from any of the office of parks, recreation and historic
18 preservation capital projects federal funds and special revenue federal
19 funds to the miscellaneous special revenue fund, federal grant indirect
20 cost recovery account (22188).

21 4. \$1,000,000 from any of the office of parks, recreation and historic
22 preservation special revenue federal funds to the miscellaneous capital
23 projects fund, I love NY water account (32212).

24 5. \$100,000,000 from the general fund to the environmental protection
25 fund, environmental protection fund transfer account (30451).

26 6. \$6,000,000 from the general fund to the hazardous waste remedial
27 fund, hazardous waste oversight and assistance account (31505).

1 7. An amount up to or equal to the cash balance within the special
2 revenue-other waste management & cleanup account (21053) to the capital
3 projects fund (30000) for services and capital expenses related to the
4 management and cleanup program as put forth in section 27-1915 of the
5 environmental conservation law.

6 8. \$1,800,000 from the miscellaneous special revenue fund, public
7 service account (22011) to the miscellaneous special revenue fund, util-
8 ity environmental regulatory account (21064).

9 9. \$7,000,000 from the general fund to the enterprise fund, state fair
10 account (50051).

11 10. \$10,000,000 from the waste management & cleanup account (21053) to
12 the general fund.

13 11. \$3,000,000 from the waste management & cleanup account (21053) to
14 the environmental protection fund transfer account (30451).

15 12. \$10,000,000 from the general fund to the miscellaneous special
16 revenue fund, patron services account (22163).

17 13. \$15,000,000 from the enterprise fund, golf account (50332) to the
18 state park infrastructure fund, state park infrastructure account
19 (30351).

20 Family Assistance:

21 1. \$7,000,000 from any of the office of children and family services,
22 office of temporary and disability assistance, or department of health
23 special revenue federal funds and the general fund, in accordance with
24 agreements with social services districts, to the miscellaneous special
25 revenue fund, office of human resources development state match account
26 (21967).

27 2. \$4,000,000 from any of the office of children and family services
28 or office of temporary and disability assistance special revenue federal

1 funds to the miscellaneous special revenue fund, family preservation and
2 support services and family violence services account (22082).

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

8 4. \$205,000,000 from any of the office of temporary and disability
9 assistance or department of health special revenue funds to the general
10 fund.

11 5. \$2,500,000 from any of the office of temporary and disability
12 assistance special revenue funds to the miscellaneous special revenue
13 fund, office of temporary and disability assistance program account
14 (21980).

15 6. \$35,000,000 from any of the office of children and family services,
16 office of temporary and disability assistance, department of labor, and
17 department of health special revenue federal funds to the office of
18 children and family services miscellaneous special revenue fund, multi-
19 agency training contract account (21989).

20 7. \$205,000,000 from the miscellaneous special revenue fund, youth
21 facility per diem account (22186), to the general fund.

22 8. \$621,850 from the general fund to the combined gifts, grants, and
23 bequests fund, WB Hoyt Memorial account (20128).

24 9. \$5,000,000 from the miscellaneous special revenue fund, state
25 central registry (22028), to the general fund.

26 10. \$900,000 from the general fund to the Veterans' Remembrance and
27 Cemetery Maintenance and Operation account (20201).

1 11. \$5,000,000 from the general fund to the housing program fund
2 (31850).

3 12. \$10,000,000 from any of the office of children and family services
4 special revenue federal funds to the office of the court administration
5 special revenue other federal iv-e funds account.

6 General Government:

7 1. \$9,000,000 from the general fund to the health insurance revolving
8 fund (55300).

9 2. \$292,400,000 from the health insurance reserve receipts fund
10 (60550) to the general fund.

11 3. \$150,000 from the general fund to the not-for-profit revolving loan
12 fund (20650).

13 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the
14 general fund.

15 5. \$3,000,000 from the miscellaneous special revenue fund, surplus
16 property account (22036), to the general fund.

17 6. \$19,000,000 from the miscellaneous special revenue fund, revenue
18 arrearage account (22024), to the general fund.

19 7. \$3,326,000 from the miscellaneous special revenue fund, revenue
20 arrearage account (22024), to the miscellaneous special revenue fund,
21 authority budget office account (22138).

22 8. \$1,000,000 from the miscellaneous special revenue fund, parking
23 account (22007), to the general fund, for the purpose of reimbursing the
24 costs of debt service related to state parking facilities.

25 9. \$11,460,000 from the general fund to the agencies internal service
26 fund, central technology services account (55069), for the purpose of
27 enterprise technology projects.

- 1 10. \$10,000,000 from the general fund to the agencies internal service
2 fund, state data center account (55062).
- 3 11. \$12,000,000 from the miscellaneous special revenue fund, parking
4 account (22007), to the centralized services, building support services
5 account (55018).
- 6 12. \$33,000,000 from the general fund to the internal service fund,
7 business services center account (55022).
- 8 13. \$8,000,000 from the general fund to the internal service fund,
9 building support services account (55018).
- 10 14. \$1,500,000 from the combined expendable trust fund, plaza special
11 events account (20120), to the general fund.
- 12 15. \$50,000,000 from the New York State cannabis revenue fund (24800)
13 to the general fund.
- 14 16. A transfer from the general fund to the miscellaneous special
15 revenue fund, New York State Campaign Finance Fund Account (22211), up
16 to an amount equal to total reimbursements due to qualified candidates.
- 17 17. \$6,000,000 from the miscellaneous special revenue fund, standards
18 and purchasing account (22019), to the general fund.
- 19 18. \$5,600,000 from the banking department special revenue fund
20 (21970) funded by the assessment to defray operating expenses authorized
21 by section 206 of the financial services law to the IT Modernization
22 Capital Fund.
- 23 19. \$8,400,000 from the insurance department special revenue fund
24 (21994) funded by the assessment to defray operating expenses authorized
25 by section 206 of the financial services law to the IT Modernization
26 Capital Fund.
- 27 20. \$500,000 from the pharmacy benefits bureau special revenue fund
28 (22255) funded by the assessment to defray operating expenses authorized

1 by section 206 of the financial services law, to the IT Modernization
2 Capital Fund.

3 21. \$500,000 from the virtual currency special revenue fund (22262)
4 funded by the assessment to defray operating expenses authorized by
5 section 206 of the financial services law, to the IT Modernization Capi-
6 tal Fund.

7 Health:

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

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

16 3. A transfer from the general fund to the combined gifts, grants and
17 bequests fund, Alzheimer's disease research and assistance account
18 (20143), up to an amount equal to the moneys collected and deposited
19 into that account in the previous fiscal year.

20 4. \$3,600,000 from the miscellaneous special revenue fund, certificate
21 of need account (21920), to the miscellaneous capital projects fund,
22 healthcare IT capital subfund (32216).

23 5. \$4,000,000 from the miscellaneous special revenue fund, vital
24 health records account (22103), to the miscellaneous capital projects
25 fund, healthcare IT capital subfund (32216).

26 6. \$6,000,000 from the miscellaneous special revenue fund, profes-
27 sional medical conduct account (22088), to the miscellaneous capital
28 projects fund, healthcare IT capital subfund (32216).

1 7. \$131,000,000 from the HCRA resources fund (20800) to the capital
2 projects fund (30000).

3 8. \$6,550,000 from the general fund to the medical cannabis trust
4 fund, health operation and oversight account (23755).

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

12 10. \$500,000 from the miscellaneous special revenue fund, New York
13 State cannabis revenue fund (24800), to the miscellaneous special reven-
14 ue fund, environmental laboratory fee account (21959).

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

19 12. \$1,000,000,000 from the general fund to the health care transfor-
20 mation fund (24850).

21 13. \$2,590,000 from the miscellaneous special revenue fund, patient
22 safety center account (22140), to the general fund.

23 14. \$1,000,000 from the miscellaneous special revenue fund, nursing
24 home receivership account (21925), to the general fund.

25 15. \$130,000 from the miscellaneous special revenue fund, quality of
26 care account (21915), to the general fund.

27 16. \$2,200,000 from the miscellaneous special revenue fund, adult home
28 quality enhancement account (22091), to the general fund.

1 17. \$22,113,000 from the general fund, to the miscellaneous special
2 revenue fund, helen hayes hospital account (22140).

3 18. \$4,850,000 from the general fund, to the miscellaneous special
4 revenue fund, New York city veterans' home account (22141).

5 19. \$3,675,000 from the general fund, to the miscellaneous special
6 revenue fund, New York state home for veterans' and their dependents at
7 oxford account (22142).

8 20. \$2,055,000 from the general fund, to the miscellaneous special
9 revenue fund, western New York veterans' home account (22143).

10 21. \$6,451,000 from the general fund, to the miscellaneous special
11 revenue fund, New York state for veterans in the lower-hudson valley
12 account (22144).

13 Labor:

14 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
15 penalty account (21923), to the child performer's protection fund, child
16 performer protection account (20401).

17 2. \$11,700,000 from the unemployment insurance interest and penalty
18 fund, unemployment insurance special interest and penalty account
19 (23601), to the general fund.

20 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
21 ment insurance special interest and penalty account (23601), and public
22 work enforcement account (21998), to the general fund.

23 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
24 safety program fund (22252) to the miscellaneous special revenue fund,
25 DOL fee and penalty account (21923).

26 Mental Hygiene:

27 1. \$3,800,000 from the general fund, to the agencies internal service
28 fund, civil service EHS occupational health program account (55056).

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

3 3. \$20,000,000 from the opioid settlement fund (23817) to the miscel-
4 laneous capital projects fund, opioid settlement capital account
5 (32200).

6 4. \$20,000,000 from the miscellaneous capital projects fund, opioid
7 settlement capital account (32200) to the opioid settlement fund
8 (23817).

9 Public Protection:

10 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
11 management account (21944), to the general fund.

12 2. \$2,587,000 from the general fund to the miscellaneous special
13 revenue fund, recruitment incentive account (22171).

14 3. \$23,773,000 from the general fund to the correctional industries
15 revolving fund, correctional industries internal service account
16 (55350).

17 4. \$2,000,000,000 from any of the division of homeland security and
18 emergency services special revenue federal funds to the general fund.

19 5. \$115,420,000 from the state police motor vehicle law enforcement
20 and motor vehicle theft and insurance fraud prevention fund, state
21 police motor vehicle enforcement account (22802), to the general fund
22 for state operation expenses of the division of state police.

23 6. \$138,272,000 from the general fund to the correctional facilities
24 capital improvement fund (32350).

25 7. \$5,000,000 from the general fund to the dedicated highway and
26 bridge trust fund (30050) for the purpose of work zone safety activities
27 provided by the division of state police for the department of transpor-
28 tation.

1 8. \$10,000,000 from the miscellaneous special revenue fund, statewide
2 public safety communications account (22123), to the capital projects
3 fund (30000).

