

FY 2021 NEW YORK STATE EXECUTIVE BUDGET
PUBLIC PROTECTION AND GENERAL GOVERNMENT
ARTICLE VII LEGISLATION

FY 2021 NEW YORK STATE EXECUTIVE BUDGET
PUBLIC PROTECTION GENERAL GOVERNMENTS
ARTICLE VII LEGISLATION

CONTENTS

PART	DESCRIPTION	STARTING PAGE NUMBER
A	Extend Various Criminal Justice and Public Safety Programs That Would Otherwise Sunset	10
B	Close the Electronic Security and Targeting of Online Predators Act (e-STOP) Loophole	22
C	Close the Rape Intoxication Loophole	24
D	Add the Division of Criminal Justice Services to the list of agencies not required to receive a waiver for certain professional services	26
E	Establish the District Attorney Discovery Compensation Fund	27
F	Prison Closures	29
G	Authorize the Transfer of Adolescent Offenders from Department of Corrections and Community Supervision to Office of Children and Family Services	30
H	Preferred services status by the Correctional Industries Program in Department of Corrections and Community Supervision	33
I	Suspend subsidy to revolving loan fund from cell surcharge revenue	35
J	Waive the State Police maximum age for appointment for individuals employed as Park Police Officers	36
K	Preventing the Manufacture and Dissemination of Ghost Guns	38
L	Improving Efficiency in the Investigation of Online Sexual Exploitation of Minors	41
M	Remove Guns from Domestic Abusers	43

PART	DESCRIPTION	STARTING PAGE NUMBER
N	Disqualify Individuals from Gun Ownership if They Commit a Serious Misdemeanor Offense in Another State	56
O	Requires Crime Gun Data to Specified Centralized Databases	59
P	Share Flags from Mental Health Professionals with Other States	62
Q	Establish a Domestic Violence Misdemeanor	63
R	Pass the New York Hate Crime Anti-Terrorism Act	65
S	Cease reimbursement of the Medicare Income Related Monthly Adjustment Amounts to high income State retirees and their dependents in the New York State Health Insurance Program	73
T	Provide a variable market-based interest rate on court judgments and accrued claims paid by public and private entities	74
U	Cap State reimbursement of the Standard Medicare Part B (Medical) premium paid to eligible retirees and their dependents in the New York State Health Insurance Program at the 2020 level of \$144.60 per month	75
V	Implement a sliding scale reimbursement of health care costs for future New York State civilian hires at retirement within the New York State Health Insurance Program	77
W	Continuing to Protect and Strengthen Unions	80
X	Comprehensive Technology Service Contracts	83
Y	Defining Technology	85
Z	Establishment of SFS Procurement and Contracting Authority	87
AA	Permanent 15-Year Lease Authority	88
BB	Require Sexual Harassment Disclosure from State Contractors	89
CC	Creates a new type of license for in-state higher education institutions which would allow both retail and manufacturing privileges for training purposes	92
DD	Allows the holders of an on-premise retail license to meet the food service requirements to serve alcoholic beverages in movie theatres	103

PART	DESCRIPTION	STARTING PAGE NUMBER
EE	To Allow Craft Beverage Brewers and Distillers to Sell Their Products on Their Premises Without Needing Legislative Approval for Each License	106
FF	Establish the hours during which alcoholic beverages may be sold on certain international airport property	109
GG	Small Business Relief - Investment Authority	109
HH	New York State Insurance Fund Small Business Relief - Audit Compliance Authority	112
II	New York State Insurance Fund Small Business Relief - Out of State Coverage	119
JJ	Manual Recounts	120
KK	Eliminate VLT Aid to All Municipalities Outside of Yonkers	121
LL	Enhance Flexibility Within the County-Wide Shared Services Initiative	123
MM	Modify Voting Requirements for the Financial Restructuring Board for Local Governments	124
NN	Clarify AIM-Related Sales Tax Payments Process for Nassau and Erie Counties	126
OO	Authorize Shared County Jails	131
PP	Strengthen Protections for Domestic Violence Victims Seeking a Divorce	134
QQ	Ensure Pay Equity at State and Local Public Authorities	134
RR	Expansion of Access to Civil Orders of Protection in Family Courts	137
SS	Ban on Contributions from Foreign-Influenced Corporations	141
TT	Nothing to Hide Act - Disclosure of Tax Returns	143
UU	Disclosure Requirements for Charitable Nonprofit Entities	152
VV	Authorization for Transfers, Temporary Loans, and Amendments to Miscellaneous Capital/Debt Provisions, Including Bond Caps	155

Legislative Bill Drafting Commission
12670-01-0

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
2020-2021 state fiscal year)

BUDGBI. G; PPGG

AN ACT

to amend chapter 887 of the laws of
1983, amending the correction law
relating to the psychological test-
ing of candidates, in relation to
the effectiveness thereof; to amend
chapter 428 of the laws of 1999,
amending the executive law and the
criminal procedure law relating to
expanding the geographic area of
employment of certain police offi-
cers, in relation to extending the

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	s02 Flanagan	s09 Kaminsky	s25 Montgomery	s23 Savino
s52 Akshar	s55 Funke	s07 Kaplan	s20 Myrie	s32 Sepulveda
s46 Amedore	s59 Gallivan	s26 Kavanagh	s58 O'Mara	s41 Serino
s36 Bailey	s05 Gaughran	s63 Kennedy	s62 Ortt	s29 Serrano
s30 Benjamin	s12 Gianaris	s28 Krueger	s21 Parker	s51 Seward
s34 Biaggi	s22 Gounardes	s24 Lanza	s19 Persaud	s39 Skoufis
s57 Borrello	s47 Griffo	s01 LaValle	s13 Ramos	s16 Stavisky
s04 Boyle	s40 Harckham	s45 Little	s61 Ranzzenhofer	s35 Stewart-
s44 Breslin	s54 Helming	s11 Liu	s48 Ritchie	Cousins
s08 Brooks	s27 Hoylman	s03 Martinez	s33 Rivera	s49 Tedisco
s38 Carlucci	s31 Jackson	s53 May	s56 Robach	s06 Thomas
s14 Comrie	s60 Jacobs	s37 Mayer	s18 Salazar	s50
s17 Felder	s43 Jordan	s42 Metzger	s10 Sanders	

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:

a049 Abbate	a053 Davila	a128 Hunter	a037 Nolan	a140 Schimminger
a092 Abinanti	a072 De La Rosa	a029 Hyndman	a144 Norris	a099 Schmitt
a084 Arroyo	a034 DenDekker	a104 Jacobson	a069 O'Donnell	a076 Seawright
a107 Ashby	a003 DeStefano	a097 Jaffee	a051 Ortiz	a052 Simon
a035 Aubry	a070 Dickens	a011 Jean-Pierre	a091 Otis	a036 Simotas
a120 Barclay	a054 Dilan	a135 Johns	a132 Palmesano	a005 Smith
a030 Barnwell	a081 Dinowitz	a115 Jones	a002 Palumbo	a118 Smullen
a106 Barrett	a147 DiPietro	a077 Joyner	a088 Paulin	a022 Solages
a060 Barron	a016 D'Urso	a040 Kim	a141 Peoples-	a114 Stec
a082 Benedetto	a048 Eichenstein	a131 Kolb	Stokes	a110 Steck
a042 Bichotte	a004 Englebright	a105 Lalor	a058 Perry	a010 Stern
a079 Blake	a074 Epstein	a013 Lavine	a023 Pheffer	a127 Stirpe
a117 Blankenbush	a109 Fahy	a134 Lawrence	Amato	a102 Tague
a098 Brabene	a061 Fall	a050 Lentol	a086 Pichardo	a071 Taylor
a026 Braunstein	a080 Fernandez	a125 Lifton	a089 Pretlow	a001 Thiele
a138 Bronson	a126 Finch	a009 LiPetri	a073 Quart	a033 Vanel
a093 Buchwald	a008 Fitzpatrick	a123 Lupardo	a019 Ra	a116 Walczyk
a142 Burke	a124 Friend	a129 Magnarelli	a006 Ramos	a055 Walker
a119 Buttenschon	a046 Frontus	a064 Malliotakis	a062 Reilly	a143 Wallace
a094 Byrne	a095 Galef	a130 Manktelow	a087 Reyes	a112 Walsh
a133 Byrnes	a137 Gantt	a108 McDonald	a043 Richardson	a041 Weinstein
a103 Cahill	a007 Garbarino	a014 McDonough	a078 Rivera	a024 Weprin
a044 Carroll	a148 Giglio	a146 McMahan	a068 Rodriguez	a059 Williams
a047 Colton	a066 Glick	a017 Mikulin	a136 Romeo	a113 Woerner
a032 Cook	a150 Goodell	a101 Miller, B.	a027 Rosenthal, D.	a056 Wright
a085 Crespo	a075 Gottfried	a038 Miller, M. G.	a067 Rosenthal, L.	a096 Zebrowski
a122 Crouch	a021 Griffin	a020 Miller, M. L.	a025 Rozic	a012
a039 Cruz	a100 Gunther	a015 Montesano	a149 Ryan	a031
a063 Cusick	a139 Hawley	a145 Morinello	a121 Salka	
a045 Cymbrowitz	a083 Heastie	a057 Mosley	a111 Santabarbara	
a018 Darling	a028 Hevesi	a065 Niou	a090 Sayegh	

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 8 copies of memorandum in support (uni-bill).

expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 62 of the laws of 2011, amending the correction law and the executive law relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, in relation to the effectiveness thereof; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter

166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain coun-

ties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018 amending the criminal procedure law relating to pre-criminal proceeding settlements in the city of New York, in relation to the effectiveness thereof (Part A); to amend the correction law, in relation to expanding the definition of internet identifiers and establishing criminal personation by a sex offender (Part B); to amend the penal law, in relation to prohibiting the use of the intoxication of a victim as defense to a criminal charge for sex crimes (Part C); to amend section 7 of part Y of chapter 57 of the laws of 2018, amending the education law relating to persons practicing in certain licensed programs or services who are exempt from practice requirements of professionals licensed by the department of education, in relation to adding the division of criminal justice services to the list of agencies not

required to receive a waiver for entities providing certain professional services (Part D); to amend the state finance law, in relation to establishing the district attorney discovery compensation fund; and to amend the criminal procedure law, in relation to monies recovered by county district attorneys before the filing of an accusatory instrument (Part E); in relation to the closure of correctional facility; and providing for the repeal of such provisions upon expiration thereof (Part F); to amend the correction law and the executive law, in relation to moving adolescent offenders to the office of children and family services; to repeal paragraph (a-1) of subdivision 4 of section 70.20 of the penal law and section 77 of the correction law relating thereto; to repeal paragraphs (a) through (e) of section 508 of the executive law relating to a technical correction; and providing for the repeal of certain provisions upon expiration thereof (Part G); to amend the state finance law, in relation to directing the correctional industries program to provide services in certain situations (Part H); 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 I); to amend the executive law, in relation to the age of appointment for sworn members of the New York state police; and providing for the repeal of such provisions upon expiration thereof (Part J); to amend the penal law, in relation to the possession and sale of firearm, rifle, and shotgun components (Part K); to amend the executive law, in relation to administrative subpoenas (Part L); to amend the criminal procedure law, in relation to establishing the safe homes and families act (Part M); to amend the penal law, in relation to firearm licenses (Part N); to amend the executive law, in relation to the reporting of firearms (Part O); to amend the

mental hygiene law, in relation to sharing information from mental health professionals with other states (Part P); to amend the penal law, in relation to establishing the crime of domestic violence (Part Q); to amend the penal law and the criminal procedure law, in relation to enacting the "New York Hate Crime Anti-Terrorism Act" (Part R); to amend the civil service law, in relation to reimbursement for medicare premium charges (Part S); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgement and accrued claims (Part T); to amend the civil service law, in relation to capping the standard medicare premium charge (Part U); to amend the civil service law, in relation to the state's contribution to the cost of health insurance premiums for future retirees of the state and their dependents (Part V); to amend the civil service law, in relation to continuing to protect and strengthen unions (Part W); to amend the state technology law and the state finance law, in relation to authorizing comprehensive technology service contracts (Part X); to amend the state finance law and the state technology law, in relation to defining the term technology to include computer information, electronic information, interconnected systems and related material thereto (Part Y); to amend section 1 of part S of chapter 56 of the laws of 2010, relating to establishing a joint appointing authority for the state financial system project, in relation to statewide financial system procurements (Part Z); to amend the public buildings law, in relation to the leasing of real property (Part AA); to amend the state finance law, in relation to sexual harassment disclosure with respect to state contracts (Part BB); to amend the alcoholic beverage control law, in relation to creating a higher education institution license (Part CC); to amend the

alcoholic beverage control law, in relation to allowing food that is typically found in a motion picture theatre to be deemed in compliance with food requirements to serve alcoholic beverages (Part DD); to amend the alcoholic beverage control law, in relation to tied house restrictions (Part EE); to amend the alcoholic beverage control law, in relation to establishing the hours during which alcoholic beverages may be sold in certain international airport property (Part FF); to amend the workers' compensation law, in relation to diversifying the New York state insurance fund's investment authority (Part GG); to amend the workers' compensation law, in relation to combatting the New York state insurance fund's surprise premium increases (Part HH); to amend the workers' compensation law, in relation to allowing the New York state insurance fund to enter into agreement with private insurance providers to cover out-of-state work (Part II); to amend the election law, in relation to triggering automatic manual recounts in elections that finish with a small margin of victory (Part JJ); to amend the state finance law, in relation to video lottery terminal aid (Part KK); to amend the general municipal law, in relation to enhancing flexibility within the county-wide shared services initiative (Part LL); to amend the local finance law, in relation to the voting requirements for the financial restructuring board for local governments (Part MM); to amend the tax law and the public authorities law, in relation to AIM-related sales tax payments in the counties of Nassau and Erie (Part NN); to amend the county law, the correction law and the judiciary law, in relation to authorizing shared county jails (Part OO); to amend the domestic relations law, in relation to consideration of the effects of domestic violence and other acts on future financial circumstances to determine equitable distribution of marital property

(Part PP); to amend the public authorities law, in relation to ensuring pay equity at state and local public authorities (Part QQ); to amend the family court act and the criminal procedure law, in relation to orders of protection (Part RR); to amend the election law, in relation to banning campaign contributions from foreign corporations (Part SS); to amend the public officers law and the election law, in relation to requiring the disclosure of tax returns for certain elected officials and appointed employees (Part TT); to amend the executive law and the tax law, in relation to disclosure requirements for certain nonprofits (Part UU); and to provide for the administration of certain funds and accounts related to the 2020-2021 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; 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 certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or 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 certain bonds or notes; to amend the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; 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 certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, 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 state finance law, in relation to payments of bonds; to amend the civil practice law and rules, in relation to an action related to a bond; and providing for the repeal of certain provisions upon expiration thereof (Part VV)

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 which are necessary to implement the state fiscal plan for the 2020-2021
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through VV. The effective date for each particular
5 provision contained within such Part is set forth in the last section of
6 such Part. Any provision in any section contained within a Part, includ-
7 ing the effective date of the Part, which makes a reference to a section
8 "of this act", when used in connection with that particular component,
9 shall be deemed to mean and refer to the corresponding section of the
10 Part in which it is found. Section three of this act sets forth the
11 general effective date of this act.

12 PART A

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
14 correction law relating to the psychological testing of candidates, as
15 amended by section 1 of part 0 of chapter 55 of the laws of 2019, is
16 amended to read as follows:

17 § 2. This act shall take effect on the one hundred eightieth day after
18 it shall have become a law and shall remain in effect until September 1,
19 [2020] 2022.

20 § 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
21 tive law and the criminal procedure law relating to expanding the
22 geographic area of employment of certain police officers, as amended by
23 section 2 of part 0 of chapter 55 of the laws of 2019, is amended to
24 read as follows:

25 § 3. This act shall take effect on the first day of November next
26 succeeding the date on which it shall have become a law, and shall

1 remain in effect until the first day of September, [2020] 2022, when it
2 shall expire and be deemed repealed.

3 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
4 correction law and the penal law relating to prisoner furloughs in
5 certain cases and the crime of absconding therefrom, as amended by
6 section 3 of part 0 of chapter 55 of the laws of 2019, is amended to
7 read as follows:

8 § 3. This act shall take effect 60 days after it shall have become a
9 law and shall remain in effect until September 1, [2020] 2022.

10 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
11 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
12 other chapters and laws relating to correctional facilities, as amended
13 by section 4 of part 0 of chapter 55 of the laws of 2019, is amended to
14 read as follows:

15 § 20. This act shall take effect immediately except that section thir-
16 teen of this act shall expire and be of no further force or effect on
17 and after September 1, [2020] 2022 and shall not apply to persons
18 committed to the custody of the department after such date, and provided
19 further that the commissioner of corrections and community supervision
20 shall report each January first and July first during such time as the
21 earned eligibility program is in effect, to the chairmen of the senate
22 crime victims, crime and correction committee, the senate codes commit-
23 tee, the assembly correction committee, and the assembly codes commit-
24 tee, the standards in effect for earned eligibility during the prior
25 six-month period, the number of inmates subject to the provisions of
26 earned eligibility, the number who actually received certificates of
27 earned eligibility during that period of time, the number of inmates
28 with certificates who are granted parole upon their first consideration

1 for parole, the number with certificates who are denied parole upon
2 their first consideration, and the number of individuals granted and
3 denied parole who did not have earned eligibility certificates.

4 § 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992,
5 amending the tax law and other laws relating to taxes, surcharges, fees
6 and funding, as amended by section 5 of part 0 of chapter 55 of the laws
7 of 2019, is amended to read as follows:

8 (q) the provisions of section two hundred eighty-four of this act
9 shall remain in effect until September 1, [2020] 2022 and be applicable
10 to all persons entering the program on or before August 31, [2020] 2022.

11 § 6. Section 10 of chapter 339 of the laws of 1972, amending the
12 correction law and the penal law relating to inmate work release,
13 furlough and leave, as amended by section 6 of part 0 of chapter 55 of
14 the laws of 2019, is amended to read as follows:

15 § 10. This act shall take effect 30 days after it shall have become a
16 law and shall remain in effect until September 1, [2020] 2022, and
17 provided further that the commissioner of correctional services shall
18 report each January first, and July first, to the chairman of the senate
19 crime victims, crime and correction committee, the senate codes commit-
20 tee, the assembly correction committee, and the assembly codes commit-
21 tee, the number of eligible inmates in each facility under the custody
22 and control of the commissioner who have applied for participation in
23 any program offered under the provisions of work release, furlough, or
24 leave, and the number of such inmates who have been approved for partic-
25 ipation.

26 § 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994
27 relating to certain provisions which impact upon expenditure of certain
28 appropriations made by chapter 50 of the laws of 1994 enacting the state

1 operations budget, as amended by section 7 of part 0 of chapter 55 of
2 the laws of 2019, is amended to read as follows:

3 (c) sections forty-one and forty-two of this act shall expire Septem-
4 ber 1, [2020] 2022; provided, that the provisions of section forty-two
5 of this act shall apply to inmates entering the work release program on
6 or after such effective date; and

7 § 8. Subdivision h of section 74 of chapter 3 of the laws of 1995,
8 amending the correction law and other laws relating to the incarceration
9 fee, as amended by section 8 of part 0 of chapter 55 of the laws of
10 2019, is amended to read as follows:

11 h. Section fifty-two of this act shall be deemed to have been in full
12 force and effect on and after April 1, 1995; provided, however, that the
13 provisions of section 189 of the correction law, as amended by section
14 fifty-five of this act, subdivision 5 of section 60.35 of the penal law,
15 as amended by section fifty-six of this act, and section fifty-seven of
16 this act shall expire September 1, [2020] 2022, when upon such date the
17 amendments to the correction law and penal law made by sections fifty-
18 five and fifty-six of this act shall revert to and be read as if the
19 provisions of this act had not been enacted; provided, however, that
20 sections sixty-two, sixty-three and sixty-four of this act shall be
21 deemed to have been in full force and effect on and after March 1, 1995
22 and shall be deemed repealed April 1, 1996 and upon such date the
23 provisions of subsection (e) of section 9110 of the insurance law and
24 subdivision 2 of section 89-d of the state finance law shall revert to
25 and be read as set out in law on the date immediately preceding the
26 effective date of sections sixty-two and sixty-three of this act;

27 § 9. Subdivision (c) of section 49 of subpart A of part C of chapter
28 62 of the laws of 2011 amending the correction law and the executive law

1 relating to merging the department of correctional services and division
2 of parole into the department of corrections and community supervision,
3 as amended by section 9 of part 0 of chapter 55 of the laws of 2019, is
4 amended to read as follows:

5 (c) that the amendments to subdivision 9 of section 201 of the
6 correction law as added by section thirty-two of this act shall remain
7 in effect until September 1, [2020] 2022, when it shall expire and be
8 deemed repealed;

9 § 10. Subdivision (aa) of section 427 of chapter 55 of the laws of
10 1992, amending the tax law and other laws relating to taxes, surcharges,
11 fees and funding, as amended by section 10 of part 0 of chapter 55 of
12 the laws of 2019, is amended to read as follows:

13 (aa) the provisions of sections three hundred eighty-two, three
14 hundred eighty-three and three hundred eighty-four of this act shall
15 expire on September 1, [2020] 2022;

16 § 11. Section 12 of chapter 907 of the laws of 1984, amending the
17 correction law, the New York city criminal court act and the executive
18 law relating to prison and jail housing and alternatives to detention
19 and incarceration programs, as amended by section 11 of part 0 of chap-
20 ter 55 of the laws of 2019, is amended to read as follows:

21 § 12. This act shall take effect immediately, except that the
22 provisions of sections one through ten of this act shall remain in full
23 force and effect until September 1, [2020] 2022 on which date those
24 provisions shall be deemed to be repealed.

25 § 12. Subdivision (p) of section 406 of chapter 166 of the laws of
26 1991, amending the tax law and other laws relating to taxes, as amended
27 by section 12 of part 0 of chapter 55 of the laws of 2019, is amended to
28 read as follows:

1 (p) The amendments to section 1809 of the vehicle and traffic law made
2 by sections three hundred thirty-seven and three hundred thirty-eight of
3 this act shall not apply to any offense committed prior to such effec-
4 tive date; provided, further, that section three hundred forty-one of
5 this act shall take effect immediately and shall expire November 1, 1993
6 at which time it shall be deemed repealed; sections three hundred
7 forty-five and three hundred forty-six of this act shall take effect
8 July 1, 1991; sections three hundred fifty-five, three hundred fifty-
9 six, three hundred fifty-seven and three hundred fifty-nine of this act
10 shall take effect immediately and shall expire June 30, 1995 and shall
11 revert to and be read as if this act had not been enacted; section three
12 hundred fifty-eight of this act shall take effect immediately and shall
13 expire June 30, 1998 and shall revert to and be read as if this act had
14 not been enacted; section three hundred sixty-four through three hundred
15 sixty-seven of this act shall apply to claims filed on or after such
16 effective date; sections three hundred sixty-nine, three hundred seven-
17 ty-two, three hundred seventy-three, three hundred seventy-four, three
18 hundred seventy-five and three hundred seventy-six of this act shall
19 remain in effect until September 1, [2020] 2022, at which time they
20 shall be deemed repealed; provided, however, that the mandatory
21 surcharge provided in section three hundred seventy-four of this act
22 shall apply to parking violations occurring on or after said effective
23 date; and provided further that the amendments made to section 235 of
24 the vehicle and traffic law by section three hundred seventy-two of this
25 act, the amendments made to section 1809 of the vehicle and traffic law
26 by sections three hundred thirty-seven and three hundred thirty-eight of
27 this act and the amendments made to section 215-a of the labor law by
28 section three hundred seventy-five of this act shall expire on September

1 1, [2020] 2022 and upon such date the provisions of such subdivisions
2 and sections shall revert to and be read as if the provisions of this
3 act had not been enacted; the amendments to subdivisions 2 and 3 of
4 section 400.05 of the penal law made by sections three hundred seventy-
5 seven and three hundred seventy-eight of this act shall expire on July
6 1, 1992 and upon such date the provisions of such subdivisions shall
7 revert and shall be read as if the provisions of this act had not been
8 enacted; the state board of law examiners shall take such action as is
9 necessary to assure that all applicants for examination for admission to
10 practice as an attorney and counsellor at law shall pay the increased
11 examination fee provided for by the amendment made to section 465 of the
12 judiciary law by section three hundred eighty of this act for any exam-
13 ination given on or after the effective date of this act notwithstanding
14 that an applicant for such examination may have prepaid a lesser fee for
15 such examination as required by the provisions of such section 465 as of
16 the date prior to the effective date of this act; the provisions of
17 section 306-a of the civil practice law and rules as added by section
18 three hundred eighty-one of this act shall apply to all actions pending
19 on or commenced on or after September 1, 1991, provided, however, that
20 for the purposes of this section service of such summons made prior to
21 such date shall be deemed to have been completed on September 1, 1991;
22 the provisions of section three hundred eighty-three of this act shall
23 apply to all money deposited in connection with a cash bail or a
24 partially secured bail bond on or after such effective date; and the
25 provisions of sections three hundred eighty-four and three hundred
26 eighty-five of this act shall apply only to jury service commenced
27 during a judicial term beginning on or after the effective date of this
28 act; provided, however, that nothing contained herein shall be deemed to

1 affect the application, qualification, expiration or repeal of any
2 provision of law amended by any section of this act and such provisions
3 shall be applied or qualified or shall expire or be deemed repealed in
4 the same manner, to the same extent and on the same date as the case may
5 be as otherwise provided by law;

6 § 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as
7 amended by section 13 of part 0 of chapter 55 of the laws of 2019, is
8 amended to read as follows:

9 8. The provisions of this section shall only apply to offenses commit-
10 ted on or before September first, two thousand [twenty] twenty-two.

11 § 14. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
12 cle and traffic law relating to the ignition interlock device program,
13 as amended by section 14 of part 0 of chapter 55 of the laws of 2019, is
14 amended to read as follows:

15 § 6. This act shall take effect on the first day of April next
16 succeeding the date on which it shall have become a law; provided,
17 however, that effective immediately, the addition, amendment or repeal
18 of any rule or regulation necessary for the implementation of the fore-
19 going sections of this act on their effective date is authorized and
20 directed to be made and completed on or before such effective date and
21 shall remain in full force and effect until the first day of September,
22 [2020] 2022 when upon such date the provisions of this act shall be
23 deemed repealed.

24 § 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
25 laws of 1997, amending the military law and other laws relating to vari-
26 ous provisions, as amended by section 15 of part 0 of chapter 55 of the
27 laws of 2019, is amended to read as follows:

1 a. sections forty-three through forty-five of this act shall expire
2 and be deemed repealed on September 1, [2020] 2022;

3 § 16. Section 4 of part D of chapter 412 of the laws of 1999, amending
4 the civil practice law and rules and the court of claims act relating to
5 prisoner litigation reform, as amended by section 16 of part O of chap-
6 ter 55 of the laws of 2019, is amended to read as follows:

7 § 4. This act shall take effect 120 days after it shall have become a
8 law and shall remain in full force and effect until September 1, [2020]
9 2022, when upon such date it shall expire.

10 § 17. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
11 constituting the family protection and domestic violence intervention
12 act of 1994, as amended by section 17 of part O of chapter 55 of the
13 laws of 2019, is amended to read as follows:

14 2. Subdivision 4 of section 140.10 of the criminal procedure law as
15 added by section thirty-two of this act shall take effect January 1,
16 1996 and shall expire and be deemed repealed on September 1, [2020]
17 2022.

18 § 18. Section 5 of chapter 505 of the laws of 1985, amending the crim-
19 inal procedure law relating to the use of closed-circuit television and
20 other protective measures for certain child witnesses, as amended by
21 section 18 of part O of chapter 55 of the laws of 2019, is amended to
22 read as follows:

23 § 5. This act shall take effect immediately and shall apply to all
24 criminal actions and proceedings commenced prior to the effective date
25 of this act but still pending on such date as well as all criminal
26 actions and proceedings commenced on or after such effective date and
27 its provisions shall expire on September 1, [2020] 2022, when upon such
28 date the provisions of this act shall be deemed repealed.

1 § 19. Subdivision d of section 74 of chapter 3 of the laws of 1995,
2 enacting the sentencing reform act of 1995, as amended by section 19 of
3 part 0 of chapter 55 of the laws of 2019, is amended to read as follows:

4 d. Sections one-a through twenty, twenty-four through twenty-eight,
5 thirty through thirty-nine, forty-two and forty-four of this act shall
6 be deemed repealed on September 1, [2020] 2022;

7 § 20. Section 2 of chapter 689 of the laws of 1993 amending the crimi-
8 nal procedure law relating to electronic court appearance in certain
9 counties, as amended by section 20 of part 0 of chapter 55 of the laws
10 of 2019, is amended to read as follows:

11 § 2. This act shall take effect immediately, except that the
12 provisions of this act shall be deemed to have been in full force and
13 effect since July 1, 1992 and the provisions of this act shall expire
14 September 1, [2020] 2022 when upon such date the provisions of this act
15 shall be deemed repealed.

16 § 21. Section 3 of chapter 688 of the laws of 2003, amending the exec-
17 utive law relating to enacting the interstate compact for adult offender
18 supervision, as amended by section 21 of part 0 of chapter 55 of the
19 laws of 2019, is amended to read as follows:

20 § 3. This act shall take effect immediately, except that section one
21 of this act shall take effect on the first of January next succeeding
22 the date on which it shall have become a law, and shall remain in effect
23 until the first of September, [2020] 2022, upon which date this act
24 shall be deemed repealed and have no further force and effect; provided
25 that section one of this act shall only take effect with respect to any
26 compacting state which has enacted an interstate compact entitled
27 "Interstate compact for adult offender supervision" and having an iden-
28 tical effect to that added by section one of this act and provided

1 further that with respect to any such compacting state, upon the effec-
2 tive date of section one of this act, section 259-m of the executive law
3 is hereby deemed REPEALED and section 259-mm of the executive law, as
4 added by section one of this act, shall take effect; and provided
5 further that with respect to any state which has not enacted an inter-
6 state compact entitled "Interstate compact for adult offender super-
7 vision" and having an identical effect to that added by section one of
8 this act, section 259-m of the executive law shall take effect and the
9 provisions of section one of this act, with respect to any such state,
10 shall have no force or effect until such time as such state shall adopt
11 an interstate compact entitled "Interstate compact for adult offender
12 supervision" and having an identical effect to that added by section one
13 of this act in which case, with respect to such state, effective imme-
14 diately, section 259-m of the executive law is deemed repealed and
15 section 259-mm of the executive law, as added by section one of this
16 act, shall take effect.

17 § 22. Section 8 of part H of chapter 56 of the laws of 2009, amending
18 the correction law relating to limiting the closing of certain correc-
19 tional facilities, providing for the custody by the department of
20 correctional services of inmates serving definite sentences, providing
21 for custody of federal prisoners and requiring the closing of certain
22 correctional facilities, as amended by section 22 of part O of chapter
23 55 of the laws of 2019, is amended to read as follows:

24 § 8. This act shall take effect immediately; provided, however that
25 sections five and six of this act shall expire and be deemed repealed
26 September 1, [2020] 2022.

27 § 23. Section 3 of part C of chapter 152 of the laws of 2001 amending
28 the military law relating to military funds of the organized militia, as

1 amended by section 23 of part O of chapter 55 of the laws of 2019, is
2 amended to read as follows:

3 § 3. This act shall take effect immediately; provided however that the
4 amendments made to subdivision 1 of section 221 of the military law by
5 section two of this act shall expire and be deemed repealed September 1,
6 [2020] 2022.

7 § 24. Section 5 of chapter 554 of the laws of 1986, amending the
8 correction law and the penal law relating to providing for community
9 treatment facilities and establishing the crime of absconding from the
10 community treatment facility, as amended by section 24 of part O of
11 chapter 55 of the laws of 2019, is amended to read as follows:

12 § 5. This act shall take effect immediately and shall remain in full
13 force and effect until September 1, [2020] 2022, and provided further
14 that the commissioner of correctional services shall report each January
15 first and July first during such time as this legislation is in effect,
16 to the chairmen of the senate crime victims, crime and correction
17 committee, the senate codes committee, the assembly correction commit-
18 tee, and the assembly codes committee, the number of individuals who are
19 released to community treatment facilities during the previous six-month
20 period, including the total number for each date at each facility who
21 are not residing within the facility, but who are required to report to
22 the facility on a daily or less frequent basis.

23 § 25. Section 2 of part F of chapter 55 of the laws of 2018, amending
24 the criminal procedure law relating to pre-criminal proceeding settle-
25 ments in the city of New York, as amended by section 25 of part O of
26 chapter 55 of the laws of 2019, is amended to read as follows:

1 § 2. This act shall take effect immediately and shall remain in full
2 force and effect until March 31, [2020] 2022, when it shall expire and
3 be deemed repealed.

4 § 26. This act shall take effect immediately, provided however that
5 section twenty-five of this act shall be deemed to have been in full
6 force and effect on and after March 31, 2020.

7 PART B

8 Section 1. Subdivision 18 of section 168-a of the correction law, as
9 added by chapter 67 of the laws of 2008, is amended to read as follows:

10 18. "Internet identifiers" means [electronic mail addresses and desig-
11 nations used for the purposes of chat, instant messaging, social
12 networking or other similar internet communication] (a) person-specific
13 designations, including but not limited to electronic mail addresses,
14 phone numbers, account names, user names, screen names and gaming tags,
15 as well as aliases used for the purposes of chatting, messaging, gaming,
16 dating, networking, social media, file sharing, information sharing, or
17 other internet communication or contact and (b) the name or names of
18 internet applications, or other downloadable applications intended for
19 use on a mobile device, sites, platforms or other software where such
20 person-specific designations or aliases are used to engage in chat,
21 messaging, gaming, dating, networking, social media, file sharing,
22 information sharing, or other internet communication or contact.

23 § 2. Subdivision 10 of section 168-b of the correction law, as added
24 by chapter 67 of the laws of 2008, is amended to read as follows:

25 10. The division shall, upon the request of any authorized internet
26 entity, release to such entity internet identifiers that would enable

1 such entity to prescreen or remove sex offenders from its services or,
2 in conformity with state and federal law, advise law enforcement and/or
3 other governmental entities of potential violations of law and/or
4 threats to public safety. Before releasing any information the division
5 shall require an authorized internet entity that requests information
6 from the registry to submit to the division the name, address and tele-
7 phone number of such entity and the specific legal nature and corporate
8 status of such entity. Except for the purposes specified in this subdivi-
9 sion, an authorized internet entity shall not publish or in any way
10 disclose or redisclose any information provided to it by the division
11 pursuant to this subdivision. An authorized internet entity or internet
12 access provider shall review the information provided by the division
13 pursuant to this section. Such authorized internet entity or internet
14 access provider shall develop policies regarding the use of such infor-
15 mation and publicly release such policies to its users, in accordance
16 with rules and regulations promulgated by the division pursuant to this
17 subdivision. The division may charge an authorized internet entity a fee
18 for access to registered internet identifiers requested by such entity
19 pursuant to this subdivision. The division shall promulgate rules and
20 regulations relating to procedures for the release of information in the
21 registry, including but not limited to, the disclosure and redisclosure
22 of such information, and the imposition of any fees, and rules and regu-
23 lations relating to criteria required for the policies to be developed
24 by authorized internet entities and internet access providers.

25 § 3. Section 168-w of the correction law, as relettered by chapter 604
26 of the laws of 2005, is relettered section 168-x and a new section 168-w
27 is added to read as follows:

1 § 168-w. Criminal personation by a sex offender. 1. A person is guilty
2 of criminal personation by a sex offender when, being required to regis-
3 ter or verify under the provisions of this article, he or she, for the
4 purpose of engaging in chat, messaging, gaming, dating, networking,
5 social media, file sharing, information sharing, or other internet
6 communication or contact, knowingly misrepresents his or her actual
7 name, gender, date of birth, address, or status as a sex offender to
8 another person, with the intent to defraud, deceive or injure such
9 person or another person.

10 2. Any sex offender required to register or to verify pursuant to the
11 provisions of this article who commits the crime of criminal personation
12 by a sex offender as defined in subdivision one of this section shall be
13 guilty of a class E felony upon conviction for the first offense, and
14 upon conviction for a second or subsequent offense shall be guilty of a
15 class D felony. The commission of such offense shall also be the basis
16 for revocation of parole pursuant to section two hundred fifty-nine-i of
17 the executive law or the basis for revocation of probation pursuant to
18 article four hundred ten of the criminal procedure law.

19 § 4. This act shall take effect immediately.