4 9. \$9,830,000 from the miscellaneous special revenue fund, legal
5 services assistance account (22096), to the general fund.

6 10. \$1,000,000 from the general fund to the agencies internal service
7 fund, neighborhood work project account (55059).

8 11. \$7,980,000 from the miscellaneous special revenue fund, finger-
9 print identification & technology account (21950), to the general fund.

10 12. \$1,100,000 from the state police motor vehicle law enforcement and
11 motor vehicle theft and insurance fraud prevention fund, motor vehicle
12 theft and insurance fraud account (22801), to the general fund.

13 13. \$38,938,000 from the general fund to the miscellaneous special
14 revenue fund, criminal justice improvement account (21945).

15 14. \$6,000,000 from the general fund to the miscellaneous special
16 revenue fund, hazard mitigation revolving loan account.

17 15. \$234,000,000 from the indigent legal services fund, indigent legal
18 services account (23551) to the general fund.

19 Transportation:

20 1. \$20,000,000 from the general fund to the mass transportation oper-
21 ating assistance fund, public transportation systems operating assist-
22 ance account (21401), of which \$12,000,000 constitutes the base need for
23 operations.

24 2. \$727,500,000 from the general fund to the dedicated highway and
25 bridge trust fund (30050).

26 3. \$244,250,000 from the general fund to the MTA financial assistance
27 fund, mobility tax trust account (23651).

1 4. \$5,000,000 from the miscellaneous special revenue fund, transporta-
2 tion regulation account (22067) to the dedicated highway and bridge
3 trust fund (30050), for disbursements made from such fund for motor
4 carrier safety that are in excess of the amounts deposited in the dedi-
5 cated highway and bridge trust fund (30050) for such purpose pursuant to
6 section 94 of the transportation law.

7 5. \$477,000 from the miscellaneous special revenue fund, traffic adju-
8 dication account (22055), to the general fund.

9 6. \$5,000,000 from the miscellaneous special revenue fund, transporta-
10 tion regulation account (22067) to the general fund, for disbursements
11 made from such fund for motor carrier safety that are in excess of the
12 amounts deposited in the general fund for such purpose pursuant to
13 section 94 of the transportation law.

14 Miscellaneous:

15 1. \$500,000,000 from the general fund to any funds or accounts for the
16 purpose of reimbursing certain outstanding accounts receivable balances.

17 2. \$500,000,000 from the general fund to the debt reduction reserve
18 fund (40000).

19 3. \$450,000,000 from the New York state storm recovery capital fund
20 (33000) to the revenue bond tax fund (40152).

21 4. \$15,500,000 from the general fund, community projects account GG
22 (10256), to the general fund, state purposes account (10050).

23 5. \$100,000,000 from any special revenue federal fund to the general
24 fund, state purposes account (10050).

25 6. \$3,650,000,000 from the special revenue federal fund, ARPA-Fiscal
26 Recovery Fund (25546) to the general fund, state purposes account
27 (10050) to cover eligible costs incurred by the state.

1 7. \$1,000,000,000 from the general fund to the hazardous waste over-
2 sight and assistance account (31505), State parks infrastructure account
3 (30351), environmental protection fund transfer account (30451), the
4 correctional facilities capital improvement fund (32350), housing
5 program fund (31850), or the Mental hygiene facilities capital improve-
6 ment fund (32300), up to an amount equal to certain outstanding accounts
7 receivable balances.

8 § 4. Notwithstanding any law to the contrary, and in accordance with
9 section 4 of the state finance law, the comptroller is hereby authorized
10 and directed to transfer, on or before March 31, 2025:

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

17 2. Upon request of the commissioner of agriculture and markets, up to
18 \$3,000,000 from any special revenue fund or enterprise fund within the
19 department of agriculture and markets to the general fund, to pay appro-
20 priate administrative expenses.

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

26 4. Upon request of the commissioner of the division of housing and
27 community renewal, up to \$5,500,000 may be transferred from any miscel-

1 laneous special revenue fund account, to any miscellaneous special
2 revenue fund.

3 5. Upon request of the commissioner of health up to \$13,694,000 from
4 revenues credited to any of the department of health's special revenue
5 funds, to the miscellaneous special revenue fund, administration account
6 (21982).

7 6. Upon the request of the attorney general, up to \$4,000,000 from
8 revenues credited to the federal health and human services fund, federal
9 health and human services account (25117) or the miscellaneous special
10 revenue fund, recoveries and revenue account (22041), to the miscella-
11 neous special revenue fund, litigation settlement and civil recovery
12 account (22117).

13 § 5. On or before March 31, 2025, the comptroller is hereby authorized
14 and directed to deposit earnings that would otherwise accrue to the
15 general fund that are attributable to the operation of section 98-a of
16 the state finance law, to the agencies internal service fund, banking
17 services account (55057), for the purpose of meeting direct payments
18 from such account.

19 § 6. Notwithstanding any law to the contrary, and in accordance with
20 section 4 of the state finance law, the comptroller is hereby authorized
21 and directed to transfer, upon request of the director of the budget and
22 upon consultation with the state university chancellor or his or her
23 designee, on or before March 31, 2025, up to \$16,000,000 from the state
24 university income fund general revenue account (22653) to the state
25 general fund for debt service costs related to campus supported capital
26 project costs for the NY-SUNY 2020 challenge grant program at the
27 University at Buffalo.

1 § 7. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, upon request of the director of the budget and
4 upon consultation with the state university chancellor or his or her
5 designee, on or before March 31, 2025, up to \$6,500,000 from the state
6 university income fund general revenue account (22653) to the state
7 general fund for debt service costs related to campus supported capital
8 project costs for the NY-SUNY 2020 challenge grant program at the
9 University at Albany.

10 § 8. Notwithstanding any law to the contrary, the state university
11 chancellor or his or her designee is authorized and directed to transfer
12 estimated tuition revenue balances from the state university collection
13 fund (61000) to the state university income fund, state university
14 general revenue offset account (22655) on or before March 31, 2025.

15 § 9. Notwithstanding any law to the contrary, and in accordance with
16 section 4 of the state finance law, the comptroller is hereby authorized
17 and directed to transfer, upon request of the director of the budget, up
18 to \$1,318,326,500 from the general fund to the state university income
19 fund, state university general revenue offset account (22655) during the
20 period of July 1, 2024 through June 30, 2025 to support operations at
21 the state university.

22 § 10. Notwithstanding any law to the contrary, and in accordance with
23 section 4 of the state finance law, the comptroller is hereby authorized
24 and directed to transfer, upon request of the director of the budget, up
25 to \$103,000,000 from the general fund to the state university income
26 fund, state university general revenue offset account (22655) during the
27 period of April 1, 2024 through June 30, 2024 to support operations at
28 the state university.

1 § 11. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, upon request of the director of the budget, up
4 to \$49,600,000 from the general fund to the state university income
5 fund, state university general revenue offset account (22655) during the
6 period of July 1, 2024 to June 30, 2025 for general fund operating
7 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
8 of section three hundred fifty-five of the education law.

9 § 12. Notwithstanding any law to the contrary, and in accordance with
10 section 4 of the state finance law, the comptroller is hereby authorized
11 and directed to transfer, upon request of the director of the budget, up
12 to \$20,000,000 from the general fund to the state university income
13 fund, state university general revenue offset account (22655) during the
14 period of July 1, 2024 to June 30, 2025 to fully fund the tuition credit
15 pursuant to subdivision two of section six hundred sixty-nine-h of the
16 education law.

17 § 13. Notwithstanding any law to the contrary, and in accordance with
18 section 4 of the state finance law, the comptroller is hereby authorized
19 and directed to transfer, upon request of the state university chancel-
20 lor or his or her designee, up to \$55,000,000 from the state university
21 income fund, state university hospitals income reimbursable account
22 (22656), for services and expenses of hospital operations and capital
23 expenditures at the state university hospitals; and the state university
24 income fund, Long Island veterans' home account (22652) to the state
25 university capital projects fund (32400) on or before June 30, 2025.

26 § 14. Notwithstanding any law to the contrary, and in accordance with
27 section 4 of the state finance law, the comptroller, after consultation
28 with the state university chancellor or his or her designee, is hereby

1 authorized and directed to transfer moneys, in the first instance, from
2 the state university collection fund, Stony Brook hospital collection
3 account (61006), Brooklyn hospital collection account (61007), and Syra-
4 cuse hospital collection account (61008) to the state university income
5 fund, state university hospitals income reimbursable account (22656) in
6 the event insufficient funds are available in the state university
7 income fund, state university hospitals income reimbursable account
8 (22656) to permit the full transfer of moneys authorized for transfer,
9 to the general fund for payment of debt service related to the SUNY
10 hospitals. Notwithstanding any law to the contrary, the comptroller is
11 also hereby authorized and directed, after consultation with the state
12 university chancellor or his or her designee, to transfer moneys from
13 the state university income fund to the state university income fund,
14 state university hospitals income reimbursable account (22656) in the
15 event insufficient funds are available in the state university income
16 fund, state university hospitals income reimbursable account (22656) to
17 pay hospital operating costs or to permit the full transfer of moneys
18 authorized for transfer, to the general fund for payment of debt service
19 related to the SUNY hospitals on or before March 31, 2025.

20 § 15. Notwithstanding any law to the contrary, upon the direction of
21 the director of the budget and the chancellor of the state university of
22 New York or his or her designee, and in accordance with section 4 of the
23 state finance law, the comptroller is hereby authorized and directed to
24 transfer monies from the state university dormitory income fund (40350)
25 to the state university residence hall rehabilitation fund (30100), and
26 from the state university residence hall rehabilitation fund (30100) to
27 the state university dormitory income fund (40350), in an amount not to
28 exceed \$100 million from each fund.

1 § 16. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, at the request of the director of the budget,
4 up to \$1 billion from the unencumbered balance of any special revenue
5 fund or account, agency fund or account, internal service fund or
6 account, enterprise fund or account, or any combination of such funds
7 and accounts, to the general fund. The amounts transferred pursuant to
8 this authorization shall be in addition to any other transfers expressly
9 authorized in the 2024-25 budget. Transfers from federal funds, debt
10 service funds, capital projects funds, the community projects fund, or
11 funds that would result in the loss of eligibility for federal benefits
12 or federal funds pursuant to federal law, rule, or regulation as assent-
13 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
14 1951 are not permitted pursuant to this authorization.

15 § 17. Notwithstanding any law to the contrary, and in accordance with
16 section 4 of the state finance law, the comptroller is hereby authorized
17 and directed to transfer, at the request of the director of the budget,
18 up to \$100 million from any non-general fund or account, or combination
19 of funds and accounts, to the miscellaneous special revenue fund, tech-
20 nology financing account (22207), the miscellaneous capital projects
21 fund, the federal capital projects account (31350), information technol-
22 ogy capital financing account (32215), or the centralized technology
23 services account (55069), for the purpose of consolidating technology
24 procurement and services. The amounts transferred to the miscellaneous
25 special revenue fund, technology financing account (22207) pursuant to
26 this authorization shall be equal to or less than the amount of such
27 monies intended to support information technology costs which are
28 attributable, according to a plan, to such account made in pursuance to

1 an appropriation by law. Transfers to the technology financing account
2 shall be completed from amounts collected by non-general funds or
3 accounts pursuant to a fund deposit schedule or permanent statute, and
4 shall be transferred to the technology financing account pursuant to a
5 schedule agreed upon by the affected agency commissioner. Transfers from
6 funds that would result in the loss of eligibility for federal benefits
7 or federal funds pursuant to federal law, rule, or regulation as assent-
8 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
9 1951 are not permitted pursuant to this authorization.

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

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

1 to the credit of the general fund up to \$20,000,000 for the state fiscal
2 year commencing April 1, 2024, the proceeds of which will be utilized to
3 support energy-related state activities.

4 § 20. Notwithstanding any provision of law to the contrary, as deemed
5 feasible and advisable by its trustees, the power authority of the state
6 of New York is authorized to transfer to the state treasury to the cred-
7 it of the general fund up to \$25,000,000 for the state fiscal year
8 commencing April 1, 2024, the proceeds of which will be utilized to
9 support programs established or implemented by or within the department
10 of labor, including but not limited to the office of just energy transi-
11 tion and programs for workforce training and retraining, to prepare
12 workers for employment for work in the renewable energy field.

13 § 21. Notwithstanding any provision of law, rule or regulation to the
14 contrary, the New York state energy research and development authority
15 is authorized and directed to contribute \$913,000 to the state treasury
16 to the credit of the general fund on or before March 31, 2025.

17 § 22. Notwithstanding any provision of law, rule or regulation to the
18 contrary, the New York state energy research and development authority
19 is authorized and directed to transfer five million dollars to the cred-
20 it of the Environmental Protection Fund on or before March 31, 2025 from
21 proceeds collected by the authority from the auction or sale of carbon
22 dioxide emission allowances allocated by the department of environmental
23 conservation.

24 § 23. Subdivision 5 of section 97-rrr of the state finance law, as
25 amended by section 21 of part PP of chapter 56 of the laws of 2023, is
26 amended to read as follows:

27 5. Notwithstanding the provisions of section one hundred seventy-one-a
28 of the tax law, as separately amended by chapters four hundred eighty-

1 one and four hundred eighty-four of the laws of nineteen hundred eight-
2 y-one, and notwithstanding the provisions of chapter ninety-four of the
3 laws of two thousand eleven, or any other provisions of law to the
4 contrary, during the fiscal year beginning April first, two thousand
5 [twenty-three] twenty-four, the state comptroller is hereby authorized
6 and directed to deposit to the fund created pursuant to this section
7 from amounts collected pursuant to article twenty-two of the tax law and
8 pursuant to a schedule submitted by the director of the budget, up to
9 [\$1,716,913,000] \$1,575,393,000 as may be certified in such schedule as
10 necessary to meet the purposes of such fund for the fiscal year begin-
11 ning April first, two thousand [twenty-three] twenty-four.

12 § 24. Notwithstanding any law to the contrary, the comptroller is
13 hereby authorized and directed to transfer, upon request of the director
14 of the budget, on or before March 31, 2025, the following amounts from
15 the following special revenue accounts to the capital projects fund
16 (30000), for the purposes of reimbursement to such fund for expenses
17 related to the maintenance and preservation of state assets:

18 1. \$43,000 from the miscellaneous special revenue fund, administrative
19 program account (21982).

20 2. \$1,537,000 from the miscellaneous special revenue fund, helen hayes
21 hospital account (22140).

22 3. \$474,000 from the miscellaneous special revenue fund, New York city
23 veterans' home account (22141).

24 4. \$593,000 from the miscellaneous special revenue fund, New York
25 state home for veterans' and their dependents at oxford account (22142).

26 5. \$177,000 from the miscellaneous special revenue fund, western New
27 York veterans' home account (22143).

1 6. \$336,000 from the miscellaneous special revenue fund, New York
2 state for veterans in the lower-hudson valley account (22144).

3 7. \$2,550,000 from the miscellaneous special revenue fund, patron
4 services account (22163).

5 8. \$9,173,000 from the miscellaneous special revenue fund, state
6 university general income reimbursable account (22653).

7 9. \$150,218,000 from the miscellaneous special revenue fund, state
8 university revenue offset account (22655).

9 10. \$50,197,000 from the state university dormitory income fund, state
10 university dormitory income fund (40350).

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

13 § 25. Subdivision 6 of section 4 of the state finance law, as amended
14 by section 24 of part FFF of chapter 56 of the laws of 2022, is amended
15 to read as follows:

16 6. Notwithstanding any law to the contrary, at the beginning of the
17 state fiscal year, the state comptroller is hereby authorized and
18 directed to receive for deposit to the credit of a fund and/or an
19 account such monies as are identified by the director of the budget as
20 having been intended for such deposit to support disbursements from such
21 fund and/or account made in pursuance of an appropriation by law. As
22 soon as practicable upon enactment of the budget, the director of the
23 budget shall, but not less than three days following preliminary
24 submission to the chairs of the senate finance committee and the assem-
25 bly ways and means committee, file with the state comptroller an iden-
26 tification of specific monies to be so deposited. Any subsequent change
27 regarding the monies to be so deposited shall be filed by the director
28 of the budget, as soon as practicable, but not less than three days

1 following preliminary submission to the chairs of the senate finance
2 committee and the assembly ways and means committee.

3 All monies identified by the director of the budget to be deposited to
4 the credit of a fund and/or account shall be consistent with the intent
5 of the budget for the then current state fiscal year as enacted by the
6 legislature.

7 The provisions of this subdivision shall expire on March thirty-first,
8 [two thousand twenty-four] two thousand twenty-eight.

9 § 26. Subdivision 4 of section 40 of the state finance law, as amended
10 by section 25 of part FFF of chapter 56 of the laws of 2022, is amended
11 to read as follows:

12 4. Every appropriation made from a fund or account to a department or
13 agency shall be available for the payment of prior years' liabilities in
14 such fund or account for fringe benefits, indirect costs, and telecommu-
15 nications expenses and expenses for other centralized services fund
16 programs without limit. Every appropriation shall also be available for
17 the payment of prior years' liabilities other than those indicated
18 above, but only to the extent of one-half of one percent of the total
19 amount appropriated to a department or agency in such fund or account.

20 The provisions of this subdivision shall expire March thirty-first,
21 [two thousand twenty-four] two thousand twenty-eight.

22 § 27. Notwithstanding any other law, rule, or regulation to the
23 contrary, the state comptroller is hereby authorized and directed to use
24 any balance remaining in the mental health services fund debt service
25 appropriation, after payment by the state comptroller of all obligations
26 required pursuant to any lease, sublease, or other financing arrangement
27 between the dormitory authority of the state of New York as successor to
28 the New York state medical care facilities finance agency, and the

1 facilities development corporation pursuant to chapter 83 of the laws of
2 1995 and the department of mental hygiene for the purpose of making
3 payments to the dormitory authority of the state of New York for the
4 amount of the earnings for the investment of monies deposited in the
5 mental health services fund that such agency determines will or may have
6 to be rebated to the federal government pursuant to the provisions of
7 the internal revenue code of 1986, as amended, in order to enable such
8 agency to maintain the exemption from federal income taxation on the
9 interest paid to the holders of such agency's mental services facilities
10 improvement revenue bonds. Annually on or before each June 30th, such
11 agency shall certify to the state comptroller its determination of the
12 amounts received in the mental health services fund as a result of the
13 investment of monies deposited therein that will or may have to be
14 rebated to the federal government pursuant to the provisions of the
15 internal revenue code of 1986, as amended.

16 § 28. Subdivision 1 of section 16 of part D of chapter 389 of the laws
17 of 1997, relating to the financing of the correctional facilities
18 improvement fund and the youth facility improvement fund, as amended by
19 section 27 of part PP of chapter 56 of the laws of 2023, is amended to
20 read as follows:

21 1. Subject to the provisions of chapter 59 of the laws of 2000, but
22 notwithstanding the provisions of section 18 of section 1 of chapter 174
23 of the laws of 1968, the New York state urban development corporation is
24 hereby authorized to issue bonds, notes and other obligations in an
25 aggregate principal amount not to exceed [nine billion eight hundred
26 sixty-five million eight hundred fifty-nine thousand dollars
27 \$9,865,859,000] ten billion two hundred ninety-nine million three
28 hundred fifty-nine thousand dollars \$10,299,359,000, and shall include

1 all bonds, notes and other obligations issued pursuant to chapter 56 of
2 the laws of 1983, as amended or supplemented. The proceeds of such
3 bonds, notes or other obligations shall be paid to the state, for depos-
4 it in the correctional facilities capital improvement fund to pay for
5 all or any portion of the amount or amounts paid by the state from
6 appropriations or reappropriations made to the department of corrections
7 and community supervision from the correctional facilities capital
8 improvement fund for capital projects. The aggregate amount of bonds,
9 notes or other obligations authorized to be issued pursuant to this
10 section shall exclude bonds, notes or other obligations issued to refund
11 or otherwise repay bonds, notes or other obligations theretofore issued,
12 the proceeds of which were paid to the state for all or a portion of the
13 amounts expended by the state from appropriations or reappropriations
14 made to the department of corrections and community supervision;
15 provided, however, that upon any such refunding or repayment the total
16 aggregate principal amount of outstanding bonds, notes or other obli-
17 gations may be greater than [nine billion eight hundred sixty-five
18 million eight hundred fifty-nine thousand dollars \$9,865,859,000] ten
19 billion two hundred ninety-nine million three hundred fifty-nine thou-
20 sand dollars \$10,299,359,000, only if the present value of the aggregate
21 debt service of the refunding or repayment bonds, notes or other obli-
22 gations to be issued shall not exceed the present value of the aggregate
23 debt service of the bonds, notes or other obligations so to be refunded
24 or repaid. For the purposes hereof, the present value of the aggregate
25 debt service of the refunding or repayment bonds, notes or other obli-
26 gations and of the aggregate debt service of the bonds, notes or other
27 obligations so refunded or repaid, shall be calculated by utilizing the
28 effective interest rate of the refunding or repayment bonds, notes or

1 other obligations, which shall be that rate arrived at by doubling the
2 semi-annual interest rate (compounded semi-annually) necessary to
3 discount the debt service payments on the refunding or repayment bonds,
4 notes or other obligations from the payment dates thereof to the date of
5 issue of the refunding or repayment bonds, notes or other obligations
6 and to the price bid including estimated accrued interest or proceeds
7 received by the corporation including estimated accrued interest from
8 the sale thereof.