20 PART C

21 Section 1. Subdivision 6 of section 130.00 of the penal law is amended
22 to read as follows:

23 6. "Mentally incapacitated" means that a person is rendered temporar-
24 ily incapable of appraising or controlling his or her conduct owing to
25 the influence of a narcotic or intoxicating substance administered to

1 him or her without his or her consent, or to any other act committed
2 upon him or her without his or her consent.

3 § 2. Paragraph (d) of subdivision 2 of section 130.05 of the penal
4 law, as amended by chapter 40 of the laws of 2004, is amended and a new
5 paragraph (e) is added to read as follows:

6 (d) Where the offense charged is sexual misconduct as defined in
7 subdivisions one and two of section 130.20, rape in the third degree as
8 defined in subdivision three of section 130.25, or criminal sexual act
9 in the third degree as defined in subdivision three of section 130.40,
10 in addition to forcible compulsion, circumstances under which, at the
11 time of the act of intercourse, oral sexual conduct or anal sexual
12 conduct, the victim clearly expressed that he or she did not consent to
13 engage in such act, and a reasonable person in the actor's situation
14 would have understood such person's words and acts as an expression of
15 lack of consent to such act under all the circumstances[.]; or

16 (e) Where the offense charged is sexual misconduct as defined in
17 subdivisions one and two of section 130.20, rape in the third degree as
18 defined in subdivision three of section 130.25, or criminal sexual act
19 in the third degree as defined in subdivision three of section 130.40,
20 in addition to forcible compulsion, circumstances under which, at the
21 time of the act of intercourse, oral sexual conduct or anal sexual
22 conduct, the victim is under the influence of any drug, intoxicant, or
23 other substance to a degree which renders that person unable to give
24 knowing and voluntary consent and that condition is known or reasonably
25 should be known to a person in the actor's situation.

26 § 3. Subdivision 4 of section 130.35 of the penal law, as added by
27 chapter 1 of the laws of 2000, is amended and a new subdivision 5 is
28 added to read as follows:

1 4. Who is less than thirteen years old and the actor is eighteen years
2 old or more[.]; or

3 5. Who is incapable of consent by reason of being mentally incapaci-
4 tated as defined in subdivision six of section 130.00 of this article
5 and such incapacitation is due in part to the conduct of the actor, and
6 the actor intended to cause such incapacitation.

7 § 4. Subdivision 4 of section 130.50 of the penal law, as amended by
8 chapter 264 of the laws of 2003, is amended and a new subdivision 5 is
9 added to read as follows:

10 4. Who is less than thirteen years old and the actor is eighteen years
11 old or more[.]; or

12 5. Who is incapable of consent by reason of being mentally incapaci-
13 tated as defined in subdivision six of section 130.00 of this article
14 and such incapacitation is due in part to the conduct of the actor, and
15 the actor intended to cause such incapacitation.

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

18 PART D

19 Section 1. Section 7 of part Y of chapter 57 of the laws of 2018,
20 amending the education law relating to persons practicing in certain
21 licensed programs or services who are exempt from practice requirements
22 of professionals licensed by the department of education, is amended to
23 read as follows:

24 § 7. Programs and services operated, regulated, funded, or approved by
25 the department of mental hygiene, the office of children and family
26 services, the department of corrections and community supervision, the

1 office of temporary and disability assistance, the state office for the
2 aging [and], the department of health, and the division of criminal
3 justice services or a local governmental unit as the term is defined in
4 section 41.03 of the mental hygiene law or a social services district as
5 defined in section 61 of the social services law shall not be required
6 to receive a waiver pursuant to section 6503-a of the education law and,
7 further, such programs and services shall also be considered to be
8 approved settings for the receipt of supervised experience for the
9 professions governed by articles 153, 154 and 163 of the education law.

10 § 2. This act shall take effect immediately.

11 PART E

12 Section 1. The state finance law is amended by adding a new section
13 99-hh to read as follows:

14 § 99-hh. District attorney discovery compensation fund. 1. There is
15 hereby established in the joint custody of the state comptroller and the
16 commissioner of taxation and finance a fund to be known as the district
17 attorney discovery compensation fund.

18 2. (a) Such fund shall consist of two million dollars upon immediate
19 transfer from funds secured by payments associated with state sanctioned
20 deferred prosecution agreements currently held on deposit with the
21 office of the Manhattan district attorney.

22 (b) The office of the Manhattan district attorney shall annually remit
23 two million dollars of future state sanctioned deferred prosecution
24 agreement funds which have been secured by January first of the subse-
25 quent year. If two million dollars in future funding has not been
26 secured, the office of the Manhattan district attorney shall transfer

1 two million dollars from funds secured by payments associated with state
2 sanctioned deferred prosecution agreements currently held on deposit
3 with the office of the Manhattan district attorney by January first.

4 3. Monies of the district attorney discovery compensation fund,
5 following appropriation by the legislature and allocation by the direc-
6 tor of the budget, shall be made available for local assistance services
7 and expenses related to digital evidence transmission technology.

8 § 2. Section 95.00 of the criminal procedure law, as added by section
9 1 of part F of chapter 55 of the laws of 2018, is amended to read as
10 follows:

11 § 95.00 Pre-criminal proceeding settlement.

12 When a county district attorney of a county located in a city of one
13 million or more recovers monies before the filing of an accusatory
14 instrument as defined in subdivision one of section 1.20 of this chap-
15 ter, after injured parties have been appropriately compensated, the
16 district attorney's office shall retain a percentage of the remaining
17 such monies in recognition that such monies were recovered as a result
18 of investigations undertaken by such office. For each recovery the total
19 amount of such monies to be retained by the county district attorney's
20 office shall equal ten percent of the first twenty-five million dollars
21 received by such office, plus seven and one-half percent of such monies
22 received by such office in excess of twenty-five million dollars but
23 less than fifty million dollars, plus five percent of any such monies
24 received by such office in excess of fifty million dollars but less than
25 one hundred million dollars, plus one percent of such monies received by
26 such office in excess of one hundred million dollars. The remainder of
27 such monies shall be paid by the district attorney's office to the state
28 and to the county in equal amounts within thirty days of receipt, where

1 disposition of such monies is not otherwise prescribed by law. Monies
2 distributed to a county district attorney's office pursuant to this
3 section shall be used to enhance law enforcement efforts within the
4 state of New York. On December first of each year, every district attor-
5 ney shall provide the governor, temporary president of the senate and
6 speaker of the assembly with an annual report detailing the total amount
7 of monies received as described herein by his or her office [and], a
8 description of how and where such funds, and an itemization of funds
9 received in the previous ten years, were distributed by his or her
10 office but shall not include a description of the distribution of monies
11 where the disclosure of such information would interfere with a law
12 enforcement investigation or a judicial proceeding, and the current
13 total balance of monies held on deposit for state sanctioned deferred
14 prosecution agreements. The report shall include a detailed description
15 of any entity to which funds are distributed, including but not limited
16 to, whether it is a profit or not-for-profit entity, where it is
17 located, and the intended use of the monies distributed, and shall state
18 the law enforcement purpose.

19 § 3. This act shall take effect immediately; provided, however, that
20 the amendments to section 95.00 of the criminal procedure law made by
21 section two of this act shall not affect the repeal of such section and
22 shall be deemed repealed therewith.

23

PART F

24 Section 1. Notwithstanding the provisions of sections 79-a and 79-b of
25 the correction law, the governor is authorized to close correctional
26 facilities of the department of corrections and community supervision,

1 in the state fiscal year 2020-2021, as he determines to be necessary for
2 the cost-effective and efficient operation of the correctional system,
3 provided that the governor provides at least 90 days notice prior to any
4 such closures to the temporary president of the senate and the speaker
5 of the assembly.

6 § 2. This act shall take effect immediately and shall be deemed to
7 have been in full force and effect on and after April 1, 2020 and shall
8 expire and be deemed repealed March 31, 2021.

9 PART G

10 Section 1. Paragraph (a-1) of subdivision 4 of section 70.20 of the
11 penal law is REPEALED.

12 § 2. Section 77 of the correction law is REPEALED.

13 § 3. The correction law is amended by adding a new section 80 to read
14 as follows:

15 § 80. Transfer of adolescents from the department. The department and
16 the office of children and family services shall jointly establish a
17 transition plan and protocol to be used in transferring custody of all
18 adolescent offenders and individuals under the age of eighteen from the
19 custody of the department to the custody of the office of children and
20 family services on or before October first, two thousand twenty. The
21 plan and protocol shall be completed on or before July first, two thou-
22 sand twenty.

23 § 4. The section heading and subdivisions 1, 2, 7 and 8 of section 508
24 of the executive law, the section heading as added by chapter 481 of the
25 laws of 1978, subdivision 1 as amended by chapter 738 of the laws of
26 2004, subdivisions 2, 7 and 8 as amended by section 82 of part WWW of

1 chapter 59 of the laws of 2017 and such section as renumbered by chapter
2 465 of the laws of 1992, are amended to read as follows:

3 Juvenile offender and adolescent offender facilities. 1. The office of
4 children and family services shall maintain secure facilities for the
5 care and confinement of juvenile offenders and adolescent offenders
6 committed for [an indeterminate, determinate or definite] a sentence
7 pursuant to the sentencing provisions of the penal law. Such facilities
8 shall provide appropriate services to juvenile offenders and adolescent
9 offenders including but not limited to residential care, educational and
10 vocational training, physical and mental health services, and employment
11 counseling.

12 2. Juvenile offenders and adolescent offenders shall be confined in
13 such facilities until the age of twenty-one in accordance with their
14 sentences, and shall not be released, discharged or permitted home
15 visits except pursuant to the provisions of this section.

16 7. While in the custody of the office of children and family services,
17 an offender shall be subject to the rules and regulations of the office,
18 except that his or her parole, temporary release and discharge shall be
19 governed by the laws applicable to inmates of state correctional facili-
20 ties and his or her transfer to state hospitals in the office of mental
21 health shall be governed by section five hundred nine of this [chapter]
22 article; provided, however, that an otherwise eligible offender may
23 receive the six-month limited credit time allowance for successful
24 participation in one or more programs developed by the office of chil-
25 dren and family services that are comparable to the programs set forth
26 in section eight hundred three-b of the correction law, taking into
27 consideration the age of offenders. The commissioner of the office of
28 children and family services shall, however, establish and operate

1 temporary release programs at office of children and family services
2 facilities for eligible juvenile offenders and adolescent offenders and
3 contract with the department of corrections and community supervision
4 for the provision of parole supervision services for temporary releas-
5 ees. The rules and regulations for these programs shall not be incon-
6 sistent with the laws for temporary release applicable to inmates of
7 state correctional facilities. For the purposes of temporary release
8 programs for juvenile offenders and adolescent offenders only, when
9 referred to or defined in article twenty-six of the correction law,
10 "institution" shall mean any facility designated by the commissioner of
11 the office of children and family services, "department" shall mean the
12 office of children and family services, "inmate" shall mean a juvenile
13 offender or adolescent offender residing in an office of children and
14 family services facility, and "commissioner" shall mean the commissioner
15 of the office of children and family services. Time spent in office of
16 children and family services facilities and in juvenile detention facil-
17 ities shall be credited towards the sentence imposed in the same manner
18 and to the same extent applicable to inmates of state correctional
19 facilities.

20 8. Whenever a juvenile offender, adolescent offender or a juvenile
21 offender or adolescent offender adjudicated a youthful offender shall be
22 delivered to the director of an office of children and family services
23 facility pursuant to a commitment to the office of children and family
24 services, the officer so delivering such person shall deliver to such
25 facility director a certified copy of the sentence received by such
26 officer from the clerk of the court by which such person shall have been
27 sentenced, a copy of the report of the probation officer's investigation
28 and report, any other pre-sentence memoranda filed with the court, a

1 copy of the person's fingerprint records, a detailed summary of avail-
2 able medical records, psychiatric records and reports relating to
3 assaults, or other violent acts, attempts at suicide or escape by the
4 person while in the custody of a local detention facility.

5 § 5. Paragraphs (a), (b), (c), (d) and (e) of subdivision 2 of section
6 508 of the executive law are REPEALED.

7 § 6. This act shall take effect immediately; provided that:

8 a. sections one and four of this act shall take effect on the sixtieth
9 day after this act shall have become a law and the changes made by
10 section one shall apply to sentences ordered pursuant to section 70.20
11 of the penal law on or after the effective date;

12 b. section two of this act shall take effect October 1, 2020; and

13 c. section three of this act shall expire October 1, 2021 when upon
14 such date the provisions of such section shall be deemed repealed.
15 Effective immediately, the addition, amendment and/or repeal of any rule
16 or regulation necessary for the implementation of this act on its effec-
17 tive date are authorized to be made and completed on or before such
18 effective date.

19 PART H

20 Section 1. Paragraph a of subdivision 2 of section 162 of the state
21 finance law, as amended by section 164 of subpart B of part C of chapter
22 62 of the laws of 2011, is amended to read as follows:

23 a. Commodities and services produced by the correctional industries
24 program of the department of corrections and community supervision and
25 provided to the state pursuant to subdivision two of section one hundred
26 eighty-four of the correction law;

1 § 2. Subparagraph (iii) of paragraph b of subdivision 4 of section 162
2 of the state finance law, as amended by chapter 430 of the laws of 1997,
3 is amended and a new subparagraph (iv) is added to read as follows:

4 (iii) if, within ten days of the notification required by subparagraph
5 (i) of this paragraph, no preferred source or facilitating entity iden-
6 tified in paragraph e of subdivision six of this section indicates
7 intent to provide the service, [then the service shall be procured in
8 accordance with section one hundred sixty-three of this article. If,
9 after such period, a preferred source elects to bid on the service,
10 award shall be made in accordance with section one hundred sixty-three
11 of this article or as otherwise provided by law] state agencies or poli-
12 tical subdivisions or public benefit corporations having their own
13 purchasing agency shall make reasonable efforts to provide a notifica-
14 tion describing their requirements to the correctional industries
15 program of the department of corrections and community supervision, and
16 if the correctional industries program of the department of corrections
17 and community supervision provides a notice of intent to provide the
18 service in the form, function and utility required, at a price in
19 accordance with the price provisions set forth herein, then the service
20 shall be purchased from the correctional industries program of the
21 department of corrections and community supervision.

22 (iv) if, within ten days of the notification required by subparagraph
23 (iii) of this paragraph, the correctional industries program of the
24 department of corrections and community supervision does not indicate
25 intent to provide the service, then the service shall be procured in
26 accordance with section one hundred sixty-three of this article. If,
27 after such period, a preferred source elects to bid on the service,

1 award shall be made in accordance with section one hundred sixty-three
2 of this article or as otherwise provided by law.

3 § 3. The opening paragraph of subdivision 5 of section 162 of the
4 state finance law, as amended by section 164 of subpart B of part C of
5 chapter 62 of the laws of 2011, is amended to read as follows:

6 The prices to be charged for commodities and services produced by the
7 correctional industries program of the department of corrections and
8 community supervision shall be established by the commissioner of
9 corrections and community supervision in accordance with section one
10 hundred eighty-six of the correction law.

11 § 4. This act shall take effect immediately.

12 PART I

13 Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax
14 law, as amended by section 1 of part M of chapter 55 of the laws of
15 2018, 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 [and], two thou-
24 sand nineteen--two thousand twenty, two thousand twenty--two thousand
25 twenty-one and two thousand twenty-one--two thousand twenty-two;

26 § 2. This act shall take effect April 1, 2020.

1

PART J

2 Section 1. Subdivision 3 of section 215 of the executive law, as
3 amended by chapter 478 of the laws of 2004, is amended to read as
4 follows:

5 3. The sworn members of the New York state police shall be appointed
6 by the superintendent and permanent appointees may be removed by the
7 superintendent only after a hearing. No person shall be appointed to the
8 New York state police force as a sworn member unless he or she shall be
9 a citizen of the United States, between the ages of twenty-one and twen-
10 ty-nine years except that in the superintendent's discretion, the maxi-
11 mum age may be extended to thirty-five years. The superintendent may
12 waive the maximum age for appointment in the case of any individual
13 employed by the office of parks, recreation and historic preservation as
14 a police officer, as defined in section 1.20 of the criminal procedure
15 law, who is appointed to the New York state police as a result of the
16 New York state police assuming the law enforcement responsibilities of
17 that state agency. Notwithstanding any other provision of law or any
18 general or special law to the contrary the time spent on military duty,
19 not exceeding a total of [six] seven years, shall be subtracted from the
20 age of any applicant who has passed his or her twenty-ninth birthday,
21 solely for the purpose of permitting qualification as to age and for no
22 other purpose. Such limitations as to age however shall not apply to
23 persons appointed to the positions of counsel, first assistant counsel,
24 assistant counsel, and assistant deputy superintendent for employee
25 relations nor to any person appointed to the bureau of criminal investi-
26 gation pursuant to section two hundred sixteen of this article nor shall
27 any person be appointed unless he or she has fitness and good moral

1 character and shall have passed a physical and mental examination based
2 upon standards provided by the rules and regulations of the superinten-
3 dent. Appointments shall be made for a probationary period which, in the
4 case of appointees required to attend and complete a basic training
5 program at the state police academy, shall include such time spent
6 attending the basic school and terminate one year after successful
7 completion thereof. All other sworn members shall be subject to a proba-
8 tionary period of one year from the date of appointment. Following
9 satisfactory completion of the probationary period the member shall be a
10 permanent appointee. Voluntary resignation or withdrawal from the New
11 York state police during such appointment shall be submitted to the
12 superintendent for approval. Reasonable time shall be required to
13 account for all equipment issued or for debts or obligations to the
14 state to be satisfied. Resignation or withdrawal from the division
15 during a time of emergency, so declared by the governor, shall not be
16 approved if contrary to the best interest of the state and shall be a
17 misdemeanor. No sworn member removed from the New York state police
18 shall be eligible for reappointment. The superintendent shall make rules
19 and regulations subject to approval by the governor for the discipline
20 and control of the New York state police and for the examination and
21 qualifications of applicants for appointment as members thereto and such
22 examinations shall be held and conducted by the superintendent subject
23 to such rules and regulations. The superintendent is authorized to
24 charge a fee of twenty dollars as an application fee for any person
25 applying to take a competitive examination for the position of trooper,
26 and a fee of five dollars for any competitive examination for a civilian
27 position. The superintendent shall promulgate regulations subject to the
28 approval of the director of the budget, to provide for a waiver of the

1 application fee when the fee would cause an unreasonable hardship on the
2 applicant and to establish a fee schedule and charge fees for the use of
3 state police facilities.