9 § 29. Paragraph (a) of subdivision 2 of section 47-e of the private
10 housing finance law, as amended by section 42 of part PP of chapter 56
11 of the laws of 2023, is amended to read as follows:

12 (a) Subject to the provisions of chapter fifty-nine of the laws of two
13 thousand, in order to enhance and encourage the promotion of housing
14 programs and thereby achieve the stated purposes and objectives of such
15 housing programs, the agency shall have the power and is hereby author-
16 ized from time to time to issue negotiable housing program bonds and
17 notes in such principal amount as shall be necessary to provide suffi-
18 cient funds for the repayment of amounts disbursed (and not previously
19 reimbursed) pursuant to law or any prior year making capital appropri-
20 ations or reappropriations for the purposes of the housing program;
21 provided, however, that the agency may issue such bonds and notes in an
22 aggregate principal amount not exceeding [thirteen billion six hundred
23 thirty-five million four hundred twenty-five thousand dollars
24 \$13,635,425,000] thirteen billion nine hundred twenty-nine million three
25 hundred eighty-nine thousand dollars \$13,929,389,000, plus a principal
26 amount of bonds issued to fund the debt service reserve fund in accord-
27 ance with the debt service reserve fund requirement established by the
28 agency and to fund any other reserves that the agency reasonably deems

1 necessary for the security or marketability of such bonds and to provide
2 for the payment of fees and other charges and expenses, including under-
3 writers' discount, trustee and rating agency fees, bond insurance, cred-
4 it enhancement and liquidity enhancement related to the issuance of such
5 bonds and notes. No reserve fund securing the housing program bonds
6 shall be entitled or eligible to receive state funds apportioned or
7 appropriated to maintain or restore such reserve fund at or to a partic-
8 ular level, except to the extent of any deficiency resulting directly or
9 indirectly from a failure of the state to appropriate or pay the agreed
10 amount under any of the contracts provided for in subdivision four of
11 this section.

12 § 30. Paragraph (b) of subdivision 1 of section 385 of the public
13 authorities law, as amended by section 45 of part PP of chapter 56 of
14 the laws of 2023, is amended to read as follows:

15 (b) The authority is hereby authorized, as additional corporate
16 purposes thereof solely upon the request of the director of the budget:

17 (i) to issue special emergency highway and bridge trust fund bonds and
18 notes for a term not to exceed thirty years and to incur obligations
19 secured by the moneys appropriated from the dedicated highway and bridge
20 trust fund established in section eighty-nine-b of the state finance
21 law; (ii) to make available the proceeds in accordance with instructions
22 provided by the director of the budget from the sale of such special
23 emergency highway and bridge trust fund bonds, notes or other obli-
24 gations, net of all costs to the authority in connection therewith, for
25 the purposes of financing all or a portion of the costs of activities
26 for which moneys in the dedicated highway and bridge trust fund estab-
27 lished in section eighty-nine-b of the state finance law are authorized
28 to be utilized or for the financing of disbursements made by the state

1 for the activities authorized pursuant to section eighty-nine-b of the
2 state finance law; and (iii) to enter into agreements with the commis-
3 sioner of transportation pursuant to section ten-e of the highway law
4 with respect to financing for any activities authorized pursuant to
5 section eighty-nine-b of the state finance law, or agreements with the
6 commissioner of transportation pursuant to sections ten-f and ten-g of
7 the highway law in connection with activities on state highways pursuant
8 to these sections, and (iv) to enter into service contracts, contracts,
9 agreements, deeds and leases with the director of the budget or the
10 commissioner of transportation and project sponsors and others to
11 provide for the financing by the authority of activities authorized
12 pursuant to section eighty-nine-b of the state finance law, and each of
13 the director of the budget and the commissioner of transportation are
14 hereby authorized to enter into service contracts, contracts, agree-
15 ments, deeds and leases with the authority, project sponsors or others
16 to provide for such financing. The authority shall not issue any bonds
17 or notes in an amount in excess of [twenty billion six hundred forty-
18 eight million five hundred seven thousand dollars \$20,648,507,000] twen-
19 ty-one billion four hundred fifty-eight million three hundred nine thou-
20 sand dollars \$21,458,309,000, plus a principal amount of bonds or notes:
21 (A) to fund capital reserve funds; (B) to provide capitalized interest;
22 and, (C) to fund other costs of issuance. In computing for the purposes
23 of this subdivision, the aggregate amount of indebtedness evidenced by
24 bonds and notes of the authority issued pursuant to this section, as
25 amended by a chapter of the laws of nineteen hundred ninety-six, there
26 shall be excluded the amount of bonds or notes issued that would consti-
27 tute interest under the United States Internal Revenue Code of 1986, as

1 amended, and the amount of indebtedness issued to refund or otherwise
2 repay bonds or notes.

3 § 31. Paragraph (c) of subdivision 14 of section 1680 of the public
4 authorities law, as amended by section 32 of part PP of chapter 56 of
5 the laws of 2023, is amended to read as follows:

6 (c) Subject to the provisions of chapter fifty-nine of the laws of two
7 thousand, (i) the dormitory authority shall not deliver a series of
8 bonds for city university community college facilities, except to refund
9 or to be substituted for or in lieu of other bonds in relation to city
10 university community college facilities pursuant to a resolution of the
11 dormitory authority adopted before July first, nineteen hundred eighty-
12 five or any resolution supplemental thereto, if the principal amount of
13 bonds so to be issued when added to all principal amounts of bonds
14 previously issued by the dormitory authority for city university commu-
15 nity college facilities, except to refund or to be substituted in lieu
16 of other bonds in relation to city university community college facili-
17 ties will exceed the sum of four hundred twenty-five million dollars and
18 (ii) the dormitory authority shall not deliver a series of bonds issued
19 for city university facilities, including community college facilities,
20 pursuant to a resolution of the dormitory authority adopted on or after
21 July first, nineteen hundred eighty-five, except to refund or to be
22 substituted for or in lieu of other bonds in relation to city university
23 facilities and except for bonds issued pursuant to a resolution supple-
24 mental to a resolution of the dormitory authority adopted prior to July
25 first, nineteen hundred eighty-five, if the principal amount of bonds so
26 to be issued when added to the principal amount of bonds previously
27 issued pursuant to any such resolution, except bonds issued to refund or
28 to be substituted for or in lieu of other bonds in relation to city

1 university facilities, will exceed [eleven billion three hundred four-
2 teen million three hundred fifty-two thousand dollars \$11,314,352,000]
3 eleven billion seven hundred twenty-two million two hundred twenty-two
4 thousand dollars \$11,722,222,000. The legislature reserves the right to
5 amend or repeal such limit, and the state of New York, the dormitory
6 authority, the city university, and the fund are prohibited from coven-
7 anting or making any other agreements with or for the benefit of bond-
8 holders which might in any way affect such right.

9 § 32. Subdivision 1 of section 1689-i of the public authorities law,
10 as amended by section 39 of part PP of chapter 56 of the laws of 2023,
11 is amended to read as follows:

12 1. The dormitory authority is authorized to issue bonds, at the
13 request of the commissioner of education, to finance eligible library
14 construction projects pursuant to section two hundred seventy-three-a of
15 the education law, in amounts certified by such commissioner not to
16 exceed a total principal amount of [three hundred sixty-seven million
17 dollars \$367,000,000] four hundred one million dollars \$401,000,000.

18 § 33. Paragraph (c) of subdivision 19 of section 1680 of the public
19 authorities law, as amended by section 31 of part PP of chapter 56 of
20 the laws of 2023, is amended to read as follows:

21 (c) Subject to the provisions of chapter fifty-nine of the laws of two
22 thousand, the dormitory authority shall not issue any bonds for state
23 university educational facilities purposes if the principal amount of
24 bonds to be issued when added to the aggregate principal amount of bonds
25 issued by the dormitory authority on and after July first, nineteen
26 hundred eighty-eight for state university educational facilities will
27 exceed [eighteen billion one hundred ten million nine hundred sixty-four
28 thousand dollars \$18,110,964,000] eighteen billion seven hundred seven-

1 ty-three million nine hundred sixty-four thousand dollars
2 \$18,773,964,000; provided, however, that bonds issued or to be issued
3 shall be excluded from such limitation if: (1) such bonds are issued to
4 refund state university construction bonds and state university
5 construction notes previously issued by the housing finance agency; or
6 (2) such bonds are issued to refund bonds of the authority or other
7 obligations issued for state university educational facilities purposes
8 and the present value of the aggregate debt service on the refunding
9 bonds does not exceed the present value of the aggregate debt service on
10 the bonds refunded thereby; provided, further that upon certification by
11 the director of the budget that the issuance of refunding bonds or other
12 obligations issued between April first, nineteen hundred ninety-two and
13 March thirty-first, nineteen hundred ninety-three will generate long
14 term economic benefits to the state, as assessed on a present value
15 basis, such issuance will be deemed to have met the present value test
16 noted above. For purposes of this subdivision, the present value of the
17 aggregate debt service of the refunding bonds and the aggregate debt
18 service of the bonds refunded, shall be calculated by utilizing the true
19 interest cost of the refunding bonds, which shall be that rate arrived
20 at by doubling the semi-annual interest rate (compounded semi-annually)
21 necessary to discount the debt service payments on the refunding bonds
22 from the payment dates thereof to the date of issue of the refunding
23 bonds to the purchase price of the refunding bonds, including interest
24 accrued thereon prior to the issuance thereof. The maturity of such
25 bonds, other than bonds issued to refund outstanding bonds, shall not
26 exceed the weighted average economic life, as certified by the state
27 university construction fund, of the facilities in connection with which
28 the bonds are issued, and in any case not later than the earlier of

1 thirty years or the expiration of the term of any lease, sublease or
2 other agreement relating thereto; provided that no note, including
3 renewals thereof, shall mature later than five years after the date of
4 issuance of such note. The legislature reserves the right to amend or
5 repeal such limit, and the state of New York, the dormitory authority,
6 the state university of New York, and the state university construction
7 fund are prohibited from covenanting or making any other agreements with
8 or for the benefit of bondholders which might in any way affect such
9 right.

10 § 34. Subdivision 10-a of section 1680 of the public authorities law,
11 as amended by section 33 of part PP of chapter 56 of the laws of 2023,
12 is amended to read as follows:

13 10-a. Subject to the provisions of chapter fifty-nine of the laws of
14 two thousand, but notwithstanding any other provision of the law to the
15 contrary, the maximum amount of bonds and notes to be issued after March
16 thirty-first, two thousand two, on behalf of the state, in relation to
17 any locally sponsored community college, shall be [one billion two
18 hundred twenty-seven million ninety-five thousand dollars
19 \$1,227,095,000] one billion three hundred sixty-five million three
20 hundred eight thousand dollars \$1,365,308,000. Such amount shall be
21 exclusive of bonds and notes issued to fund any reserve fund or funds,
22 costs of issuance and to refund any outstanding bonds and notes, issued
23 on behalf of the state, relating to a locally sponsored community
24 college.

25 § 35. Paragraph b of subdivision 2 of section 9-a of section 1 of
26 chapter 392 of the laws of 1973, constituting the New York state medical
27 care facilities finance agency act, as amended by section 35 of part PP
28 of chapter 56 of the laws of 2023, is amended to read as follows:

1 b. The agency shall have power and is hereby authorized from time to
2 time to issue negotiable bonds and notes in conformity with applicable
3 provisions of the uniform commercial code in such principal amount as,
4 in the opinion of the agency, shall be necessary, after taking into
5 account other moneys which may be available for the purpose, to provide
6 sufficient funds to the facilities development corporation, or any
7 successor agency, for the financing or refinancing of or for the design,
8 construction, acquisition, reconstruction, rehabilitation or improvement
9 of mental health services facilities pursuant to paragraph a of this
10 subdivision, the payment of interest on mental health services improve-
11 ment bonds and mental health services improvement notes issued for such
12 purposes, the establishment of reserves to secure such bonds and notes,
13 the cost or premium of bond insurance or the costs of any financial
14 mechanisms which may be used to reduce the debt service that would be
15 payable by the agency on its mental health services facilities improve-
16 ment bonds and notes and all other expenditures of the agency incident
17 to and necessary or convenient to providing the facilities development
18 corporation, or any successor agency, with funds for the financing or
19 refinancing of or for any such design, construction, acquisition, recon-
20 struction, rehabilitation or improvement and for the refunding of mental
21 hygiene improvement bonds issued pursuant to section 47-b of the private
22 housing finance law; provided, however, that the agency shall not issue
23 mental health services facilities improvement bonds and mental health
24 services facilities improvement notes in an aggregate principal amount
25 exceeding [twelve billion four hundred eighteen million three hundred
26 thirty-seven thousand dollars \$12,418,337,000] twelve billion nine
27 hundred twenty-one million seven hundred fifty-six thousand dollars
28 \$12,921,756,000, excluding mental health services facilities improvement

1 bonds and mental health services facilities improvement notes issued to
2 refund outstanding mental health services facilities improvement bonds
3 and mental health services facilities improvement notes; provided,
4 however, that upon any such refunding or repayment of mental health
5 services facilities improvement bonds and/or mental health services
6 facilities improvement notes the total aggregate principal amount of
7 outstanding mental health services facilities improvement bonds and
8 mental health facilities improvement notes may be greater than [twelve
9 billion four hundred eighteen million three hundred thirty-seven thou-
10 sand dollars \$12,418,337,000] twelve billion nine hundred twenty-one
11 million seven hundred fifty-six thousand dollars \$12,921,756,000, only
12 if, except as hereinafter provided with respect to mental health
13 services facilities bonds and mental health services facilities notes
14 issued to refund mental hygiene improvement bonds authorized to be
15 issued pursuant to the provisions of section 47-b of the private housing
16 finance law, the present value of the aggregate debt service of the
17 refunding or repayment bonds to be issued shall not exceed the present
18 value of the aggregate debt service of the bonds to be refunded or
19 repaid. For purposes hereof, the present values of the aggregate debt
20 service of the refunding or repayment bonds, notes or other obligations
21 and of the aggregate debt service of the bonds, notes or other obli-
22 gations so refunded or repaid, shall be calculated by utilizing the
23 effective interest rate of the refunding or repayment bonds, notes or
24 other obligations, which shall be that rate arrived at by doubling the
25 semi-annual interest rate (compounded semi-annually) necessary to
26 discount the debt service payments on the refunding or repayment bonds,
27 notes or other obligations from the payment dates thereof to the date of
28 issue of the refunding or repayment bonds, notes or other obligations

1 and to the price bid including estimated accrued interest or proceeds
2 received by the authority including estimated accrued interest from the
3 sale thereof. Such bonds, other than bonds issued to refund outstanding
4 bonds, shall be scheduled to mature over a term not to exceed the aver-
5 age useful life, as certified by the facilities development corporation,
6 of the projects for which the bonds are issued, and in any case shall
7 not exceed thirty years and the maximum maturity of notes or any
8 renewals thereof shall not exceed five years from the date of the
9 original issue of such notes. Notwithstanding the provisions of this
10 section, the agency shall have the power and is hereby authorized to
11 issue mental health services facilities improvement bonds and/or mental
12 health services facilities improvement notes to refund outstanding
13 mental hygiene improvement bonds authorized to be issued pursuant to the
14 provisions of section 47-b of the private housing finance law and the
15 amount of bonds issued or outstanding for such purposes shall not be
16 included for purposes of determining the amount of bonds issued pursuant
17 to this section. The director of the budget shall allocate the aggregate
18 principal authorized to be issued by the agency among the office of
19 mental health, office for people with developmental disabilities, and
20 the office of addiction services and supports, in consultation with
21 their respective commissioners to finance bondable appropriations previ-
22 ously approved by the legislature.

23 § 36. Subdivision (a) of section 48 of part K of chapter 81 of the
24 laws of 2002, relating to providing for the administration of certain
25 funds and accounts related to the 2002-2003 budget, as amended by
26 section 30 of part PP of chapter 56 of the laws of 2023, is amended to
27 read as follows:

1 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
2 notwithstanding the provisions of section 18 of the urban development
3 corporation act, the corporation is hereby authorized to issue bonds or
4 notes in one or more series in an aggregate principal amount not to
5 exceed [five hundred one million five hundred thousand dollars
6 \$501,500,000] five hundred twenty-two million five hundred thousand
7 dollars \$522,500,000, excluding bonds issued to fund one or more debt
8 service reserve funds, to pay costs of issuance of such bonds, and bonds
9 or notes issued to refund or otherwise repay such bonds or notes previ-
10 ously issued, for the purpose of financing capital costs related to
11 homeland security and training facilities for the division of state
12 police, the division of military and naval affairs, and any other state
13 agency, including the reimbursement of any disbursements made from the
14 state capital projects fund, and is hereby authorized to issue bonds or
15 notes in one or more series in an aggregate principal amount not to
16 exceed [one billion seven hundred thirteen million eighty-six thousand
17 dollars \$1,713,086,000] one billion eight hundred fifty-five million two
18 hundred eighty-six thousand dollars \$1,855,286,000, excluding bonds
19 issued to fund one or more debt service reserve funds, to pay costs of
20 issuance of such bonds, and bonds or notes issued to refund or otherwise
21 repay such bonds or notes previously issued, for the purpose of financ-
22 ing improvements to State office buildings and other facilities located
23 statewide, including the reimbursement of any disbursements made from
24 the state capital projects fund. Such bonds and notes of the corporation
25 shall not be a debt of the state, and the state shall not be liable
26 thereon, nor shall they be payable out of any funds other than those
27 appropriated by the state to the corporation for debt service and
28 related expenses pursuant to any service contracts executed pursuant to

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

3 § 37. Subdivision 1 of section 47 of section 1 of chapter 174 of the
4 laws of 1968, constituting the New York state urban development corpo-
5 ration act, as amended by section 44 of part PP of chapter 56 of the
6 laws of 2023, is amended to read as follows:

7 1. Notwithstanding the provisions of any other law to the contrary,
8 the dormitory authority and the corporation are hereby authorized to
9 issue bonds or notes in one or more series for the purpose of funding
10 project costs for the office of information technology services, depart-
11 ment of law, and other state costs associated with such capital
12 projects. The aggregate principal amount of bonds authorized to be
13 issued pursuant to this section shall not exceed [one billion three
14 hundred fifty-three million eight hundred fifty-two thousand dollars
15 \$1,353,852,000] one billion seven hundred forty-two million seven
16 hundred twelve thousand dollars \$1,742,712,000, excluding bonds issued
17 to fund one or more debt service reserve funds, to pay costs of issuance
18 of such bonds, and bonds or notes issued to refund or otherwise repay
19 such bonds or notes previously issued. Such bonds and notes of the
20 dormitory authority and the corporation shall not be a debt of the
21 state, and the state shall not be liable thereon, nor shall they be
22 payable out of any funds other than those appropriated by the state to
23 the dormitory authority and the corporation for principal, interest, and
24 related expenses pursuant to a service contract and such bonds and notes
25 shall contain on the face thereof a statement to such effect. Except for
26 purposes of complying with the internal revenue code, any interest
27 income earned on bond proceeds shall only be used to pay debt service on
28 such bonds.

1 § 38. Subdivision (b) of section 11 of chapter 329 of the laws of
2 1991, amending the state finance law and other laws relating to the
3 establishment of the dedicated highway and bridge trust fund, as amended
4 by section 38 of part PP of chapter 56 of the laws of 2023, is amended
5 to read as follows:

6 (b) Any service contract or contracts for projects authorized pursuant
7 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
8 14-k of the transportation law, and entered into pursuant to subdivision
9 (a) of this section, shall provide for state commitments to provide
10 annually to the thruway authority a sum or sums, upon such terms and
11 conditions as shall be deemed appropriate by the director of the budget,
12 to fund, or fund the debt service requirements of any bonds or any obli-
13 gations of the thruway authority issued to fund or to reimburse the
14 state for funding such projects having a cost not in excess of [thirteen
15 billion nine hundred forty-nine million two hundred thirty-four thousand
16 dollars \$13,949,234,000] fourteen billion seven hundred forty-two
17 million five hundred eighty-seven thousand dollars \$14,742,587,000
18 cumulatively by the end of fiscal year [2023-24] 2024-25. For purposes
19 of this subdivision, such projects shall be deemed to include capital
20 grants to cities, towns and villages for the reimbursement of eligible
21 capital costs of local highway and bridge projects within such munici-
22 pality, where allocations to cities, towns and villages are based on the
23 total number of New York or United States or interstate signed touring
24 route miles for which such municipality has capital maintenance respon-
25 sibility, and where such eligible capital costs include the costs of
26 construction and repair of highways, bridges, highway-railroad cross-
27 ings, and other transportation facilities for projects with a service
28 life of ten years or more.