4 § 2. This act shall take effect immediately; provided, however, that
5 the amendments to subdivision 3 of section 215 of the executive law made
6 by section one of this act shall expire and be deemed repealed April 1,
7 2023.

8 PART K

9 Section 1. Section 265.00 of the penal law is amended by adding a new
10 subdivision 31 to read as follows:

11 31. "Unfinished frame or receiver" means a piece of any material that
12 does not constitute the frame or receiver of a firearm, rifle, or shot-
13 gun, but that has been shaped or formed in any way for the purpose of
14 becoming the frame or receiver of a firearm, rifle, or shotgun. Such
15 term shall not include a piece of material that has had its size or
16 external shape altered to facilitate transportation or storage or has
17 had its chemical composition altered.

18 § 2. Subdivision 10 of section 265.02 of the penal law, as added by
19 chapter 1 of the laws of 2013, is amended and a new subdivision 11 is
20 added to read as follows:

21 (10) Such person possesses an unloaded firearm and also commits any
22 violent felony offense as defined in subdivision one of section 70.02 of
23 this chapter as part of the same criminal transaction[.]; or

24 (11) Such person possesses a major component of a firearm, rifle, or
25 shotgun, or an unfinished frame or receiver, and such person is prohib-
26 ited from possessing a shotgun or rifle pursuant to: (i) this article;

1 (ii) subsection (g) of section 922 of title 18 of the United States
2 Code; or (iii) a temporary or final extreme risk protection order issued
3 under article sixty-three-A of the civil practice law and rules.

4 § 3. The penal law is amended by adding a new section 400.04 to read
5 as follows:

6 § 400.04 Sale or transfer of firearm, rifle, or shotgun components.

7 1. No commercial transfer of a major component of a firearm, rifle, or
8 shotgun, or an unfinished frame or receiver, shall take place unless a
9 dealer in firearms that is validly licensed pursuant to section 400.00
10 of this article or section 923 of title 18 of the United States Code,
11 acts as an intermediary between the transferor and the ultimate trans-
12 feree of such major component or unfinished frame or receiver. Such
13 transfer between the dealer and transferee must occur in person. Prior
14 to completing a transfer pursuant to this section the dealer in firearms
15 must verify the identity of the transferee by examining a valid state
16 identification document of the transferee issued by the department of
17 motor vehicles or, if such transferee is not a resident of the state of
18 New York, a valid identification document issued by such transferee's
19 state or country of residence containing a photograph of such transfer-
20 ee.

21 2. Every dealer in firearms shall keep a record book and enter at the
22 time of every transaction involving the transfer of a major component of
23 a firearm, rifle, or shotgun, or an unfinished frame or receiver, the
24 date, name, age, and residence of any person to whom such major compo-
25 nent or unfinished frame or receiver is delivered, and, in the case of a
26 receiver or a frame of a firearm, rifle, or shotgun, or an unfinished
27 frame or receiver, the serial number engraved, cast or stamped thereon

1 or, if none, the serial number assigned to the unfinished frame or
2 receiver pursuant to this section.

3 3. No dealer in firearms may complete a transfer pursuant to this
4 section unless (i) the frame or receiver of a firearm, rifle, or shot-
5 gun, or unfinished frame or receiver, is conspicuously engraved, cast,
6 or stamped with a unique serial number, or (ii) in the case of an unfin-
7 ished frame or receiver that lacks such a unique serial number, the
8 dealer in firearms first requests and obtains a unique serial number for
9 each unfinished frame or receiver pursuant to subdivision four of this
10 section and provides the unique serial number assigned to the unfinished
11 frame or receiver to the transferee.

12 4. Upon the request of a dealer in firearms made pursuant to subdivi-
13 sion three of this section, the division of criminal justice services
14 shall issue a unique serial number for each unfinished frame or receiv-
15 er, transmit the serial number to the requesting dealer, and maintain a
16 record of each serial number issued, the date of issuance, and the iden-
17 tity of the requesting dealer.

18 5. Every transferee taking possession of an unfinished frame or
19 receiver shall ensure that the unique serial number assigned to such
20 unfinished frame or receiver pursuant to this section is permanently and
21 conspicuously engraved, cast, or stamped upon the unfinished frame or
22 receiver in a manner that meets or exceeds the requirements imposed on
23 licensed importers and licensed manufacturers of firearms pursuant to
24 subsection (i) of section 923 of title 18 of the United States Code and
25 regulations issued pursuant thereto, within thirty days of taking
26 possession of such unfinished frame or receiver.

27 6. Any person not a validly licensed dealer in firearms pursuant to
28 section 400.00 of this article or section 923 of title 18 of the United

1 States Code who violates subdivision one or five of this section shall
2 be guilty of a class D felony. Any dealer in firearms who violates
3 subdivision three of this section shall be guilty of a class B misdemea-
4 nor and any license of such dealer issued pursuant to section 400.00 of
5 this article shall be revoked. Any dealer in firearms who violates
6 subdivision one or two of this section, for a first offense, shall be
7 guilty of a violation and subject to the fine of one thousand dollars
8 and for a second offense, shall be guilty of a class B misdemeanor and
9 any license of such dealer issued pursuant to section 400.00 of this
10 article shall be revoked.

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

13 PART L

14 Section 1. The executive law is amended by adding a new section 216-e
15 to read as follows:

16 § 216-e. Subpoena authority for investigations of online sexual
17 offenses against minors. 1. Except as provided in subdivision two of
18 this section, in any investigation where a minor is a potential victim
19 of any offense specified in articles two hundred thirty, two hundred
20 thirty-five, or two hundred sixty-three of the penal law, and upon
21 reasonable cause to believe that an internet service account or online
22 identifier has been used in the commission of such offense, the super-
23 intendent of the state police and/or the superintendent's authorized
24 designee shall have the authority to issue in writing and cause to be
25 served an administrative subpoena requiring the production of records
26 and testimony relevant to the investigation of such offense, including

1 the following information related to the subscriber or customer of an
2 internet service account or online identifier:

- 3 (a) Name;
- 4 (b) Internet username;
- 5 (c) Billing and service address;
- 6 (d) Electronic mail address;
- 7 (e) Internet protocol address;
- 8 (f) Telephone number of account holder;
- 9 (g) Method of access to the internet;
- 10 (h) Local and long distance telephone connection records, or records
11 of session times and durations;
- 12 (i) Telephone or instrument number or other subscriber number or iden-
13 tity, including any temporarily assigned network address;
- 14 (j) Account status;
- 15 (k) Length of service, including start date, and types of service
16 utilized;
- 17 (l) Means and source of payment for such service, including any credit
18 card or bank account number.

19 2. The following information shall not be subject to disclosure pursu-
20 ant to an administrative subpoena issued under this section:

- 21 (a) The contents of stored or in-transit electronic communications;
- 22 (b) Account memberships related to internet groups, newsgroups, mail-
23 ing lists, or specific areas of interest;
- 24 (c) Account passwords; and
- 25 (d) Account content, including electronic mail in any form, address
26 books, contacts, financial records, web surfing history, internet proxy
27 content, and files or other digital documents stored with the account or
28 pursuant to use of the account.

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

3 PART M

4 Section 1. This act shall be known and may be cited as the "safe homes
5 and families act".

6 § 2. Section 140.10 of the criminal procedure law is amended by adding
7 a new subdivision 6 to read as follows:

8 6. (a) A police officer who responds to a report of a family offense
9 as defined in section 530.11 of this chapter and section eight hundred
10 twelve of the family court act may, in the interest of public safety,
11 take temporary custody of any firearm, rifle, electronic dart gun, elec-
12 tronic stun gun, disguised gun, imitation weapon, shotgun, antique
13 firearm, black powder rifle, black powder shotgun, or muzzle-loading
14 firearm that is in plain sight or is discovered pursuant to a lawful
15 search, and shall take temporary custody of any such weapon that is in
16 the possession of any person arrested for the commission of such family
17 offense or suspected of its commission. An officer who takes custody of
18 any weapon pursuant to this paragraph shall also take custody of any
19 license to carry, possess, repair, and dispose of such weapon issued to
20 the person arrested or suspected of such family offense. The officer
21 shall deliver such weapon and/or license to the appropriate law enforce-
22 ment officer as provided in subparagraph (f) of paragraph one of subdi-
23 vision a of section 265.20 of the penal law.

24 (b) Upon taking custody of weapons or a license described in paragraph
25 (a) of this subdivision, the responding officer shall give the owner or
26 person in possession of such weapons or license a receipt describing

1 such weapons and/or license and indicating any identification or serial
2 number on such weapons. Such receipt shall indicate where the weapons
3 and/or license can be recovered and describe the process for recovery
4 provided in paragraph (d) of this subdivision.

5 (c) A weapon described in paragraph (a) of this subdivision that is
6 utilized in the commission of an offense, that is unlawfully possessed,
7 or that a court orders to be surrendered pursuant to subdivision two or
8 subdivision three of section eight hundred forty-two-a of the family
9 court act shall be declared a nuisance as provided in subdivision one of
10 section 400.05 of the penal law and either disposed of in the manner
11 described in subdivision two or retained as provided in subdivision
12 three of section 400.05 of the penal law.

13 (d) Not less than forty-eight hours and not more than one hundred
14 twenty hours or, in the event that a Saturday, Sunday or legal holiday
15 occurs during such period, one hundred forty-four hours after a weapon,
16 other than a weapon described in paragraph (c) of this subdivision, is
17 taken into temporary custody as provided in paragraph (a) of this subdi-
18 vision, the owner or person who was in lawful possession of such weapon
19 shall have the right to arrange for the sale or transfer of such weapon
20 to a dealer, or to himself or herself, in the manner provided in subdi-
21 vision six of section 400.05 of the penal law.

22 § 3. Section 140.10 of the criminal procedure law is amended by adding
23 a new subdivision 7 to read as follows:

24 7. (a) Upon investigating a report of a crime or offense between
25 members of the same family or household as such terms are defined in
26 section 530.11 of this chapter and section eight hundred twelve of the
27 family court act, a law enforcement officer may, in the interest of the
28 safety of members of the same family or household or other person or

1 persons, take temporary custody of any firearm, rifle or shotgun or any
2 other weapon that is in plain sight or is discovered pursuant to a
3 lawful search.

4 (b) Upon taking custody of any firearm, rifle or shotgun or any other
5 weapon described in paragraph (a) of this subdivision, the law enforce-
6 ment officer shall provide the owner or any other adult residing on the
7 premises with a receipt describing the items taken into temporary custo-
8 dy and shall provide instructions for claiming the items.

9 (c) A weapon described in paragraph (a) of this subdivision that is
10 used in the commission of an offense or is unlawfully possessed shall be
11 declared a nuisance as provided in subdivision one of section 400.05 of
12 the penal law and either disposed of in the manner described in subdivi-
13 sion two or retained as provided in subdivision three of section 400.05
14 of the penal law.

15 (d) A firearm or other weapon which is taken into temporary custody
16 and which has not been declared a nuisance pursuant to paragraph (c) of
17 this subdivision, shall be retained for a period not to exceed one year.
18 Prior to the expiration of such time period, the owner of the item shall
19 have the right to reclaim the item or arrange for the sale or transfer
20 of the item. Nothing in this subdivision authorizes the return of a
21 firearm, rifle or shotgun to a person who is not authorized to possess a
22 firearm, rifle or shotgun.

23 § 4. The section heading and paragraphs (a) and (b) of subdivision 1
24 of section 530.14 of the criminal procedure law, as amended by chapter
25 60 of the laws of 2018, are amended and a new paragraph (c) is added to
26 read as follows:

27 Suspension and revocation of a license to carry, possess, repair or
28 dispose of a firearm or firearms pursuant to section 400.00 of the penal

1 law and ineligibility for such a license; order to surrender firearms;
2 order to seize firearms.

3 (a) the court shall suspend any such existing license possessed by the
4 defendant, order the defendant ineligible for such a license and order
5 the immediate surrender of any or all firearms, rifles and shotguns
6 owned or possessed where the court receives information that gives the
7 court good cause to believe that (i) the defendant has a prior
8 conviction of any violent felony offense as defined in section 70.02 of
9 the penal law; (ii) the defendant has previously been found to have
10 willfully failed to obey a prior order of protection and such willful
11 failure involved (A) the infliction of physical injury, as defined in
12 subdivision nine of section 10.00 of the penal law, (B) the use or
13 threatened use of a deadly weapon or dangerous instrument as those terms
14 are defined in subdivisions twelve and thirteen of section 10.00 of the
15 penal law, or (C) behavior constituting any violent felony offense as
16 defined in section 70.02 of the penal law; or (iii) the defendant has a
17 prior conviction for stalking in the first degree as defined in section
18 120.60 of the penal law, stalking in the second degree as defined in
19 section 120.55 of the penal law, stalking in the third degree as defined
20 in section 120.50 of the penal law or stalking in the fourth degree as
21 defined in section 120.45 of such law; [and]

22 (b) the court shall where the court finds a substantial risk that the
23 defendant may use or threaten to use a firearm, rifle or shotgun unlaw-
24 fully against the person or persons for whose protection the temporary
25 order of protection is issued, suspend any such existing license
26 possessed by the defendant, order the defendant ineligible for such a
27 license and order the immediate surrender pursuant to subparagraph (f)
28 of paragraph one of subdivision a of section 265.20 and subdivision six

1 of section 400.05 of the penal law, of any or all firearms, rifles and
2 shotguns owned or possessed[.]; and

3 (c) the court may where the defendant willfully refuses to surrender
4 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
5 this subdivision, or for other good cause shown, order the immediate
6 seizure of such firearm, rifle or shotgun, and search therefor, consist-
7 ent with such rights as the defendant may derive from this article or
8 the constitution of this state or the United States.

9 § 5. Paragraphs (a) and (b) of subdivision 2 of section 530.14 of the
10 criminal procedure law, as amended by chapter 60 of the laws of 2018,
11 are amended and a new paragraph (c) is added to read as follows:

12 (a) the court shall revoke any such existing license possessed by the
13 defendant, order the defendant ineligible for such a license and order
14 the immediate surrender of any or all firearms, rifles and shotguns
15 owned or possessed where such action is required by section 400.00 of
16 the penal law; [and]

17 (b) the court shall where the court finds a substantial risk that the
18 defendant may use or threaten to use a firearm, [rifles] rifle or [shot-
19 guns] shotgun unlawfully against the person or persons for whose
20 protection the order of protection is issued, (i) revoke any such exist-
21 ing license possessed by the defendant, order the defendant ineligible
22 for such a license and order the immediate surrender of any or all
23 firearms, rifles and shotguns owned or possessed or (ii) suspend or
24 continue to suspend any such existing license possessed by the defend-
25 ant, order the defendant ineligible for such a license and order the
26 immediate surrender pursuant to subparagraph (f) of paragraph one of
27 subdivision a of section 265.20 and subdivision six of section 400.05 of

1 the penal law, of any or all firearms, rifles and shotguns owned or
2 possessed[.]; and

3 (c) the court may where the defendant willfully refuses to surrender
4 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
5 this subdivision, or for other good cause shown, order the immediate
6 seizure of such firearm, rifle or shotgun, and search therefor, consist-
7 ent with such rights as the defendant may derive from this article or
8 the constitution of this state or the United States.

9 § 6. Paragraphs (a) and (b) of subdivision 3 of section 530.14 of the
10 criminal procedure law, as amended by chapter 60 of the laws of 2018,
11 are amended and a new paragraph (c) is added to read as follows:

12 (a) the court shall revoke any such existing license possessed by the
13 defendant, order the defendant ineligible for such a license and order
14 the immediate surrender of any or all firearms, rifles and shotguns
15 owned or possessed where the willful failure to obey such order involved
16 (i) the infliction of physical injury, as defined in subdivision nine of
17 section 10.00 of the penal law, (ii) the use or threatened use of a
18 deadly weapon or dangerous instrument as those terms are defined in
19 subdivisions twelve and thirteen of section 10.00 of the penal law,
20 (iii) behavior constituting any violent felony offense as defined in
21 section 70.02 of the penal law; or (iv) behavior constituting stalking
22 in the first degree as defined in section 120.60 of the penal law,
23 stalking in the second degree as defined in section 120.55 of the penal
24 law, stalking in the third degree as defined in section 120.50 of the
25 penal law or stalking in the fourth degree as defined in section 120.45
26 of such law; [and]

27 (b) the court shall where the court finds a substantial risk that the
28 defendant may use or threaten to use a firearm, rifle or shotgun unlaw-

1 fully against the person or persons for whose protection the order of
2 protection was issued, (i) revoke any such existing license possessed by
3 the defendant, order the defendant ineligible for such a license and
4 order the immediate surrender pursuant to subparagraph (f) of paragraph
5 one of subdivision a of section 265.20 and subdivision six of section
6 400.05 of the penal law, of any or all firearms, rifles and shotguns
7 owned or possessed or (ii) suspend any such existing license possessed
8 by the defendant, order the defendant ineligible for such a license and
9 order the immediate surrender pursuant to subparagraph (f) of paragraph
10 one of subdivision a of section 265.20 and subdivision six of section
11 400.05 of the penal law, of any or all firearms, rifles and shotguns
12 owned or possessed[.]; and

13 (c) the court may where the defendant willfully refuses to surrender
14 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
15 this subdivision, or for other good cause shown, order the immediate
16 seizure of such firearm, rifle or shotgun, and search therefor, consist-
17 ent with such rights as the defendant may derive from this article or
18 the constitution of this state or the United States.

19 § 7. Subdivisions 6 and 7 of section 530.14 of the criminal procedure
20 law, as amended by chapter 60 of the laws of 2018, are amended to read
21 as follows:

22 6. Notice. (a) Where an order requiring surrender, revocation, suspen-
23 sion, seizure or ineligibility has been issued pursuant to this section,
24 any temporary order of protection or order of protection issued shall
25 state that such firearm license has been suspended or revoked or that
26 the defendant is ineligible for such license, as the case may be, and
27 that the defendant is prohibited from possessing any firearm, rifle or
28 shotgun.

1 (b) The court revoking or suspending the license, ordering the defend-
2 ant ineligible for such a license, or ordering the surrender or seizure
3 of any firearm, rifle or shotgun shall immediately notify the duly
4 constituted police authorities of the locality concerning such action
5 and, in the case of orders of protection and temporary orders of
6 protection issued pursuant to section 530.12 of this article, shall
7 immediately notify the statewide registry of orders of protection.

8 (c) The court revoking or suspending the license or ordering the
9 defendant ineligible for such a license shall give written notice there-
10 of without unnecessary delay to the division of state police at its
11 office in the city of Albany.