1 § 39. Section 53 of section 1 of chapter 174 of the laws of 1968,
2 constituting the New York state urban development corporation act, as
3 amended by section 37 of part PP of chapter 56 of the laws of 2023, is
4 amended to read as follows:

5 § 53. 1. Notwithstanding the provisions of any other law to the
6 contrary, the dormitory authority and the urban development corporation
7 are hereby authorized to issue bonds or notes in one or more series for
8 the purpose of funding project costs for the acquisition of equipment,
9 including but not limited to the creation or modernization of informa-
10 tion technology systems and related research and development equipment,
11 health and safety equipment, heavy equipment and machinery, the creation
12 or improvement of security systems, and laboratory equipment and other
13 state costs associated with such capital projects. The aggregate prin-
14 cipal amount of bonds authorized to be issued pursuant to this section
15 shall not exceed [four hundred ninety-three million dollars
16 \$493,000,000] five hundred ninety-three million dollars \$593,000,000,
17 excluding bonds issued to fund one or more debt service reserve funds,
18 to pay costs of issuance of such bonds, and bonds or notes issued to
19 refund or otherwise repay such bonds or notes previously issued. Such
20 bonds and notes of the dormitory authority and the urban development
21 corporation shall not be a debt of the state, and the state shall not be
22 liable thereon, nor shall they be payable out of any funds other than
23 those appropriated by the state to the dormitory authority and the urban
24 development corporation for principal, interest, and related expenses
25 pursuant to a service contract and such bonds and notes shall contain on
26 the face thereof a statement to such effect. Except for purposes of
27 complying with the internal revenue code, any interest income earned on
28 bond proceeds shall only be used to pay debt service on such bonds.

1 2. Notwithstanding any other provision of law to the contrary, in
2 order to assist the dormitory authority and the urban development corpo-
3 ration in undertaking the financing for project costs for the acquisi-
4 tion of equipment, including but not limited to the creation or modern-
5 ization of information technology systems and related research and
6 development equipment, health and safety equipment, heavy equipment and
7 machinery, the creation or improvement of security systems, and labora-
8 tory equipment and other state costs associated with such capital
9 projects, the director of the budget is hereby authorized to enter into
10 one or more service contracts with the dormitory authority and the urban
11 development corporation, none of which shall exceed thirty years in
12 duration, upon such terms and conditions as the director of the budget
13 and the dormitory authority and the urban development corporation agree,
14 so as to annually provide to the dormitory authority and the urban
15 development corporation, in the aggregate, a sum not to exceed the prin-
16 cipal, interest, and related expenses required for such bonds and notes.
17 Any service contract entered into pursuant to this section shall provide
18 that the obligation of the state to pay the amount therein provided
19 shall not constitute a debt of the state within the meaning of any
20 constitutional or statutory provision and shall be deemed executory only
21 to the extent of monies available and that no liability shall be
22 incurred by the state beyond the monies available for such purpose,
23 subject to annual appropriation by the legislature. Any such contract or
24 any payments made or to be made thereunder may be assigned and pledged
25 by the dormitory authority and the urban development corporation as
26 security for its bonds and notes, as authorized by this section.

1 § 40. Subdivision 3 of section 1285-p of the public authorities law,
2 as amended by section 29 of part PP of chapter 56 of the laws of 2023,
3 is amended to read as follows:

4 3. The maximum amount of bonds that may be issued for the purpose of
5 financing environmental infrastructure projects authorized by this
6 section shall be [nine billion three hundred thirty-five million seven
7 hundred ten thousand dollars \$9,335,710,000] ten billion five hundred
8 ninety-five million seven hundred ten thousand dollars \$10,595,710,000,
9 exclusive of bonds issued to fund any debt service reserve funds, pay
10 costs of issuance of such bonds, and bonds or notes issued to refund or
11 otherwise repay bonds or notes previously issued. Such bonds and notes
12 of the corporation shall not be a debt of the state, and the state shall
13 not be liable thereon, nor shall they be payable out of any funds other
14 than those appropriated by the state to the corporation for debt service
15 and related expenses pursuant to any service contracts executed pursuant
16 to subdivision one of this section, and such bonds and notes shall
17 contain on the face thereof a statement to such effect.

18 § 41. Subdivision 1 of section 17 of part D of chapter 389 of the laws
19 of 1997, relating to the financing of the correctional facilities
20 improvement fund and the youth facility improvement fund, as amended by
21 section 34 of part PP of chapter 56 of the laws of 2023, is amended to
22 read as follows:

23 1. Subject to the provisions of chapter 59 of the laws of 2000, but
24 notwithstanding the provisions of section 18 of section 1 of chapter 174
25 of the laws of 1968, the New York state urban development corporation is
26 hereby authorized to issue bonds, notes and other obligations in an
27 aggregate principal amount not to exceed [one billion fourteen million
28 seven hundred thirty-five thousand dollars \$1,014,735,000] one billion

1 sixty-six million seven hundred fifty-five thousand dollars
2 \$1,066,755,000, which authorization increases the aggregate principal
3 amount of bonds, notes and other obligations authorized by section 40 of
4 chapter 309 of the laws of 1996, and shall include all bonds, notes and
5 other obligations issued pursuant to chapter 211 of the laws of 1990, as
6 amended or supplemented. The proceeds of such bonds, notes or other
7 obligations shall be paid to the state, for deposit in the youth facili-
8 ties improvement fund or the capital projects fund, to pay for all or
9 any portion of the amount or amounts paid by the state from appropri-
10 ations or reappropriations made to the office of children and family
11 services from the youth facilities improvement fund for capital
12 projects. The aggregate amount of bonds, notes and other obligations
13 authorized to be issued pursuant to this section shall exclude bonds,
14 notes or other obligations issued to refund or otherwise repay bonds,
15 notes or other obligations theretofore issued, the proceeds of which
16 were paid to the state for all or a portion of the amounts expended by
17 the state from appropriations or reappropriations made to the office of
18 children and family services; provided, however, that upon any such
19 refunding or repayment the total aggregate principal amount of outstand-
20 ing bonds, notes or other obligations may be greater than [one billion
21 fourteen million seven hundred thirty-five thousand dollars
22 \$1,014,735,000] one billion sixty-six million seven hundred fifty-five
23 thousand dollars \$1,066,755,000, only if the present value of the aggre-
24 gate debt service of the refunding or repayment bonds, notes or other
25 obligations to be issued shall not exceed the present value of the
26 aggregate debt service of the bonds, notes or other obligations so to be
27 refunded or repaid. For the purposes hereof, the present value of the
28 aggregate debt service of the refunding or repayment bonds, notes or

1 other obligations and of the aggregate debt service of the bonds, notes
2 or other obligations so refunded or repaid, shall be calculated by
3 utilizing the effective interest rate of the refunding or repayment
4 bonds, notes or other obligations, which shall be that rate arrived at
5 by doubling the semi-annual interest rate (compounded semi-annually)
6 necessary to discount the debt service payments on the refunding or
7 repayment bonds, notes or other obligations from the payment dates there-
8 of to the date of issue of the refunding or repayment bonds, notes or
9 other obligations and to the price bid including estimated accrued
10 interest or proceeds received by the corporation including estimated
11 accrued interest from the sale thereof.

12 § 42. Subdivision 1 of section 386-b of the public authorities law, as
13 amended by section 41 of part PP of chapter 56 of the laws of 2023, is
14 amended to read as follows:

15 1. Notwithstanding any other provision of law to the contrary, the
16 authority, the dormitory authority and the urban development corporation
17 are hereby authorized to issue bonds or notes in one or more series for
18 the purpose of financing peace bridge projects and capital costs of
19 state and local highways, parkways, bridges, the New York state thruway,
20 Indian reservation roads, and facilities, and transportation infrastruc-
21 ture projects including aviation projects, non-MTA mass transit
22 projects, and rail service preservation projects, including work appur-
23 tenant and ancillary thereto. The aggregate principal amount of bonds
24 authorized to be issued pursuant to this section shall not exceed
25 [twelve billion three hundred eight million three hundred eleven thou-
26 sand dollars \$12,308,311,000] fifteen billion one hundred seventy-six
27 million six hundred sixty-nine thousand dollars \$15,176,669,000, exclud-
28 ing bonds issued to fund one or more debt service reserve funds, to pay

1 costs of issuance of such bonds, and to refund or otherwise repay such
2 bonds or notes previously issued. Such bonds and notes of the authority,
3 the dormitory authority and the urban development corporation shall not
4 be a debt of the state, and the state shall not be liable thereon, nor
5 shall they be payable out of any funds other than those appropriated by
6 the state to the authority, the dormitory authority and the urban devel-
7 opment corporation for principal, interest, and related expenses pursu-
8 ant to a service contract and such bonds and notes shall contain on the
9 face thereof a statement to such effect. Except for purposes of comply-
10 ing with the internal revenue code, any interest income earned on bond
11 proceeds shall only be used to pay debt service on such bonds.

12 § 43. Section 44 of section 1 of chapter 174 of the laws of 1968,
13 constituting the New York state urban development corporation act, as
14 amended by section 40 of part PP of chapter 56 of the laws of 2023, is
15 amended to read as follows:

16 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the
17 provisions of any other law to the contrary, the dormitory authority and
18 the corporation are hereby authorized to issue bonds or notes in one or
19 more series for the purpose of funding project costs for the regional
20 economic development council initiative, the economic transformation
21 program, state university of New York college for nanoscale and science
22 engineering, projects within the city of Buffalo or surrounding envi-
23 rons, the New York works economic development fund, projects for the
24 retention of professional football in western New York, the empire state
25 economic development fund, the clarkson-trudeau partnership, the New
26 York genome center, the cornell university college of veterinary medi-
27 cine, the olympic regional development authority, projects at nano
28 Utica, onondaga county revitalization projects, Binghamton university

1 school of pharmacy, New York power electronics manufacturing consortium,
2 regional infrastructure projects, high tech innovation and economic
3 development infrastructure program, high technology manufacturing
4 projects in Chautauqua and Erie county, an industrial scale research and
5 development facility in Clinton county, upstate revitalization initi-
6 ative projects, downstate revitalization initiative, market New York
7 projects, fairground buildings, equipment or facilities used to house
8 and promote agriculture, the state fair, the empire state trail, the
9 moynihan station development project, the Kingsbridge armory project,
10 strategic economic development projects, the cultural, arts and public
11 spaces fund, water infrastructure in the city of Auburn and town of
12 Owasco, a life sciences laboratory public health initiative, not-for-
13 profit pounds, shelters and humane societies, arts and cultural facili-
14 ties improvement program, restore New York's communities initiative,
15 heavy equipment, economic development and infrastructure projects,
16 Roosevelt Island operating corporation capital projects, Lake Ontario
17 regional projects, Pennsylvania station and other transit projects,
18 athletic facilities for professional football in Orchard Park, New York,
19 Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other
20 state costs associated with such projects. The aggregate principal
21 amount of bonds authorized to be issued pursuant to this section shall
22 not exceed [seventeen billion six hundred fifty-five million six hundred
23 two thousand dollars \$17,655,602,000] twenty billion two hundred fifty-
24 four million one hundred ninety-four thousand dollars \$20,254,194,000,
25 excluding bonds issued to fund one or more debt service reserve funds,
26 to pay costs of issuance of such bonds, and bonds or notes issued to
27 refund or otherwise repay such bonds or notes previously issued. Such
28 bonds and notes of the dormitory authority and the corporation shall not

1 be a debt of the state, and the state shall not be liable thereon, nor
2 shall they be payable out of any funds other than those appropriated by
3 the state to the dormitory authority and the corporation for principal,
4 interest, and related expenses pursuant to a service contract and such
5 bonds and notes shall contain on the face thereof a statement to such
6 effect. Except for purposes of complying with the internal revenue
7 code, any interest income earned on bond proceeds shall only be used to
8 pay debt service on such bonds.

9 2. Notwithstanding any other provision of law to the contrary, in
10 order to assist the dormitory authority and the corporation in undertak-
11 ing the financing for project costs for the regional economic develop-
12 ment council initiative, the economic transformation program, state
13 university of New York college for nanoscale and science engineering,
14 projects within the city of Buffalo or surrounding environs, the New
15 York works economic development fund, projects for the retention of
16 professional football in western New York, the empire state economic
17 development fund, the clarkson-trudeau partnership, the New York genome
18 center, the cornell university college of veterinary medicine, the olym-
19 pic regional development authority, projects at nano Utica, onondaga
20 county revitalization projects, Binghamton university school of pharma-
21 cy, New York power electronics manufacturing consortium, regional
22 infrastructure projects, New York State Capital Assistance Program for
23 Transportation, infrastructure, and economic development, high tech
24 innovation and economic development infrastructure program, high tech-
25 nology manufacturing projects in Chautauqua and Erie county, an indus-
26 trial scale research and development facility in Clinton county, upstate
27 revitalization initiative projects, downstate revitalization initiative,
28 market New York projects, fairground buildings, equipment or facilities

1 used to house and promote agriculture, the state fair, the empire state
2 trail, the moynihan station development project, the Kingsbridge armory
3 project, strategic economic development projects, the cultural, arts and
4 public spaces fund, water infrastructure in the city of Auburn and town
5 of Owasco, a life sciences laboratory public health initiative, not-for-
6 profit pounds, shelters and humane societies, arts and cultural facili-
7 ties improvement program, restore New York's communities initiative,
8 heavy equipment, economic development and infrastructure projects,
9 Roosevelt Island operating corporation capital projects, Lake Ontario
10 regional projects, Pennsylvania station and other transit projects,
11 athletic facilities for professional football in Orchard Park, New York,
12 Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other
13 state costs associated with such projects the director of the budget is
14 hereby authorized to enter into one or more service contracts with the
15 dormitory authority and the corporation, none of which shall exceed
16 thirty years in duration, upon such terms and conditions as the director
17 of the budget and the dormitory authority and the corporation agree, so
18 as to annually provide to the dormitory authority and the corporation,
19 in the aggregate, a sum not to exceed the principal, interest, and
20 related expenses required for such bonds and notes. Any service contract
21 entered into pursuant to this section shall provide that the obligation
22 of the state to pay the amount therein provided shall not constitute a
23 debt of the state within the meaning of any constitutional or statutory
24 provision and shall be deemed executory only to the extent of monies
25 available and that no liability shall be incurred by the state beyond
26 the monies available for such purpose, subject to annual appropriation
27 by the legislature. Any such contract or any payments made or to be made
28 thereunder may be assigned and pledged by the dormitory authority and

1 the corporation as security for its bonds and notes, as authorized by
2 this section.

3 § 44. Subdivision (a) of section 28 of part Y of chapter 61 of the
4 laws of 2005, relating to providing for the administration of certain
5 funds and accounts related to the 2005-2006 budget, as amended by
6 section 36 of part PP of chapter 56 of the laws of 2023, is amended to
7 read as follows:

8 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
9 notwithstanding any provisions of law to the contrary, one or more
10 authorized issuers as defined by section 68-a of the state finance law
11 are hereby authorized to issue bonds or notes in one or more series in
12 an aggregate principal amount not to exceed [two hundred forty-seven
13 million dollars \$247,000,000] two hundred ninety-seven million dollars
14 \$297,000,000, excluding bonds issued to finance one or more debt service
15 reserve funds, to pay costs of issuance of such bonds, and bonds or
16 notes issued to refund or otherwise repay such bonds or notes previously
17 issued, for the purpose of financing capital projects for public
18 protection facilities in the Division of Military and Naval Affairs,
19 debt service and leases; and to reimburse the state general fund for
20 disbursements made therefor. Such bonds and notes of such authorized
21 issuer shall not be a debt of the state, and the state shall not be
22 liable thereon, nor shall they be payable out of any funds other than
23 those appropriated by the state to such authorized issuer for debt
24 service and related expenses pursuant to any service contract executed
25 pursuant to subdivision (b) of this section and such bonds and notes
26 shall contain on the face thereof a statement to such effect. Except for
27 purposes of complying with the internal revenue code, any interest

1 income earned on bond proceeds shall only be used to pay debt service on
2 such bonds.

3 § 45. Subdivision 1 of section 50 of section 1 of chapter 174 of the
4 laws of 1968, constituting the New York state urban development corpo-
5 ration act, as amended by section 43 of part PP of chapter 56 of the
6 laws of 2023, is amended to read as follows:

7 1. Notwithstanding the provisions of any other law to the contrary,
8 the dormitory authority and the urban development corporation are hereby
9 authorized to issue bonds or notes in one or more series for the purpose
10 of funding project costs undertaken by or on behalf of the state educa-
11 tion department, special act school districts, state-supported schools
12 for the blind and deaf, approved private special education schools,
13 non-public schools, community centers, day care facilities, residential
14 camps, day camps, Native American Indian Nation schools, and other state
15 costs associated with such capital projects. The aggregate principal
16 amount of bonds authorized to be issued pursuant to this section shall
17 not exceed [three hundred twenty-one million seven hundred ninety-nine
18 thousand dollars \$321,799,000] three hundred forty-one million eight
19 hundred ninety-eight thousand dollars \$341,898,000, excluding bonds
20 issued to fund one or more debt service reserve funds, to pay costs of
21 issuance of such bonds, and bonds or notes issued to refund or otherwise
22 repay such bonds or notes previously issued. Such bonds and notes of the
23 dormitory authority and the urban development corporation shall not be a
24 debt of the state, and the state shall not be liable thereon, nor shall
25 they be payable out of any funds other than those appropriated by the
26 state to the dormitory authority and the urban development corporation
27 for principal, interest, and related expenses pursuant to a service
28 contract and such bonds and notes shall contain on the face thereof a

1 statement to such effect. Except for purposes of complying with the
2 internal revenue code, any interest income earned on bond proceeds shall
3 only be used to pay debt service on such bonds.

4 § 46. Subdivision 1 of section 1680-k of the public authorities law,
5 as amended by section 47 of part PP of chapter 56 of the laws of 2023,
6 is amended to read as follows:

7 1. Subject to the provisions of chapter fifty-nine of the laws of two
8 thousand, but notwithstanding any provisions of law to the contrary, the
9 dormitory authority is hereby authorized to issue bonds or notes in one
10 or more series in an aggregate principal amount not to exceed [forty
11 million nine hundred forty-five thousand dollars \$40,945,000] forty-one
12 million sixty thousand dollars \$41,060,000, excluding bonds issued to
13 finance one or more debt service reserve funds, to pay costs of issuance
14 of such bonds, and bonds or notes issued to refund or otherwise repay
15 such bonds or notes previously issued, for the purpose of financing the
16 construction of the New York state agriculture and markets food labora-
17 tory. Eligible project costs may include, but not be limited to the cost
18 of design, financing, site investigations, site acquisition and prepara-
19 tion, demolition, construction, rehabilitation, acquisition of machinery
20 and equipment, and infrastructure improvements. Such bonds and notes of
21 such authorized issuers shall not be a debt of the state, and the state
22 shall not be liable thereon, nor shall they be payable out of any funds
23 other than those appropriated by the state to such authorized issuers
24 for debt service and related expenses pursuant to any service contract
25 executed pursuant to subdivision two of this section and such bonds and
26 notes shall contain on the face thereof a statement to such effect.
27 Except for purposes of complying with the internal revenue code, any

1 interest income earned on bond proceeds shall only be used to pay debt
2 service on such bonds.

3 § 47. Paragraph a of subdivision 1 of section 9-a of section 1 of
4 chapter 392 of the laws of 1973, constituting the medical care facili-
5 ties finance agency act, as amended by chapter 479 of the laws of 2022,
6 is amended to read as follows:

7 a. "Mental health services facility" shall mean a building, a unit
8 within a building, a laboratory, a classroom, a housing unit, a dining
9 hall, an activities center, a library, real property of any kind or
10 description, or any structure on or improvement to real property of any
11 kind or description, including fixtures and equipment which may or may
12 not be an integral part of any such building, unit, structure or
13 improvement, a walkway, a roadway or a parking lot, and improvements and
14 connections for water, sewer, gas, electrical, telephone, heating, air
15 conditioning and other utility services, or a combination of any of the
16 foregoing, whether for patient care and treatment or staff, staff family
17 or service use, located at or related to any psychiatric center, any
18 developmental center, or any state psychiatric or research institute or
19 other facility now or hereafter established under the state department
20 of mental hygiene. A mental health services facility shall also mean and
21 include a residential care center for adults, a "community mental health
22 and developmental disabilities facility", and a state or voluntary oper-
23 ated treatment facility for use in the conduct of an alcoholism or
24 substance abuse treatment program as defined in the mental hygiene law,
25 unless such residential care center for adults, community mental health
26 and developmental disabilities facility or alcoholism or substance abuse
27 facility is expressly excepted or the context clearly requires other-
28 wise. The definition contained in this subdivision shall not be

1 construed to exclude therefrom a facility, whether or not owned or
2 leased by a voluntary agency, to be made available under lease, or
3 sublease, from the facilities development corporation to a voluntary
4 agency at the request of the commissioners of the offices and directors
5 of the divisions of the department of mental hygiene having jurisdiction
6 thereof for use in providing services in a residential care center for
7 adults, community mental health and developmental disabilities services,
8 or for use in the conduct of an alcoholism or substance abuse treatment
9 program. For purposes of this section mental health services facility
10 shall also mean mental hygiene facility as defined in subdivision ten of
11 section three of the facilities development corporation act and shall
12 also include facilities for: (i) comprehensive psychiatric emergency
13 programs and/or psychiatric inpatient programs or other similar programs
14 under the auspice of municipalities and other public and not-for-profit
15 agencies, dually licensed pursuant to article thirty-one of the mental
16 hygiene law and article twenty-eight of the public health law; and (ii)
17 housing for mentally ill persons under the auspice of municipalities and
18 other public and not-for-profit agencies, approved by the commissioner
19 of the office of mental health, pursuant to article forty-one of the
20 mental hygiene law.