12 (d) Where an order of revocation, suspension, ineligibility [or],
13 surrender or seizure is modified or vacated, the court shall immediately
14 notify the statewide registry of orders of protection and the duly
15 constituted police authorities of the locality concerning such action
16 and shall give written notice thereof without unnecessary delay to the
17 division of state police at its office in the city of Albany.

18 7. Hearing. The defendant shall have the right to a hearing before the
19 court regarding any revocation, suspension, ineligibility [or], surren-
20 der or seizure order issued pursuant to this section, provided that
21 nothing in this subdivision shall preclude the court from issuing any
22 such order prior to a hearing. Where the court has issued such an order
23 prior to a hearing, it shall commence such hearing within fourteen days
24 of the date such order was issued.

25 § 8. The section heading and paragraphs (a) and (b) of subdivision 1
26 of section 842-a of the family court act, as amended by chapter 60 of
27 the laws of 2018, are amended and a new paragraph (c) is added to read
28 as follows:

1 Suspension and revocation of a license to carry, possess, repair or
2 dispose of a firearm or firearms pursuant to section 400.00 of the penal
3 law and ineligibility for such a license; order to surrender firearms;
4 order to seize firearms.

5 (a) the court shall suspend any such existing license possessed by the
6 respondent, order the respondent ineligible for such a license, and
7 order the immediate surrender pursuant to subparagraph (f) of paragraph
8 one of subdivision a of section 265.20 and subdivision six of section
9 400.05 of the penal law, of any or all firearms, rifles and shotguns
10 owned or possessed where the court receives information that gives the
11 court good cause to believe that: (i) the respondent has a prior
12 conviction of any violent felony offense as defined in section 70.02 of
13 the penal law; (ii) the respondent has previously been found to have
14 willfully failed to obey a prior order of protection and such willful
15 failure involved (A) the infliction of physical injury, as defined in
16 subdivision nine of section 10.00 of the penal law, (B) the use or
17 threatened use of a deadly weapon or dangerous instrument as those terms
18 are defined in subdivisions twelve and thirteen of section 10.00 of the
19 penal law, or (C) behavior constituting any violent felony offense as
20 defined in section 70.02 of the penal law; or (iii) the respondent has a
21 prior conviction for stalking in the first degree as defined in section
22 120.60 of the penal law, stalking in the second degree as defined in
23 section 120.55 of the penal law, stalking in the third degree as defined
24 in section 120.50 of the penal law or stalking in the fourth degree as
25 defined in section 120.45 of such law; [and]

26 (b) the court shall where the court finds a substantial risk that the
27 respondent may use or threaten to use a firearm, rifle or shotgun unlaw-
28 fully against the person or persons for whose protection the temporary

1 order of protection is issued, suspend any such existing license
2 possessed by the respondent, order the respondent ineligible for such a
3 license, and order the immediate surrender pursuant to subparagraph (f)
4 of paragraph one of subdivision a of section 265.20 and subdivision six
5 of section 400.05 of the penal law, of any or all firearms, rifles and
6 shotguns owned or possessed[.]; and

7 (c) the court may where the defendant willfully refuses to surrender
8 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
9 this subdivision, or for other good cause shown, order the immediate
10 seizure of such firearm, rifle or shotgun, and search therefor, consist-
11 ent with such rights as the defendant may derive from this article or
12 the constitution of this state or the United States.

13 § 9. Paragraphs (a) and (b) of subdivision 2 of section 842-a of the
14 family court act, as amended by chapter 60 of the laws of 2018, are
15 amended and a new paragraph (c) is added to read as follows:

16 (a) the court shall revoke any such existing license possessed by the
17 respondent, order the respondent ineligible for such a license, and
18 order the immediate surrender pursuant to subparagraph (f) of paragraph
19 one of subdivision a of section 265.20 and subdivision six of section
20 400.05 of the penal law, of any or all firearms, rifles and shotguns
21 owned or possessed where the court finds that the conduct which resulted
22 in the issuance of the order of protection involved (i) the infliction
23 of physical injury, as defined in subdivision nine of section 10.00 of
24 the penal law, (ii) the use or threatened use of a deadly weapon or
25 dangerous instrument as those terms are defined in subdivisions twelve
26 and thirteen of section 10.00 of the penal law, or (iii) behavior
27 constituting any violent felony offense as defined in section 70.02 of
28 the penal law; [and]

1 (b) the court shall, where the court finds a substantial risk that the
2 respondent may use or threaten to use a firearm, rifle or shotgun unlaw-
3 fully against the person or persons for whose protection the order of
4 protection is issued, (i) revoke any such existing license possessed by
5 the respondent, order the respondent ineligible for such a license and
6 order the immediate surrender pursuant to subparagraph (f) of paragraph
7 one of subdivision a of section 265.20 and subdivision six of section
8 400.05 of the penal law, of any or all firearms, rifles and shotguns
9 owned or possessed or (ii) suspend or continue to suspend any such
10 existing license possessed by the respondent, order the respondent inel-
11 ible for such a license, and order the immediate surrender pursuant to
12 subparagraph (f) of paragraph one of subdivision a of section 265.20 and
13 subdivision six of section 400.05 of the penal law, of any or all
14 firearms, rifles and shotguns owned or possessed[.]; and

15 (c) the court may where the defendant willfully refuses to surrender
16 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
17 this subdivision, or for other good cause shown, order the immediate
18 seizure of such firearm, rifle or shotgun, and search therefor, consist-
19 ent with such rights as the defendant may derive from this article or
20 the constitution of this state or the United States.

21 § 10. Paragraphs (a) and (b) of subdivision 3 of section 842-a of the
22 family court act, as amended by chapter 60 of the laws of 2018, are
23 amended and a new paragraph (c) is added to read as follows:

24 (a) the court shall revoke any such existing license possessed by the
25 respondent, order the respondent ineligible for such a license, and
26 order the immediate surrender pursuant to subparagraph (f) of paragraph
27 one of subdivision a of section 265.20 and subdivision six of section
28 400.05 of the penal law, of any or all firearms, rifles and shotguns

1 owned or possessed where the willful failure to obey such order involves
2 (i) the infliction of physical injury, as defined in subdivision nine of
3 section 10.00 of the penal law, (ii) the use or threatened use of a
4 deadly weapon or dangerous instrument as those terms are defined in
5 subdivisions twelve and thirteen of section 10.00 of the penal law, or
6 (iii) behavior constituting any violent felony offense as defined in
7 section 70.02 of the penal law; or (iv) behavior constituting stalking
8 in the first degree as defined in section 120.60 of the penal law,
9 stalking in the second degree as defined in section 120.55 of the penal
10 law, stalking in the third degree as defined in section 120.50 of the
11 penal law or stalking in the fourth degree as defined in section 120.45
12 of such law; [and]

13 (b) the court shall where the court finds a substantial risk that the
14 respondent may use or threaten to use a firearm, rifle or shotgun unlaw-
15 fully against the person or persons for whose protection the order of
16 protection was issued, (i) revoke any such existing license possessed by
17 the respondent, order the respondent ineligible for such a license,
18 whether or not the respondent possesses such a license, and order the
19 immediate surrender pursuant to subparagraph (f) of paragraph one of
20 subdivision a of section 265.20 and subdivision six of section 400.05 of
21 the penal law, of any or all firearms, rifles and shotguns owned or
22 possessed or (ii) suspend any such existing license possessed by the
23 respondent, order the respondent ineligible for such a license, and
24 order the immediate surrender of any or all firearms, rifles and shot-
25 guns owned or possessed[.]; and

26 (c) the court may where the defendant willfully refuses to surrender
27 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
28 this subdivision, or for other good cause shown, order the immediate

1 seizure of such firearm, rifle or shotgun, and search therefor, consist-
2 ent with such rights as the defendant may derive from this article or
3 the constitution of this state or the United States.

4 § 11. Subdivisions 6 and 7 of section 842-a of the family court act,
5 as amended by chapter 60 of the laws of 2018, are amended to read as
6 follows:

7 6. Notice. (a) Where an order requiring surrender, revocation, suspen-
8 sion, seizure or ineligibility has been issued pursuant to this section,
9 any temporary order of protection or order of protection issued shall
10 state that such firearm license has been suspended or revoked or that
11 the respondent is ineligible for such license, as the case may be, and
12 that the defendant is prohibited from possessing any firearms, rifles or
13 shotguns.

14 (b) The court revoking or suspending the license, ordering the
15 respondent ineligible for such license, or ordering the surrender or
16 seizure of any firearm, rifles or shotguns shall immediately notify the
17 statewide registry of orders of protection and the duly constituted
18 police authorities of the locality of such action.

19 (c) The court revoking or suspending the license or ordering the
20 defendant ineligible for such license shall give written notice thereof
21 without unnecessary delay to the division of state police at its office
22 in the city of Albany.

23 (d) Where an order of revocation, suspension, ineligibility, [or]
24 surrender, or seizure is modified or vacated, the court shall immediate-
25 ly notify the statewide registry of orders of protection and the duly
26 constituted police authorities of the locality concerning such action
27 and shall give written notice thereof without unnecessary delay to the
28 division of state police at its office in the city of Albany.

1 7. Hearing. The respondent shall have the right to a hearing before
2 the court regarding any revocation, suspension, ineligibility [or],
3 surrender or seizure order issued pursuant to this section, provided
4 that nothing in this subdivision shall preclude the court from issuing
5 any such order prior to a hearing. Where the court has issued such an
6 order prior to a hearing, it shall commence such hearing within fourteen
7 days of the date such order was issued.

8 § 12. This act shall take effect on the first of November next
9 succeeding the date on which it shall have become a law.

10 PART N

11 Section 1. Subdivision 17 of section 265.00 of the penal law, as added
12 by chapter 1041 of the laws of 1974, paragraph (a) as amended by chapter
13 264 of the laws of 2003, paragraph (b) as separately amended by sections
14 2 and 3 of chapter 232 of the laws of 2010, and paragraph (c) as added
15 by chapter 60 of the laws of 2018, is amended to read as follows:

16 17. "Serious offense" means (a) [any of the following offenses defined
17 in the former penal law as in force and effect immediately prior to
18 September first, nineteen hundred sixty-seven: illegally using, carrying
19 or possessing a pistol or other dangerous weapon; making or possessing
20 burglar's instruments; buying or receiving stolen property; unlawful
21 entry of a building; aiding escape from prison; that kind of disorderly
22 conduct defined in subdivisions six and eight of section seven hundred
23 twenty-two of such former penal law; violations of sections four hundred
24 eighty-three, four hundred eighty-three-b, four hundred eighty-four-h
25 and article one hundred six of such former penal law; that kind of crim-
26 inal sexual act or rape which was designated as a misdemeanor; violation

1 of section seventeen hundred forty-seven-d and seventeen hundred forty-
2 seven-e of such former penal law; any violation of any provision of
3 article thirty-three of the public health law relating to narcotic drugs
4 which was defined as a misdemeanor by section seventeen hundred fifty-
5 one-a of such former penal law, and any violation of any provision of
6 article thirty-three-A of the public health law relating to depressant
7 and stimulant drugs which was defined as a misdemeanor by section seven-
8 teen hundred forty-seven-b of such former penal law.

9 (b)] any of the following offenses defined in the current penal law
10 and any offense in any jurisdiction or the former penal law that
11 includes all of the essential elements of any of the following offenses:
12 illegally using, carrying or possessing a pistol or other dangerous
13 weapon; possession of burglar's tools; criminal possession of stolen
14 property in the third degree; escape in the third degree; jostling;
15 fraudulent accosting; endangering the welfare of a child; [the offenses
16 defined in article two hundred thirty-five;] obscenity in the third
17 degree; issuing abortifacient articles; permitting prostitution; promoting
18 prostitution in the third degree; stalking in the fourth degree; stalk-
19 ing in the third degree; [the offenses defined in article one hundred
20 thirty; the offenses defined in article two hundred twenty] sexual
21 misconduct; forcible touching; sexual abuse in the third degree; sexual
22 abuse in the second degree; criminal possession of a controlled
23 substance in the seventh degree; criminally possessing a hypodermic
24 instrument; criminally using drug paraphernalia in the second degree;
25 criminal possession of methamphetamine manufacturing material in the
26 second degree.

27 [(b) any of the following offenses defined in the penal law: illegally
28 using, carrying or possessing a pistol or other dangerous weapon;

1 possession of burglar's tools; criminal possession of stolen property in
2 the third degree; escape in the third degree; jostling; fraudulent
3 accosting; endangering the welfare of a child; the offenses defined in
4 article two hundred thirty-five; issuing abortional articles; permitting
5 prostitution; promoting prostitution in the third degree; stalking in
6 the third degree; stalking in the fourth degree; the offenses defined in
7 article one hundred thirty; the offenses defined in article two hundred
8 twenty.

9 (c)] (b) any of the following offenses defined in the current penal
10 law and any offense in any jurisdiction or in the former penal law that
11 includes all of the essential elements of any of the following offenses,
12 where the defendant and the person against whom the offense was commit-
13 ted were members of the same family or household as defined in subdivi-
14 sion one of section 530.11 of the criminal procedure law [and as estab-
15 lished pursuant to section 370.15 of the criminal procedure law]:
16 assault in the third degree; menacing in the third degree; menacing in
17 the second degree; criminal obstruction of breathing or blood circu-
18 lation; unlawful imprisonment in the second degree; coercion in the
19 third degree; criminal tampering in the third degree; criminal contempt
20 in the second degree; harassment in the first degree; aggravated harass-
21 ment in the second degree; criminal trespass in the third degree; crimi-
22 nal trespass in the second degree; arson in the fifth degree; or attempt
23 to commit any of the above-listed offenses.

24 (c) any misdemeanor offense in any jurisdiction or in the former penal
25 law that includes all of the essential elements of a felony offense as
26 defined in the current penal law.

27 § 2. Section 400.00 of the penal law is amended by adding a new subdivi-
28 sion 1-a to read as follows:

1 1-a. For purposes of subdivision one of this section, serious offense
2 shall include an offense in any jurisdiction or the former penal law
3 that includes all of the essential elements of a serious offense as
4 defined by subdivision seventeen of section 265.00 of this chapter.
5 Nothing in this subdivision shall preclude the denial of a license based
6 on the commission of, arrest for or conviction of an offense in any
7 other jurisdiction which does not include all of the essential elements
8 of a serious offense.

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

11 PART O

12 Section 1. Subdivisions 4 and 5 of section 230 of the executive law,
13 as added by chapter 189 of the laws of 2000, are amended and three new
14 subdivisions 6, 7, and 8 are added to read as follows:

15 4. The superintendent of the division of state police shall establish
16 and maintain within the division a criminal gun clearinghouse as a
17 central repository of information regarding all guns seized, forfeited,
18 found or otherwise coming into the possession of any state or local law
19 enforcement agency which are believed to have been used in the commis-
20 sion of a crime. The superintendent of the division of state police
21 shall adopt and promulgate regulations prescribing reporting procedures
22 for such state or local law enforcement agencies, including the form for
23 reporting such information. In addition to any other information which
24 the superintendent of the division of state police may require, the form
25 shall require (a) the serial number or other identifying information on
26 the gun, if available and (b) a brief description of the circumstances

1 under which the gun came into the possession of the law enforcement
2 agency, including the crime which was or may have been committed with
3 the gun. Whenever a state or local law enforcement agency seizes or
4 recovers a gun that was unlawfully possessed, recovered from a crime
5 scene, or is reasonably believed to have been used in or associated with
6 the commission of a crime, or is otherwise recovered as an abandoned or
7 discarded gun, the agency shall report such seized or recovered gun to
8 the criminal gun clearinghouse as soon as practicable, but in no case
9 more than twenty-four hours after the agency has taken possession of
10 such gun. Every report made to the criminal gun clearinghouse will
11 result in the prompt submission of a request to the national tracing
12 center of the bureau of alcohol, tobacco, firearms and explosives to
13 trace the movement of the subject gun and such federal agency will be
14 requested to provide the results of such a trace to the superintendent
15 of the division of state police and to the law enforcement agency that
16 submitted the clearinghouse report.

17 5. [In any case where a state or local law enforcement agency investi-
18 gates the commission of a crime in this state and a specific gun is
19 known to have been used in such crime, such agency shall submit a
20 request to the national tracing center of the United States Department
21 of Treasury, bureau of alcohol, tobacco and firearms to trace the move-
22 ment of such gun and such federal agency shall be requested to provide
23 the superintendent of the division of state police and the local law
24 enforcement agency with the results of such a trace. This subdivision
25 shall not apply where the source of a gun is already known to a local
26 law enforcement agency.] All state and local law enforcement agencies
27 shall participate in the bureau of alcohol, tobacco, firearms and
28 explosives collective data sharing program for the purpose of sharing

1 gun trace reports among all law enforcement agencies in the state on a
2 reciprocal basis.

3 6. (a) Whenever a state or local law enforcement agency seizes or
4 recovers a gun that was unlawfully possessed, recovered from the scene
5 of a crime, or is reasonably believed to have been used or associated
6 with the commission of a crime, or is recovered by the agency as an
7 abandoned or discarded gun, the agency shall arrange for every such gun
8 that is determined to be suitable for test-firing and of a type that is
9 eligible for national integrated ballistic information network data
10 entry and correlation to be test-fired as soon as practicable, and the
11 results of that test-firing shall be submitted forthwith to the national
12 integrated ballistic information network to determine whether the gun is
13 associated or related to a crime, criminal event, or any individual
14 associated or related to a crime or criminal event or reasonably
15 believed to be associated or related to a crime or criminal event.

16 (b) Whenever a state or local law enforcement agency recovers any
17 ammunition cartridge case that is of a type that is eligible for
18 national integrated ballistic information network data entry and corre-
19 lation at a crime scene, or has reason to believe that such recovered
20 ammunition cartridge case is related to or associated with the commis-
21 sion of a crime or the unlawful discharge of a gun, the agency shall, as
22 soon as practicable, arrange for the ballistics information to be
23 submitted to the national integrated ballistic information network.

24 7. Whenever a state or local law enforcement agency seizes or recovers
25 any gun, the agency shall promptly enter the make, model, caliber, and
26 serial number of the gun into the national crime information center
27 (NCIC) system to determine whether the gun was reported stolen.

1 8. The superintendent may adopt rules and regulations to effectuate
2 the provisions of this section.