21 § 48. Notwithstanding any law to the contrary, the comptroller is
22 hereby authorized and directed to transfer, upon request of the director
23 of the budget, on or before March 31, 2025 the following amounts from
24 the following special revenue accounts or enterprise funds to the gener-
25 al fund, for the purposes of offsetting principal and interest costs,
26 incurred by the state pursuant to section 386-a of the public authori-
27 ties law, provided that the annual amount of the transfer shall be no
28 more than the principal and interest that would have otherwise been due

1 to the power authority of the state of New York, from any state agency,
2 in a given state fiscal year. Amounts pertaining to special revenue
3 accounts assigned to the state university of New York shall be consid-
4 ered interchangeable between the designated special revenue accounts as
5 to meet the requirements of this section and section 386-a of the public
6 authorities law:

7 1. \$15,000,000 from the miscellaneous special revenue fund, state
8 university general income reimbursable account (22653).

9 2. \$5,000,000 from state university dormitory income fund, state
10 university dormitory income fund (40350).

11 3. \$5,000,000 from the enterprise fund, city university senior college
12 operating fund (60851).

13 § 49. Paragraph (g) of subdivision 1 of section 68-b of the state
14 finance law, as added by section 2 of part I of chapter 383 of the laws
15 of 2001, is amended to read as follows:

16 (g) Revenue bonds authorized hereunder shall be sold by authorized
17 issuers, at public or private sale, at such price or prices as the
18 authorized issuers may determine. Revenue bonds of the authorized
19 issuers shall not be sold by the authorized issuers at private sales
20 unless such sale and the terms thereof have been approved by the state
21 comptroller. The approval of the private sale of such bonds and the
22 terms thereof by the state comptroller shall be limited to a review of
23 (i) the reasonableness of: (1) the bond pricing, taking into account
24 current interest rates; (2) the costs of issuance and underwriters
25 discount for such bonds; (3) if the sale includes refunding bonds, cash
26 flow savings and net present value savings; and (4) if the sale involves
27 an interest rate exchange or similar agreement, the economic terms of
28 such agreement; and (ii) whether the final maturity of the bonds

1 complies with (1) the legal authorization for the project or projects
2 being financed, and (2) the parameters established in the authorized
3 issuer's resolution authorizing the issuance of such bonds, as approved
4 by the public authorities control board pursuant to section fifty-one of
5 the public authorities law.

6 § 50. Paragraph (g) of subdivision 1 of section 69-n of the state
7 finance law, as added by section 58 of part HH of chapter 57 of the laws
8 of 2013, is amended to read as follows:

9 (g) Revenue bonds authorized hereunder shall be sold by authorized
10 issuers, at public or private sale, at such price or prices as the
11 authorized issuers may determine. Revenue bonds of the authorized
12 issuers shall not be sold by the authorized issuers at private sales
13 unless such sale and the terms thereof have been approved by the state
14 comptroller. The approval of the private sale of such bonds and the
15 terms thereof by the state comptroller shall be limited to a review of
16 (i) the reasonableness of: (1) the bond pricing, taking into account
17 current interest rates; (2) the costs of issuance and underwriters
18 discount for such bonds; (3) if the sale includes refunding bonds, cash
19 flow savings and net present value savings; and (4) if the sale involves
20 an interest rate exchange or similar agreement, the economic terms of
21 such agreement; and (ii) whether the final maturity of the bonds
22 complies with (1) the legal authorization for the project or projects
23 being financed, and (2) the parameters established in the authorized
24 issuer's resolution authorizing the issuance of such bonds, as approved
25 by the public authorities control board pursuant to section fifty-one of
26 the public authorities law.

27 § 51. Subdivision 6-a of section 2 of the state finance law, as added
28 by chapter 837 of the laws of 1983, is amended to read as follows:

1 6-a. "Fixed assets". (i) Assets of a long-term, tangible character
 2 which are intended to continue to be held or used, such as land, build-
 3 ings, improvements, machinery, and equipment, and (ii) assets that
 4 provide a long-term interest in land, including conservation easements.

5 § 52. Subdivision 2 of section 2976 of the public authorities law, as
 6 amended by section 1 of part FF of chapter 59 of the laws of 2009, is
 7 amended to read as follows:

8 2. The bond issuance charge shall be computed by multiplying the prin-
 9 cipal amount of bonds issued by the percentage set forth in the schedule
 10 below, provided that: (a) the charge applicable to the principal amount
 11 of single family mortgage revenue bonds shall be seven one-hundredths of
 12 one percent; (b) the issuance of bonds shall not include the remarketing
 13 of bonds; and (c) the issuance of bonds shall not include the [current]
 14 refunding of [short term] bonds, notes or other obligations [for which
 15 the bond issuance charge provided by this section has been paid,
 16 provided that such current refunding (i) occurs within one year from the
 17 issuance of the refunded obligations, or (ii) is part of a program
 18 created by a single indenture or bond resolution that provides for the
 19 periodic issuance and refunding of short term obligations].

20 SCHEDULE

21 Principal Amount of Bonds Issued	Percentage Charge
22 a. [\$1,000,000] <u>\$20,000,000</u> or less	[.168%] <u>0%</u>
23 b. [\$1,000,001 to \$5,000,000	.336%
24 c. \$5,000,001 to \$10,000,000	.504%
25 d. \$10,000,001 to \$20,000,000	.672%
26 e.] More than \$20,000,000	[.84%] <u>.35%</u>

1 § 53. Subdivision 5 of section 68-b of the state finance law, as added
2 by section 2 of part I of chapter 383 of the laws of 2001, is amended to
3 read as follows:

4 5. The authorized issuers, subject to such agreements with holders of
5 revenue bonds as may then exist, or with the providers of any applicable
6 bond or note or other financial or agreement facility, shall have power
7 out of any funds available therefor to purchase revenue bonds of the
8 authorized issuers, which may or may not thereupon be canceled, at a
9 price not exceeding:

10 (a) if the revenue bonds are then redeemable, the redemption price
11 then applicable, including any accrued interest; or

12 (b) if the revenue bonds are not then redeemable, the redemption price
13 and accrued interest applicable on the first date after such purchase
14 upon which the revenue bonds become subject to redemption; or

15 (c) whether or not the revenue bonds are then redeemable, at a redemp-
16 tion price that provides a demonstrated economic benefit to the state,
17 as certified in writing by a financial advisor to the state.

18 § 54. Subdivision 5 of section 69-n of the state finance law, as added
19 by section 58 of part HH of chapter 57 of the laws of 2013, is amended
20 to read as follows:

21 5. The authorized issuers, subject to such agreements with holders of
22 revenue bonds as may then exist, or with the providers of any applicable
23 bond or note or other financial or agreement facility, shall have power
24 out of any funds available therefor to purchase revenue bonds of the
25 authorized issuers, which may or may not thereupon be canceled, at a
26 price not exceeding:

27 (a) If the revenue bonds are then redeemable, the redemption price
28 then applicable, including any accrued interest; or

1 (b) If the revenue bonds are not then redeemable, the redemption price
2 and accrued interest applicable on the first date after such purchase
3 upon which the revenue bonds become subject to redemption; or

4 (c) Whether or not the revenue bonds are then redeemable, at a redemp-
5 tion price that provides a demonstrated economic benefit to the state,
6 as certified in writing by a financial advisor to the state.

7 § 55. Paragraph (b) of subdivision 1 of section 54-b of section 1 of
8 chapter 174 of the laws of 1968 constituting the urban development
9 corporation act, as amended by section 49 of part PP of chapter 56 of
10 the laws of 2023, is amended to read as follows:

11 (b) Notwithstanding any other provision of law to the contrary,
12 including, specifically, the provisions of chapter 59 of the laws of
13 2000 and section sixty-seven-b of the state finance law, the dormitory
14 authority of the state of New York and the corporation are hereby
15 authorized to issue personal income tax revenue anticipation notes with
16 a maturity no later than March 31[, 2024] of the state fiscal year in
17 which such notes are issued, in one or more series in an aggregate prin-
18 cipal amount for each fiscal year not to exceed [three] four billion
19 dollars, and to pay costs of issuance of such notes, for the purpose of
20 temporarily financing budgetary needs of the state. Such purpose shall
21 constitute an authorized purpose under subdivision two of section
22 sixty-eight-a of the state finance law for all purposes of article
23 five-C of the state finance law with respect to the notes authorized by
24 this paragraph. Such notes shall not be renewed, extended or refunded.
25 For so long as any notes authorized by this paragraph shall be outstand-
26 ing, the restrictions, limitations and requirements contained in article
27 five-B of the state finance law shall not apply.

1 § 56. Subdivision 1 of section 386-a of the public authorities law, as
2 amended by section 54 of part PP of chapter 56 of the laws of 2023, is
3 amended to read as follows:

4 1. Notwithstanding any other provision of law to the contrary, the
5 authority, the dormitory authority and the urban development corporation
6 are hereby authorized to issue bonds or notes in one or more series for
7 the purpose of assisting the metropolitan transportation authority in
8 the financing of transportation facilities as defined in subdivision
9 seventeen of section twelve hundred sixty-one of this chapter or other
10 capital projects. The aggregate principal amount of bonds authorized to
11 be issued pursuant to this section shall not exceed twelve billion five
12 hundred fifteen million eight hundred fifty-six thousand dollars
13 \$12,515,856,000, excluding bonds issued to fund one or more debt service
14 reserve funds, to pay costs of issuance of such bonds, and to refund or
15 otherwise repay such bonds or notes previously issued. Such bonds and
16 notes of the authority, the dormitory authority and the urban develop-
17 ment corporation shall not be a debt of the state, and the state shall
18 not be liable thereon, nor shall they be payable out of any funds other
19 than those appropriated by the state to the authority, the dormitory
20 authority and the urban development corporation for principal, interest,
21 and related expenses pursuant to a service contract and such bonds and
22 notes shall contain on the face thereof a statement to such effect.
23 Except for purposes of complying with the internal revenue code, any
24 interest income earned on bond proceeds shall only be used to pay debt
25 service on such bonds. Notwithstanding any other provision of law to the
26 contrary, including the limitations contained in subdivision four of
27 section sixty-seven-b of the state finance law, (A) any bonds and notes
28 issued prior to April first, two thousand [twenty-four] twenty-five

1 pursuant to this section may be issued with a maximum maturity of fifty
2 years, and (B) any bonds issued to refund such bonds and notes may be
3 issued with a maximum maturity of fifty years from the respective date
4 of original issuance of such bonds and notes.

5 § 57. This act shall take effect immediately and shall be deemed to
6 have been in full force and effect on and after April 1, 2024; provided,
7 however, that the provisions of sections one, two, three, four, five,
8 six, seven, eight, fourteen, fifteen, sixteen, seventeen, eighteen,
9 nineteen, twenty, twenty-one, twenty-two, twenty-three, and twenty-four
10 of this act shall expire March 31, 2025; and provided, further, that
11 sections twenty-five and twenty-six of this act shall expire March 31,
12 2028, when upon such dates the provisions of such sections shall be
13 deemed repealed.

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

23 § 3. This act shall take effect immediately provided, however, that
24 the applicable effective date of Parts A through X of this act shall be
25 as specifically set forth in the last section of such Parts.