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

5 PART P

6 Section 1. Paragraph 13 of subdivision (c) of section 33.13 of the
7 mental hygiene law, as amended by chapter 491 of the laws of 2008,
8 subparagraph (ii) as amended by chapter 37 of the laws of 2011, is
9 amended to read as follows:

10 13. to the state division of criminal justice services for the sole
11 purposes of:

12 (i) providing, facilitating, evaluating or auditing access by the
13 commissioner of mental health to criminal history information pursuant
14 to subdivision (i) of section 7.09 of this chapter; or

15 (ii) providing information to the criminal justice information
16 services division of the federal bureau of investigation by the commis-
17 sioner of mental health or the commissioner of developmental disabili-
18 ties, for the purposes of responding to queries to the national instant
19 criminal background check system regarding attempts to purchase or
20 otherwise take possession of firearms, in accordance with applicable
21 federal laws or regulations[.]; or

22 (iii) providing information to law enforcement entities in states
23 other than New York for the sole purpose of determining eligibility to
24 purchase, possess, or carry a firearm, provided that the law enforcement
25 entity obtains and provides a confidentiality waiver to the division of
26 criminal justice services, where legally necessary.

1 § 2. Paragraph 15 of subdivision (c) of section 33.13 of the mental
2 hygiene law, as added by chapter 1 of the laws of 2013, is amended to
3 read as follows:

4 15. to the division of criminal justice services, names and other
5 non-clinical identifying information for the sole [purpose] purposes of:

6 (i) implementing the division's responsibilities and duties under
7 sections 400.00 and 400.02 of the penal law[.]; or

8 (ii) providing information to law enforcement entities in states other
9 than New York for the sole purpose of determining eligibility to
10 purchase, possess, or carry a firearm, provided that the law enforcement
11 entity obtains and provides a confidentiality waiver to the division of
12 criminal justice services, where legally necessary.

13 § 3. This act shall take effect immediately.

14 PART Q

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

17 § 120.65 Domestic violence.

18 A person is guilty of domestic violence when he or she:

19 1. commits a serious offense as defined in paragraph (c) of subdivi-
20 sion seventeen of section 265.00 of this chapter and the person against
21 whom the offense is committed is a member of the same family or house-
22 hold as defined in subdivision one of section 530.11 of the criminal
23 procedure law; or

24 2. commits the crime of assault in the third degree as defined in
25 subdivisions one and two of section 120.00 of this article, or criminal
26 obstruction of breathing or blood circulation as defined in section

1 121.11 of this title, forcible touching as defined in section 130.52 of
2 this title, or sexual abuse in the second degree as defined in section
3 130.60 of this title, or sexual abuse in the third degree as defined in
4 section 130.55 of this title, or unlawful imprisonment in the second
5 degree as defined in section 135.05 of this title and the person against
6 whom the offense is committed is a current or former spouse, parent, or
7 guardian of the victim, a person with whom the victim shares a child in
8 common, a person who is cohabiting with or has cohabited with the victim
9 as a spouse, parent, or guardian, or a person similarly situated to a
10 spouse, parent, or guardian of the victim.

11 Domestic violence is a class A misdemeanor.

12 § 2. Paragraph (c) of subdivision 17 of section 265.00 of the penal
13 law, as added by chapter 60 of the laws of 2018, is amended to read as
14 follows:

15 (c) any of the following offenses, where the defendant and the person
16 against whom the offense was committed were members of the same family
17 or household as defined in subdivision one of section 530.11 of the
18 criminal procedure law [and as established pursuant to section 370.15 of
19 the criminal procedure law]: assault in the third degree; menacing in
20 the third degree; menacing in the second degree; criminal obstruction of
21 breathing or blood circulation; unlawful imprisonment in the second
22 degree; coercion in the third degree; criminal tampering in the third
23 degree; criminal contempt in the second degree; harassment in the first
24 degree; aggravated harassment in the second degree; criminal trespass in
25 the third degree; criminal trespass in the second degree; arson in the
26 fifth degree; or attempt to commit any of the above-listed offenses.

27 § 3. This act shall take effect on the first of November next succeed-
28 ing the date on which it shall have become a law.

1

PART R

2 Section 1. Short title. This act shall be known and may be cited as
3 the "New York Hate Crime Anti-Terrorism Act".

4 § 2. The opening paragraph of section 485.00 of the penal law, as
5 amended by chapter 8 of the laws of 2019, is amended to read as follows:

6 The legislature finds and determines as follows: criminal acts involv-
7 ing violence, intimidation and destruction of property based upon bias
8 and prejudice have become more prevalent in New York state in recent
9 years. The intolerable truth is that in these crimes, commonly and
10 justly referred to as "hate crimes", victims are intentionally selected,
11 in whole or in part, because of their race, color, national origin,
12 ancestry, gender, gender identity or expression, religion, religious
13 practice, age, disability or sexual orientation. Hate crimes do more
14 than threaten the safety and welfare of all citizens. They inflict on
15 victims incalculable physical and emotional damage and tear at the very
16 fabric of free society. Crimes motivated by invidious hatred toward
17 particular groups not only harm individual victims but send a powerful
18 message of intolerance and discrimination to all members of the group to
19 which the victim belongs. Hate crimes can and do intimidate and disrupt
20 entire communities and vitiate the civility that is essential to healthy
21 democratic processes. In a democratic society, citizens cannot be
22 required to approve of the beliefs and practices of others, but must
23 never commit criminal acts on account of them. [Current law] However,
24 these criminal acts do occur and are occurring more and more frequently.
25 Quite often, these crimes of hate are also acts of terror. The recent
26 attacks in Monsey, New York as well as the shootings in El Paso, Texas;
27 Pittsburgh, Pennsylvania; Sutherland Springs, Texas; Orlando, Florida;

1 and Charleston, South Carolina illustrate that mass killings are often
2 apolitical, motivated by the hatred of a specific group coupled with a
3 desire to inflict mass casualties. The current law emphasizes the poli-
4 tical motivation of an act over its catastrophic effect and does not
5 adequately recognize the harm to public order and individual safety that
6 hate crimes cause. Therefore, our laws must be strengthened to provide
7 clear recognition of the gravity of hate crimes and the compelling
8 importance of preventing their recurrence.

9 § 3. Subdivision 3 of section 485.05 of the penal law, as amended by
10 section 9 of part NN of chapter 55 of the laws of 2018, is amended to
11 read as follows:

12 3. A "specified offense" is an offense defined by any of the following
13 provisions of this chapter: section 120.00 (assault in the third
14 degree); section 120.05 (assault in the second degree); section 120.10
15 (assault in the first degree); section 120.12 (aggravated assault upon a
16 person less than eleven years old); section 120.13 (menacing in the
17 first degree); section 120.14 (menacing in the second degree); section
18 120.15 (menacing in the third degree); section 120.20 (reckless endan-
19 germent in the second degree); section 120.25 (reckless endangerment in
20 the first degree); section 121.12 (strangulation in the second degree);
21 section 121.13 (strangulation in the first degree); subdivision one of
22 section 125.15 (manslaughter in the second degree); subdivision one, two
23 or four of section 125.20 (manslaughter in the first degree); section
24 125.25 (murder in the second degree); section 120.45 (stalking in the
25 fourth degree); section 120.50 (stalking in the third degree); section
26 120.55 (stalking in the second degree); section 120.60 (stalking in the
27 first degree); subdivision one of section 130.35 (rape in the first
28 degree); subdivision one of section 130.50 (criminal sexual act in the

1 first degree); subdivision one of section 130.65 (sexual abuse in the
2 first degree); paragraph (a) of subdivision one of section 130.67
3 (aggravated sexual abuse in the second degree); paragraph (a) of subdivi-
4 vision one of section 130.70 (aggravated sexual abuse in the first
5 degree); section 135.05 (unlawful imprisonment in the second degree);
6 section 135.10 (unlawful imprisonment in the first degree); section
7 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in
8 the first degree); section 135.60 (coercion in the third degree);
9 section 135.61 (coercion in the second degree); section 135.65 (coercion
10 in the first degree); section 140.10 (criminal trespass in the third
11 degree); section 140.15 (criminal trespass in the second degree);
12 section 140.17 (criminal trespass in the first degree); section 140.20
13 (burglary in the third degree); section 140.25 (burglary in the second
14 degree); section 140.30 (burglary in the first degree); section 145.00
15 (criminal mischief in the fourth degree); section 145.05 (criminal
16 mischief in the third degree); section 145.10 (criminal mischief in the
17 second degree); section 145.12 (criminal mischief in the first degree);
18 section 150.05 (arson in the fourth degree); section 150.10 (arson in
19 the third degree); section 150.15 (arson in the second degree); section
20 150.20 (arson in the first degree); section 155.25 (petit larceny);
21 section 155.30 (grand larceny in the fourth degree); section 155.35
22 (grand larceny in the third degree); section 155.40 (grand larceny in
23 the second degree); section 155.42 (grand larceny in the first degree);
24 section 160.05 (robbery in the third degree); section 160.10 (robbery in
25 the second degree); section 160.15 (robbery in the first degree);
26 section 240.25 (harassment in the first degree); subdivision one, two or
27 four of section 240.30 (aggravated harassment in the second degree);
28 section 490.10 (soliciting or providing support for an act of terrorism

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

15 § 4. The penal law is amended by adding two new sections 490.27 and
16 490.28 to read as follows:

17 § 490.27 Domestic act of terrorism motivated by hate in the second
18 degree.

19 A person is guilty of the crime of domestic act of terrorism motivated
20 by hate in the second degree when, acting with the intent to cause the
21 death of, or serious physical injury to, five or more other persons, in
22 whole or in substantial part because of the perceived race, color,
23 national origin, ancestry, gender, gender identity or expression, reli-
24 gion, religious practice, age, disability, or sexual orientation of such
25 other persons, regardless of whether that belief or perception is
26 correct, he or she, as part of the same criminal transaction, attempts
27 to cause the death of, or serious physical injury to, such five or more

1 persons, provided that the victims are not participants in the criminal
2 transaction.

3 Domestic act of terrorism motivated by hate in the second degree is a
4 class A-I felony.

5 § 490.28 Domestic act of terrorism motivated by hate in the first
6 degree.

7 A person is guilty of the crime of domestic act of terrorism motivated
8 by hate in the first degree when, acting with the intent to cause the
9 death of, or serious physical injury to, five or more other persons, in
10 whole or in substantial part because of the perceived race, color,
11 national origin, ancestry, gender, gender identity or expression, reli-
12 gion, religious practice, age, disability, or sexual orientation of such
13 other person or persons, regardless of whether that belief or perception
14 is correct, he or she, as part of the same criminal transaction:

15 1. causes the death of at least one other person, provided that the
16 victim or victims are not a participant in the criminal transaction; and

17 2. causes or attempts to cause the death of four or more additional
18 other persons, provided that the victims are not a participant in the
19 criminal transaction; and

20 3. the defendant was more than eighteen years old at the time of the
21 commission of the crime.

22 Domestic act of terrorism motivated by hate in the first degree is a
23 class A-I felony.

24 Notwithstanding any other provision of law, when a person is convicted
25 of domestic act of terrorism motivated by hate in the first degree, the
26 sentence shall be life imprisonment without parole.

1 § 5. Paragraph (q) of subdivision 8 of section 700.05 of the criminal
2 procedure law, as amended by section 3 of part A of chapter 1 of the
3 laws of 2004, is amended to read as follows:

4 (q) Soliciting or providing support for an act of terrorism in the
5 second degree as defined in section 490.10 of the penal law, soliciting
6 or providing support for an act of terrorism in the first degree as
7 defined in section 490.15 of the penal law, making a terroristic threat
8 as defined in section 490.20 of the penal law, crime of terrorism as
9 defined in section 490.25 of the penal law, domestic act of terrorism
10 motivated by hate in the second degree as defined in section 490.27 of
11 the penal law, domestic act of terrorism motivated by hate in the first
12 degree as defined in section 490.28 of the penal law, hindering prose-
13 cution of terrorism in the second degree as defined in section 490.30 of
14 the penal law, hindering prosecution of terrorism in the first degree as
15 defined in section 490.35 of the penal law, criminal possession of a
16 chemical weapon or biological weapon in the third degree as defined in
17 section 490.37 of the penal law, criminal possession of a chemical weap-
18 on or biological weapon in the second degree as defined in section
19 490.40 of the penal law, criminal possession of a chemical weapon or
20 biological weapon in the first degree as defined in section 490.45 of
21 the penal law, criminal use of a chemical weapon or biological weapon in
22 the third degree as defined in section 490.47 of the penal law, criminal
23 use of a chemical weapon or biological weapon in the second degree as
24 defined in section 490.50 of the penal law, and criminal use of a chemi-
25 cal weapon or biological weapon in the first degree as defined in
26 section 490.55 of the penal law.

27 § 6. Domestic terrorism task force. (a) There is hereby created the
28 domestic terrorism task force to examine, evaluate and determine how to

1 prevent mass shootings by domestic terrorists, consisting of nine
2 members, each to serve until two years after the effective date of this
3 act.

4 (b) (1) Such members shall be appointed as follows: one member shall
5 be the commissioner of the division of criminal justice services; one
6 member shall be the superintendent of state police; three members shall
7 be appointed by the governor; one member shall be appointed by the
8 temporary president of the senate; one member shall be appointed by the
9 minority leader of the senate; one member shall be appointed by the
10 speaker of the assembly; and one member shall be appointed by the minor-
11 ity leader of the assembly. Appointments shall be made within sixty days
12 of the effective date of this act. Vacancies in the task force shall be
13 filled in the same manner provided for original appointments.

14 (2) All appointees shall have expertise in fields or disciplines
15 related to criminal justice or violence prevention.

16 (3) The task force shall be chaired by the commissioner of the divi-
17 sion of criminal justice services. The task force shall elect a vice-
18 chair by majority vote and other necessary officers from among all
19 appointed members.

20 (4) The task force shall meet at least quarterly at the call of the
21 chair. Meetings may be held via teleconference. Special meetings may be
22 called by the chair at the request of a majority of the members of the
23 task force.

24 (5) Members of the task force shall receive no compensation for their
25 services but shall be reimbursed for their actual expenses incurred in
26 the performance of their duties in the work of the task force.

27 (c) The task force shall:

28 (1) study mass shooting incidents;

1 (2) recommend practices to identify potential mass shooters and
2 prevent mass shooting incidents; and

3 (3) recommend practices to provide for the security of locations like-
4 ly to be targeted by a mass shooter.

5 (d) The task force may establish advisory committees as it deems
6 appropriate on matters relating to the task force's functions, powers
7 and duties. Such committees shall be chaired by a task force member, but
8 may be composed of task force members as well as other individuals
9 selected by the task force to provide expertise of interest specific to
10 the charge of such committees.

11 (e) The task force may, as it deems appropriate, request that studies,
12 surveys and analyses relating to the task force's powers and duties be
13 performed by any state department, commission, agency or public authori-
14 ty. All state departments, commissions, agencies or public authorities
15 shall provide information and advice in a timely manner and otherwise
16 assist the task force with its work; provided however, any information
17 or records otherwise confidential and privileged in accordance with
18 state or federal law that are provided to the task force pursuant to
19 this subdivision shall remain confidential as provided by such state or
20 federal law.

21 (f) The task force shall provide a preliminary report to the governor
22 and the legislature of its findings, conclusions, recommendations and
23 activities already undertaken by the task force, not later than thirteen
24 months after the effective date of this act, and a final report of its
25 findings, conclusions, recommendations and activities already undertaken
26 by the task force, not later than twenty-two months after the effective
27 date of this act and shall submit with its reports legislative proposals
28 as it deems necessary to implement its recommendations.

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

3 PART S

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

7 § 167-a. Reimbursement for medicare premium charges. Upon exclusion
8 from the coverage of the health benefit plan of supplementary medical
9 insurance benefits for which an active or retired employee or a depend-
10 ent covered by the health benefit plan is or would be eligible under the
11 federal old-age, survivors and disability insurance program, an amount
12 equal to the standard medicare premium charge for such supplementary
13 medical insurance benefits for such active or retired employee and his
14 or her dependents, if any, shall be paid monthly or at other intervals
15 to such active or retired employee from the health insurance fund.
16 Furthermore, effective January first, two thousand twenty-one there
17 shall be no payment whatsoever for the income related monthly adjustment
18 amount for amounts (premiums) incurred on or after January first, two
19 thousand twenty to any active or retired employee and his or her depen-
20 dents, if any. Where appropriate, such standard medicare premium amount
21 may be deducted from contributions payable by the employee or retired
22 employee; or where appropriate in the case of a retired employee receiv-
23 ing a retirement allowance, such standard medicare premium amount may be
24 included with payments of his or her retirement allowance. All state
25 employer, employee, retired employee and dependent contributions to the
26 health insurance fund, including contributions from public authorities,

1 public benefit corporations or other quasi-public organizations of the
2 state eligible for participation in the health benefit plan as author-
3 ized by subdivision two of section one hundred sixty-three of this arti-
4 cle, shall be adjusted as necessary to cover the cost of reimbursing
5 federal old-age, survivors and disability insurance program premium
6 charges under this section. This cost shall be included in the calcu-
7 lation of premium or subscription charges for health coverage provided
8 to employees and retired employees of the state, public authorities,
9 public benefit corporations or other quasi-public organizations of the
10 state; provided, however, the state, public authorities, public benefit
11 corporations or other quasi-public organizations of the state shall
12 remain obligated to pay no less than its share of such increased cost
13 consistent with its share of premium or subscription charges provided
14 for by this article. All other employer contributions to the health
15 insurance fund shall be adjusted as necessary to provide for such
16 payments.

17 § 2. This act shall take effect immediately and shall apply on January
18 1, 2020 for the income related monthly adjustment amount for amounts,
19 premiums, incurred on or after January 1, 2020.

20 PART T

21 Section 1. Section 5004 of the civil practice law and rules, as
22 amended by chapter 258 of the laws of 1981, is amended to read as
23 follows:

24 § 5004. Rate of interest. [Interest shall be at the rate of nine per
25 centum per annum, except where otherwise provided by statute.] Notwith-
26 standing any other provision of law or regulation to the contrary,

1 including any law or regulation that limits the annual rate of interest
2 to be paid on a judgment or accrued claim, the annual rate of interest
3 to be paid on a judgment or accrued claim shall be calculated at the
4 one-year United States treasury bill rate. For the purposes of this
5 section, the "one-year United States treasury bill rate" means the week-
6 ly average one-year constant maturity treasury yield, as published by
7 the board of governors of the federal reserve system, for the calendar
8 week preceding the date of the entry of the judgment awarding damages.
9 Provided however, that this section shall not apply to any provision of
10 the tax law which provides for the annual rate of interest to be paid on
11 a judgment or accrued claim.

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

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

25 § 3. This act shall take effect immediately, and shall be deemed to
26 have been in full force and effect on and after April 1, 2020.

27 PART U

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

4 § 167-a. Reimbursement for medicare premium charges. Upon exclusion
5 from the coverage of the health benefit plan of supplementary medical
6 insurance benefits for which an active or retired employee or a depend-
7 ent covered by the health benefit plan is or would be eligible under the
8 federal old-age, survivors and disability insurance program, an amount
9 equal to the standard medicare premium charge for such supplementary
10 medical insurance benefits for such active or retired employee and his
11 or her dependents, if any, shall be paid monthly or at other intervals
12 to such active or retired employee from the health insurance fund;
13 provided, however, such payment for the standard medicare premium charge
14 shall not exceed one hundred forty-four dollars and sixty cents per
15 month. Where appropriate, such standard medicare premium amount may be
16 deducted from contributions payable by the employee or retired employee;
17 or where appropriate in the case of a retired employee receiving a
18 retirement allowance, such standard medicare premium amount may be
19 included with payments of his or her retirement allowance. All state
20 employer, employee, retired employee and dependent contributions to the
21 health insurance fund, including contributions from public authorities,
22 public benefit corporations or other quasi-public organizations of the
23 state eligible for participation in the health benefit plan as author-
24 ized by subdivision two of section one hundred sixty-three of this arti-
25 cle, shall be adjusted as necessary to cover the cost of reimbursing
26 federal old-age, survivors and disability insurance program premium
27 charges under this section. This cost shall be included in the calcu-
28 lation of premium or subscription charges for health coverage provided

1 to employees and retired employees of the state, public authorities,
2 public benefit corporations or other quasi-public organizations of the
3 state; provided, however, the state, public authorities, public benefit
4 corporations or other quasi-public organizations of the state shall
5 remain obligated to pay no less than its share of such increased cost
6 consistent with its share of premium or subscription charges provided
7 for by this article. All other employer contributions to the health
8 insurance fund shall be adjusted as necessary to provide for such
9 payments.

10 § 2. This act shall take effect immediately and shall apply to the
11 standard medicare premium amount on and after April 1, 2020.

12 PART V

13 Section 1. Section 167 of the civil service law is amended by adding a
14 new subdivision 10 to read as follows:

15 10. Notwithstanding any inconsistent provision of law, the state's
16 contribution for the cost of premium or subscription charges for the
17 coverage of retired state employees who are enrolled in the statewide
18 and the supplementary health benefit plans established pursuant to this
19 article and who are hired on or after October first, two thousand twenty
20 shall be as set forth in this subdivision.

21 (a) For state employees who retire from a position at or equated to
22 grade ten or higher with at least ten but less than twenty years of
23 service, the state shall pay fifty percent of the cost of premium or
24 subscription charges for the individual coverage of such retired state
25 employees. Such contributions shall increase by two percent of the cost
26 of premium or subscription charges for each year of service in excess of

1 ten years, to a maximum of sixty-eight percent of the cost of premium or
2 subscription charges. For state employees who retire from a position at
3 or equated to grade ten or higher with twenty or more years of service,
4 the state shall pay seventy-four percent of the cost of premium or
5 subscription charges for the individual coverage of such retired state
6 employees. Such contributions shall increase by one percent of the cost
7 of premium or subscription charges for each year of service in excess of
8 twenty years, to a maximum of eighty-four percent of the cost of premium
9 or subscription charges.

10 (b) For state employees who retire from a position at or equated to
11 grade nine or lower with at least ten but less than twenty years of
12 service, the state shall pay fifty-four percent of the cost of premium
13 or subscription charges for the individual coverage of such retired
14 state employees. Such contributions shall increase by two percent of the
15 cost of premium or subscription charges for each year of service in
16 excess of ten years, to a maximum of seventy-two percent of the cost of
17 premium or subscription charges. For state employees who retire from a
18 position at or equated to grade nine or lower with twenty or more years
19 of service, the state shall pay seventy-eight percent of the cost of
20 premium or subscription charges for the individual coverage of such
21 retired state employees. Such contributions shall increase by one
22 percent of the cost of premium or subscription charges for each year of
23 service in excess of twenty years, to a maximum of eighty-eight percent
24 of the cost of premium or subscription charges.

25 (c) For state employees who retire from a position at or equated to
26 grade ten or higher with at least ten but less than twenty years of
27 service, the state shall pay thirty-five percent of the cost of premium
28 or subscription charges for the coverage of dependents of such retired

1 state employees; such contribution shall increase by two percent of the
2 cost of premium or subscription charges for each year of service in
3 excess of ten years, to a maximum of fifty-three percent of the cost of
4 premium or subscription charges for such dependents. For state employees
5 who retire from a position at or equated to grade ten or higher with
6 twenty or more years of service, the state shall pay fifty-nine percent
7 of the cost of premium or subscription charges for the coverage of
8 dependents of such retired state employees; such contribution shall
9 increase by one percent of the cost of premium or subscription charges
10 for each year of service in excess of twenty years, to a maximum of
11 sixty-nine percent of the cost of premium or subscription charges for
12 such dependents.

13 (d) For state employees who retire from a position at or equated to
14 grade nine or lower with at least ten but less than twenty years of
15 service, the state shall pay thirty-nine percent of the cost of premium
16 or subscription charges for the coverage of dependents of such retired
17 state employees; such contribution shall increase by two percent of the
18 cost of premium or subscription charges for each year of service in
19 excess of ten years, to a maximum of fifty-seven percent of the cost of
20 premium or subscription charges for such dependents. For state employees
21 who retire from a position at or equated to grade nine or lower with
22 twenty or more years of service, the state shall pay sixty-three percent
23 of the cost of premium or subscription charges for the coverage of
24 dependents of such retired state employees; such contribution shall
25 increase by one percent of the cost of premium or subscription charges
26 for each year of service in excess of twenty years, to a maximum of
27 seventy-three percent of the cost of premium or subscription charges for
28 such dependents.

1 (e) With respect to all such retired state employees, each increment
2 of one or two percent of the cost of premium or subscription charges for
3 each year of service shall be applicable for whole years of service to
4 the state and shall not be applied on a pro-rata basis for partial years
5 of service.

6 (f) The provisions of this subdivision shall not be applicable to:

7 (1) Members of the New York state and local police and fire retirement
8 system;

9 (2) Members in the uniformed personnel in institutions under the
10 jurisdiction of the state department of corrections and community super-
11 vision or who are security hospital treatment assistants, as defined in
12 section eighty-nine of the retirement and social security law; and

13 (3) Any state employee determined to have retired with an ordinary,
14 accidental, or performance of duty disability retirement benefit.

15 (g) For the purposes of determining the cost of premium or
16 subscription charges to be paid by the state on behalf of retired state
17 employees enrolled in the New York state health insurance program who
18 are hired on or after October first, two thousand twenty, the state
19 shall consider all years of service that a retired state employee has
20 accrued in a public retirement system of the state or an optional
21 retirement program established pursuant to article three, eight-B, or
22 one hundred twenty-five-A of the education law. The provisions of this
23 paragraph may not be used to grant eligibility for retiree state health
24 insurance coverage to a retiree who is not otherwise eligible to enroll
25 in the New York state health insurance program as a retiree.

26 § 2. This act shall take effect October 1, 2020.

1 Section 1. Paragraph (h) of subdivision 1 of section 209-a of the
2 civil service law, as amended by section 1 of part E of chapter 55 of
3 the laws of 2019, is amended to read as follows:

4 (h) to disclose home addresses, personal telephone numbers, personal
5 cell phone numbers, personal e-mail addresses of a public employee, as
6 the term "public employee" is defined in subdivision seven of section
7 two hundred one of this article, except (i) where required pursuant to
8 the provisions of this article, [and] (ii) to the extent compelled to do
9 so by lawful service of process, subpoena, court order, or (iii) in
10 accordance with subdivision four of section two hundred eight of this
11 article, or as otherwise required by law. This paragraph shall not
12 prohibit other provisions of law regarding work-related, publicly avail-
13 able information such as title, salary, and dates of employment.

14 § 2. Paragraph (b) of subdivision 4 of section 208 of the civil
15 service law, as added by section 1 of part RRR of chapter 59 of the laws
16 of 2018, is amended and a new paragraph (c) is added to read as follows:

17 (b) Within thirty days of providing the notice in paragraph a of this
18 subdivision, a public employer shall allow a duly appointed represen-
19 tative of the employee organization that represents that bargaining unit
20 to meet with such employee for a reasonable amount of time during his or
21 her work time without charge to leave credits, unless otherwise speci-
22 fied within an agreement bargained collectively under article fourteen
23 of the civil service law, provided however that arrangements for such
24 meeting must be scheduled in consultation with a designated represen-
25 tative of the public employer[.]; and

26 (c) Upon the request of the certified and recognized employee organ-
27 ization, and if the public employer conducts new employee orientations,
28 the public employer shall provide the employee organization mandatory

1 access to such new employee orientations. The employee organization
2 shall receive not less than ten days' notice in advance of an orien-
3 tation, except that a shorter notice may be provided in a specific
4 instance where there is an urgent need critical to the employer's oper-
5 ations that was not reasonably foreseeable to provide such notice. The
6 structure, time, and manner of exclusive representative access shall be
7 determined through mutual agreement between the employer and the employ-
8 ee organization.

9 § 3. Section 215 of the civil service law, as added by section 1 of
10 part DD of chapter 56 of the laws of 2019, is amended to read as
11 follows:

12 § 215. [Agency] Dues or agency shop fee deductions. 1. Notwithstanding
13 any other law to the contrary, any public employer, any employee organ-
14 ization, the comptroller and the board, or any of their employees or
15 agents, shall not be liable for, and shall have a complete defense to,
16 any claims or actions under the laws of this state for requiring,
17 deducting, receiving, or retaining dues or agency shop fee deductions
18 from public employees, and current or former public employees shall not
19 have standing to pursue these claims or actions, if the dues or fees
20 were permitted or mandated at the time under the laws of this state then
21 in force and paid, through payroll deduction or otherwise, prior to June
22 twenty-seventh, two thousand eighteen.

23 2. This section shall apply to claims and actions pending or filed on
24 or after June twenty-seventh, two thousand eighteen.

25 3. The enactment of this section shall not be interpreted to create
26 the inference that any relief made unavailable by this section would
27 otherwise be available.

28 § 4. This act shall take effect immediately.

1

PART X

2 Section 1. Section 103 of the state technology law is amended by
3 adding a new subdivision 22 to read as follows:

4 22. To issue procurements for technology, as defined in section one
5 hundred one of this article, in the manner as prescribed in this subdi-
6 vision.

7 (a) Notwithstanding section one hundred sixty-three of the state
8 finance law, or any other provision of law to the contrary, the office
9 may issue solicitations for comprehensive technology service contracts
10 and may award comprehensive technology service contracts for technology
11 as prescribed in this subdivision. A comprehensive technology service
12 contract shall mean any contract for both the design and build of any
13 technology by a single entity or multiple entities acting as one, which
14 may include any and all technology as defined in this article and shall
15 result in a complete and operable system delivered to the state.

16 (b) For all procurements conducted pursuant to this section, the
17 office shall advertise in the contract reporter and on the website of
18 the office for no less than fifteen business days, a request for
19 proposals which shall include a detailed description of the work to be
20 performed, any minimum and mandatory qualifications, a brief description
21 of how the proposals will be scored, and any other criteria that the
22 office deems necessary and appropriate. Scoring criteria shall be draft-
23 ed and sealed by the office prior to the opening of any bids. Such scor-
24 ing criteria shall be objective to the extent practicable and shall
25 include cost. If the winning proposal scores less than five percent
26 higher than the penultimate proposal, the office shall be empowered to
27 request such two bidders to re-submit their cost proposals with the same

1 or lower cost within ten business days' notice, which the office shall
2 then evaluate based on the original sealed scoring criteria for final
3 award.

4 (c) The office shall include in every contract awarded pursuant to
5 this section a clause which limits the ability of any cost increase of
6 the contract to no more than ten percent of the original bid price of
7 the contractor. Any request for an increase in contract price shall be
8 subject to approval of the director of the division of the budget and
9 the office of the state comptroller. Such clause shall also specify that
10 if the vendor refuses to complete the contract according to the specific
11 terms of the contract as solely determined by the state and unless
12 otherwise agreed to in writing by the state, the contractor shall be
13 liable for return of all monies paid by the state to the contractor as a
14 result of the subject contract, documented state out of pocket expenses
15 up to the time of termination of the contract for work performed by the
16 state in furtherance of the goals of the contract, and any documented
17 cover costs which the state incurs as a result of re-procurement of the
18 contract, regardless of fault. The state shall also retain all title and
19 interest in any custom-built work product delivered to the state up to
20 and including the time of termination, regardless of payment or refund
21 of associated monies to or by the state.

22 (d) All terms used in this section shall have the same meaning other-
23 wise prescribed in this chapter or in articles eleven and nine of the
24 state finance law, except for those specifically defined in this
25 section.

26 § 2. Subdivisions 3 and 4 of section 163-a of the state finance law,
27 subdivision 3 as added by chapter 430 of the laws of 1997 and subdivi-

1 sion 4 as amended by section 10 of part 0 of chapter 55 of the laws of
2 2012, are amended and a new subdivision 5 is added to read as follows:

3 3. A vendor has furnished at government request specifications or
4 information regarding a product or service they provide, but such vendor
5 has not been directly requested to write specifications for such product
6 or service or an agency technology procurement proposal; [or]

7 4. The [state agency together with] director of the office of informa-
8 tion technology services, upon request by a state agency, determines
9 that the restriction is not in the best interest of the state[. Such
10 office shall notify each member of the advisory council established in
11 article one of the state technology law of any such waiver of these
12 restrictions.]; or

13 5. For the office of information technology services, the restrictions
14 contained within this section shall not apply to procurements issued
15 pursuant to section one hundred three of the state technology law.

16 § 3. This act shall take effect immediately.

17 PART Y

18 Section 1. Subdivision 10 of section 160 of the state finance law, as
19 added by chapter 83 of the laws of 1995, is amended to read as follows:

20 10. "Technology" means either a good or a service or a combination
21 thereof, [that results in a technical method of achieving a practical
22 purpose or in improvements in productivity] used in the application of
23 any computer or electronic information or interconnected system that is
24 used in the acquisition, storage, manipulation, management, movement,
25 control, display, switching, interchange, transmission, or reception of
26 data or voice including, but not limited to, hardware, software, infor-

1 mation appliances, firmware, programs, systems, networks, infrastruc-
2 ture, media, and related material used to automatically and electron-
3 ically collect, receive, access, transmit, display, store, record,
4 retrieve, analyze, evaluate, process, classify, manipulate, manage,
5 assimilate, control, communicate, exchange, convert, coverage, inter-
6 face, switch, or disseminate data of any kind or form, and shall include
7 all associated consulting, management, facilities, maintenance and
8 training. Goods may be either new or used.

9 § 2. Subdivision 5 of section 101 of the state technology law, as
10 added by chapter 430 of the laws of 1997 and as renumbered by chapter
11 437 of the laws of 2004, is amended to read as follows:

12 5. "Technology" means [a good, service, or good and service that
13 results in a digital, electronic or similar technical method of achiev-
14 ing a practical purpose or in improvements in productivity, including
15 but not limited to information management, equipment, software, operat-
16 ing systems, interface systems, interconnected systems, telecommuni-
17 cations, data management, networks, and network management, consulting,
18 supplies, facilities, maintenance and training] either a good or a
19 service or a combination thereof, used in the application of any comput-
20 er or electronic information or interconnected system that is used in
21 the acquisition, storage, manipulation, management, movement, control,
22 display, switching, interchange, transmission, or reception of data or
23 voice including, but not limited to, hardware, software, information
24 appliances, firmware, programs, systems, networks, infrastructure,
25 media, and related material used to automatically and electronically
26 collect, receive, access, transmit, display, store, record, retrieve,
27 analyze, evaluate, process, classify, manipulate, manage, assimilate,
28 control, communicate, exchange, convert, coverage, interface, switch, or

1 disseminate data of any kind or form, and shall include all associated
2 consulting, management, facilities, maintenance, support and training.
3 Goods may be either new or used.

4 § 3. This act shall take effect immediately.

5 PART Z

6 Section 1. Section 1 of part S of chapter 56 of the laws of 2010,
7 relating to establishing a joint appointing authority for the state
8 financial system project, is amended to read as follows:

9 Section 1. The division of the budget and office of the state comp-
10 troller may dedicate such officers and employees as may be needed to a
11 joint project, which shall be known as the [state] statewide financial
12 system project, and which shall be responsible for the development,
13 implementation and maintenance of a single, statewide financial manage-
14 ment system for use by the office of the state comptroller and all agen-
15 cies. The division of the budget and the office of the state comptroller
16 shall serve jointly as the appointing authority for all titles within
17 the project, and shall jointly appoint a project [manager] director
18 therefor. For purposes of appointment and promotion under the civil
19 service law, the [state] statewide financial system project shall be
20 treated as if it were a single department. For the purposes of procure-
21 ment and contracting pursuant to the state finance law, the statewide
22 financial system project shall be treated as a single department,
23 provided that all procurements and contracts issued and agreed to by the
24 statewide financial system project shall be subject to the approval of
25 the division of the budget and the office of the state comptroller.

26 § 2. This act shall take effect immediately.

1

PART AA

2 Section 1. Subdivision 12 of section 3 of the public buildings law, as
3 amended by section 48 of part T of chapter 57 of the laws of 2007, is
4 amended to read as follows:

5 12. Lease from time to time buildings, rooms or premises in the county
6 of Albany, and elsewhere as required, for providing space for depart-
7 ments, commissions, boards and officers of the state government, upon
8 such terms and conditions as he or she deems most advantageous to the
9 state. Any such lease shall, however, be for a term not exceeding [ten]
10 fifteen years, but may provide for optional renewals on the part of the
11 state, for terms of [ten] fifteen years or less. Each such lease shall
12 contain a clause stating that the contract of the state thereunder shall
13 be deemed executory only to the extent of moneys available therefor and
14 that no liability shall be incurred by the state beyond the money avail-
15 able for such purpose. Notwithstanding the provisions of any other law,
16 except section sixteen hundred seventy-six of the public authorities law
17 relating to use of dormitory authority facilities by the aged, the
18 commissioner of general services shall have sole and exclusive authority
19 to lease space for state departments, agencies, commissions, boards and
20 officers within the county of Albany. Any buildings, rooms or premises,
21 now or hereafter held by the commissioner of general services under
22 lease, may be sublet, in part or in whole, provided that in the judgment
23 of the commissioner, and the occupying department, commission, board,
24 and officers of the state government, such buildings, rooms or premises
25 are not for a time needed. Notwithstanding any other provision of law to
26 the contrary, if bonds or notes are issued pursuant to section sixteen
27 hundred eighty-n of the public authorities law for the purpose of

1 acquiring a building or other facility previously financed by a lease or
2 lease-purchase obligation as authorized herein, the state agency which
3 is the tenant in occupancy shall be authorized to remit tax payments or
4 payments in lieu of thereof to the appropriate taxing authority in a
5 manner consistent with the process and term established under the
6 original lease or lease-purchase for the subject property for a period
7 coincident with the term of the lease as established at the commencement
8 of the term thereof. The state may undertake a certiorari review of
9 assessments that may be imposed from time to time.

10 § 2. This act shall take effect on the same date as the reversion of
11 subdivision 12 of section 3 of the public buildings law as provided in
12 section 27 of chapter 95 of the laws of 2000, as amended.

13 PART BB

14 Section 1. Section 139-1 of the state finance law, as added by section
15 1 of subpart A of part KK of chapter 57 of the laws of 2018, is amended
16 to read as follows:

17 § 139-1. Statement on sexual harassment and reports on sexual harass-
18 ment, in bids. 1. (a) Every bid hereafter made to the state or any
19 public department or agency thereof, where competitive bidding is
20 required by statute, rule or regulation, for work or services performed
21 or to be performed or goods sold or to be sold, shall contain the
22 following statement subscribed by the bidder and affirmed by such bidder
23 as true under the penalty of perjury:

24 "By submission of this bid, each bidder and each person signing on
25 behalf of any bidder certifies, and in the case of a joint bid each
26 party thereto certifies as to its own organization, under penalty of

1 perjury, that the bidder has and has implemented a written policy
2 addressing sexual harassment prevention in the workplace and provides
3 annual sexual harassment prevention training to all of its employees.
4 Such policy shall, at a minimum, meet the requirements of section two
5 hundred one-g of the labor law."

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

12 2. (a) Every bid hereafter made to the state or any public department
13 or agency thereof, where competitive bidding is required by statute,
14 rule or regulation, for work or services performed or to be performed or
15 goods sold or to be sold, shall include a report listing (i) the name of
16 the bidder; (ii) the total number of adverse judgments or administrative
17 rulings arising from allegations of sexual harassment during the preced-
18 ing year; (iii) total number of employees; (iv) whether any equitable
19 relief was ordered against the bidder in any adverse judgment or admin-
20 istrative ruling; (v) the total number of settlements, defined as any
21 written commitment or written agreement, including any agreed judgment,
22 stipulation, decree, agreement to settle, assurance of discontinuance,
23 or otherwise between an employee or a nonemployee and a bidder, under
24 which the bidder directly or indirectly provides to an individual
25 compensation or other consideration due to an allegation that the indi-
26 vidual has been a victim of sexual harassment, that has been entered
27 into during the preceding year that relate to any alleged act of sexual
28 harassment that occurred in the workplace of the bidder; and (vi) the

1 total number of settlements entered into during the previous year that
2 relate to any alleged act of sexual harassment committed by a corporate
3 executive without regard to whether that behavior occurred in the work-
4 place of the bidder. The information required by this subdivision shall
5 be provided in electronic format in such form as prescribed by the divi-
6 sion of human rights.

7 (b) On or before the fifteenth of February of each year, copies of the
8 reports required by paragraph (a) of this subdivision received in the
9 previous calendar year shall be transmitted from the contracting agency
10 to the division of human rights and the office of the state comptroller.
11 The office of the state comptroller shall prepare an annual report
12 summarizing such data, which shall be submitted to the governor, the
13 temporary president of the senate, the speaker of the assembly and the
14 chairpersons of the senate finance, the assembly ways and means commit-
15 tees, the attorney general, the commissioner of labor, and the commis-
16 sioner of the division of human rights by the thirty-first of July each
17 year following the effective date of this section. Such report shall
18 include the name of the bidder; the total number of adverse judgments or
19 administrative rulings during the preceding year; the total number of
20 employees; whether any equitable relief was ordered against the bidder
21 in any adverse judgment or administrative ruling; and the total number
22 of settlements, as defined in subparagraph (v) of paragraph (a) of this
23 subdivision, entered into during the preceding year.

24 [2.] 3. Notwithstanding the foregoing, the statement required by para-
25 graph (a) of subdivision one of this section and the report required by
26 paragraph (a) of subdivision two of this section may be submitted elec-
27 tronically in accordance with the provisions of subdivision seven of
28 section one hundred sixty-three of this chapter.

1 [3.] 4. A bid shall not be considered for award nor shall any award be
2 made to a bidder who has not complied with [subdivision] subdivisions
3 one and two of this section; provided, however, that if the bidder
4 cannot make the foregoing certification, such bidder shall so state and
5 shall furnish with the bid a signed statement which sets forth in detail
6 the reasons therefor.

7 [4.] 5. Any bid hereafter made to the state or any public department,
8 agency or official thereof, by a corporate bidder for work or services
9 performed or to be performed or goods sold or to be sold, where such bid
10 contains the statement required by subdivision one of this section and
11 the report required by subdivision two of this section, shall be deemed
12 to have been authorized by the board of directors of such bidder, and
13 such authorization shall be deemed to include the signing and submission
14 of such bid and the inclusion therein of such statement and such report
15 as the act and deed of the corporation.

16 § 2. This act shall take effect on the first of July next succeeding
17 the date upon which it shall have become a law and shall apply to all
18 contracts with the state entered into on and after such effective date.

19 PART CC

20 Section 1. Subdivision 3 of section 17 of the alcoholic beverage
21 control law, as amended by section 8 of chapter 522 of the laws of 2018,
22 is amended to read as follows:

23 3. To revoke, cancel or suspend for cause any license or permit issued
24 under this chapter and/or to impose a civil penalty for cause against
25 any holder of a license or permit issued pursuant to this chapter. Any
26 civil penalty so imposed shall not exceed the sum of ten thousand

1 dollars as against the holder of any retail permit issued pursuant to
2 sections ninety-five, ninety-seven, ninety-eight, ninety-nine-d, and
3 paragraph f of subdivision one of section ninety-nine-b of this chapter,
4 and as against the holder of any retail license issued pursuant to
5 sections fifty-three-a, fifty-four, fifty-four-a, fifty-five, fifty-
6 five-a, sixty-three, sixty-four, sixty-four-a, sixty-four-b,
7 sixty-four-c, seventy-six-f, seventy-nine, eighty-one and eighty-one-a
8 of this chapter, and as against the holder of any license issued pursu-
9 ant to section forty of this chapter, and the sum of thirty thousand
10 dollars as against the holder of a license issued pursuant to sections
11 thirty, thirty-one, fifty-three, sixty-one-a, sixty-one-b, seventy-six,
12 seventy-six-a, and seventy-eight of this chapter, provided that the
13 civil penalty against the holder of a wholesale license issued pursuant
14 to section fifty-three of this chapter shall not exceed the sum of ten
15 thousand dollars where that licensee violates provisions of this chapter
16 during the course of the sale of beer at retail to a person for consump-
17 tion at home, and the sum of one hundred thousand dollars as against the
18 holder of any license issued pursuant to sections fifty-one, sixty-one,
19 and sixty-two of this chapter. Any civil penalty so imposed shall be in
20 addition to and separate and apart from the terms and provisions of the
21 bond required pursuant to section one hundred twelve of this chapter.
22 Provided that no appeal is pending on the imposition of such civil
23 penalty, in the event such civil penalty imposed by the division remains
24 unpaid, in whole or in part, more than forty-five days after written
25 demand for payment has been sent by first class mail to the address of
26 the licensed premises, a notice of impending default judgment shall be
27 sent by first class mail to the licensed premises and by first class
28 mail to the last known home address of the person who signed the most

1 recent license application. The notice of impending default judgment
2 shall advise the licensee: (a) that a civil penalty was imposed on the
3 licensee; (b) the date the penalty was imposed; (c) the amount of the
4 civil penalty; (d) the amount of the civil penalty that remains unpaid
5 as of the date of the notice; (e) the violations for which the civil
6 penalty was imposed; and (f) that a judgment by default will be entered
7 in the supreme court of the county in which the licensed premises are
8 located, or other court of civil jurisdiction or any other place
9 provided for the entry of civil judgments within the state of New York
10 unless the division receives full payment of all civil penalties due
11 within twenty days of the date of the notice of impending default judg-
12 ment. If full payment shall not have been received by the division with-
13 in thirty days of mailing of the notice of impending default judgment,
14 the division shall proceed to enter with such court a statement of the
15 default judgment containing the amount of the penalty or penalties
16 remaining due and unpaid, along with proof of mailing of the notice of
17 impending default judgment. The filing of such judgment shall have the
18 full force and effect of a default judgment duly docketed with such
19 court pursuant to the civil practice law and rules and shall in all
20 respects be governed by that chapter and may be enforced in the same
21 manner and with the same effect as that provided by law in respect to
22 execution issued against property upon judgments of a court of record. A
23 judgment entered pursuant to this subdivision shall remain in full force
24 and effect for eight years notwithstanding any other provision of law.

25 § 2. Subdivision 3 of section 17 of the alcoholic beverage control
26 law, as amended by section 9 of chapter 522 of the laws of 2018, is
27 amended to read as follows:

1 3. To revoke, cancel or suspend for cause any license or permit issued
2 under this chapter and/or to impose a civil penalty for cause against
3 any holder of a license or permit issued pursuant to this chapter. Any
4 civil penalty so imposed shall not exceed the sum of ten thousand
5 dollars as against the holder of any retail permit issued pursuant to
6 sections ninety-five, ninety-seven, ninety-eight, ninety-nine-d, and
7 paragraph f of subdivision one of section ninety-nine-b of this chapter,
8 and as against the holder of any retail license issued pursuant to
9 sections fifty-three-a, fifty-four, fifty-four-a, fifty-five, fifty-
10 five-a, sixty-three, sixty-four, sixty-four-a, sixty-four-b,
11 sixty-four-c, seventy-six-f, seventy-nine, eighty-one, and eighty-one-a
12 of this chapter, and as against the holder of any license issued pursu-
13 ant to section forty of this chapter, and the sum of thirty thousand
14 dollars as against the holder of a license issued pursuant to sections
15 thirty, thirty-one, fifty-three, sixty-one-a, sixty-one-b, seventy-six,
16 seventy-six-a and seventy-eight of this chapter, provided that the civil
17 penalty against the holder of a wholesale license issued pursuant to
18 section fifty-three of this chapter shall not exceed the sum of ten
19 thousand dollars where that licensee violates provisions of this chapter
20 during the course of the sale of beer at retail to a person for consump-
21 tion at home, and the sum of one hundred thousand dollars as against the
22 holder of any license issued pursuant to sections fifty-one, sixty-one
23 and sixty-two of this chapter. Any civil penalty so imposed shall be in
24 addition to and separate and apart from the terms and provisions of the
25 bond required pursuant to section one hundred twelve of this chapter.
26 Provided that no appeal is pending on the imposition of such civil
27 penalty, in the event such civil penalty imposed by the division remains
28 unpaid, in whole or in part, more than forty-five days after written

1 demand for payment has been sent by first class mail to the address of
2 the licensed premises, a notice of impending default judgment shall be
3 sent by first class mail to the licensed premises and by first class
4 mail to the last known home address of the person who signed the most
5 recent license application. The notice of impending default judgment
6 shall advise the licensee: (a) that a civil penalty was imposed on the
7 licensee; (b) the date the penalty was imposed; (c) the amount of the
8 civil penalty; (d) the amount of the civil penalty that remains unpaid
9 as of the date of the notice; (e) the violations for which the civil
10 penalty was imposed; and (f) that a judgment by default will be entered
11 in the supreme court of the county in which the licensed premises are
12 located, or other court of civil jurisdiction, or any other place
13 provided for the entry of civil judgments within the state of New York
14 unless the division receives full payment of all civil penalties due
15 within twenty days of the date of the notice of impending default judg-
16 ment. If full payment shall not have been received by the division with-
17 in thirty days of mailing of the notice of impending default judgment,
18 the division shall proceed to enter with such court a statement of the
19 default judgment containing the amount of the penalty or penalties
20 remaining due and unpaid, along with proof of mailing of the notice of
21 impending default judgment. The filing of such judgment shall have the
22 full force and effect of a default judgment duly docketed with such
23 court pursuant to the civil practice law and rules and shall in all
24 respects be governed by that chapter and may be enforced in the same
25 manner and with the same effect as that provided by law in respect to
26 execution issued against property upon judgments of a court of record. A
27 judgment entered pursuant to this subdivision shall remain in full force
28 and effect for eight years notwithstanding any other provision of law.

1 § 3. The alcoholic beverage control law is amended by adding a new
2 article 3-A to read as follows:

3 ARTICLE 3-A

4 MISCELLANEOUS LICENSES

5 Section 40. Higher education institution license.

6 § 40. Higher education institution license. 1. Any college or univer-
7 sity accredited by the board of regents of the New York state education
8 department may apply to the liquor authority for a higher education
9 institution license as provided for in this section. Such application
10 shall be in writing and shall contain such information as the liquor
11 authority shall require. Such application shall be accompanied by a
12 check or draft for the amount required by this subdivision for such
13 license. If the liquor authority shall approve the application it shall
14 issue a license in such form as shall be determined by its rules. The
15 annual fee for a higher education institution license shall be two thou-
16 sand dollars.

17 2. A licensee under this section shall have the following privileges:

18 (a) To operate a manufacturing facility or facilities at the licensed
19 premises for the production of mead, beer, cider, liquor, and wine; the
20 licensee may: (i) sell in bulk such alcoholic beverages to any person
21 licensed under this chapter to manufacture the class of alcoholic bever-
22 age to be purchased, or to a permittee engaged in the manufacture of
23 products which are unfit for beverage use; (ii) sell or deliver such
24 alcoholic beverages to persons outside the state pursuant to the laws of
25 the place of such delivery;

26 (b) To sell to manufacturers, wholesalers, and retailers licensed or
27 permitted in this state any alcoholic beverage manufactured by the
28 licensee which that manufacturer, wholesaler or retailer may sell. All

1 such alcoholic beverages sold by the licensee must be securely sealed in
2 a container and have attached thereto a label as shall be required by
3 section one hundred seven-a of this chapter;

4 (c) (i) (A) To sell at retail for on and off premises consumption any
5 alcoholic beverage manufactured by the licensee and any New York state
6 labeled alcoholic beverage provided that for on-premises consumption the
7 licensee regularly keeps food available such as sandwiches, soups and
8 other such foods, whether fresh, processed, pre-cooked or frozen, and/or
9 food items intended to complement the tasting of alcoholic beverages,
10 which shall mean a diversified selection of food that is ordinarily
11 consumed without the use of tableware and can be conveniently consumed
12 while standing or walking, including but not limited to: cheeses,
13 fruits, vegetables, chocolates, breads, mustards and crackers. (B) Sales
14 made under clause (A) for off-premises consumption may be made only to
15 customers who are physically present upon the licensed premises and such
16 sale shall be concluded by the customer's taking, with him or her, of
17 the sealed containers purchased by such customer at the time the custom-
18 er leaves the licensed premises. Such sales shall not be made where the
19 order is placed by letter, telephone, fax, or email, or where the
20 customer otherwise does not place the order while the customer is phys-
21 ically present upon the licensed premises; (ii) to operate a restaurant,
22 hotel, catering establishment, or other food and drinking establishment
23 at the licensed premises and sell at such place, at retail for consump-
24 tion on the premises, any alcoholic beverage manufactured by the licen-
25 see and any New York state labeled alcoholic beverage; (iii) to apply to
26 the authority for a license under this chapter to sell other alcoholic
27 beverages at retail for consumption at the licensed premises. All of
28 the provisions of this chapter relative to licenses to sell beer, liquor

1 or wine at retail for consumption on the premises shall apply as far as
2 applicable; (iv) to sell alcoholic beverages manufactured by the licen-
3 see at the state fair, recognized county fairs and at farmers markets
4 operated on a not-for-profit basis; (v) to sell alcoholic beverages
5 produced by the licensee in bulk by the keg, cask, or barrel for
6 consumption and not for resale at a clam-bake, barbeque, picnic or simi-
7 lar outdoor gathering;

8 (d) To manufacture, bottle and sell food condiments and products such
9 as honey, mustards, sauces, jams, jellies, mulling spices and other
10 alcoholic beverage related foods in addition to other such food and
11 crafts on and from the licensed premises. Such license shall authorize
12 the holder thereof to store and sell gift items in a tax-paid room upon
13 the licensed premises incidental to the sale of alcoholic beverages.
14 These gift items shall be limited to the following categories: (i) non-
15 alcoholic beverages for consumption on or off premises, including but
16 not limited to bottled water, juice and soda beverages; (ii) food items
17 for the purpose of complementing alcoholic beverages, which shall mean a
18 diversified selection of food that is ordinarily consumed without the
19 use of tableware and can be conveniently consumed while standing or
20 walking. Such food items shall include but need not be limited to:
21 cheeses, fruits, vegetables, chocolates, breads, baked goods, mustards
22 and crackers; (iii) food items, which shall include locally produced
23 farm products and any food or food product not specifically prepared for
24 immediate consumption upon the premises. Such food items may be combined
25 into a package containing alcoholic beverages; (iv) alcoholic beverage
26 supplies and accessories, which shall include any item utilized for the
27 storage, serving or consumption of alcoholic beverages or for decorative
28 purposes. These supplies may be sold as single items or may be combined

1 into a package containing alcoholic beverages; (v) alcoholic beverage
2 equipment and supplies including, but not limited to: honey, home alco-
3 holic beverage-making kits, pumps, filters, yeasts, chemicals and other
4 alcoholic beverage additives, bottling equipment, bottles, alcoholic
5 beverage storage and fermenting vessels, barrels, and books or other
6 written material to assist alcoholic beverage makers to produce and
7 bottle alcoholic beverages; and (vi) souvenir items, which shall
8 include, but need not be limited to: artwork, crafts, clothing, agricul-
9 tural products and any other articles which can be construed to propa-
10 gate tourism within the region.

11 (e) To engage in any other business on the licensed premises as is
12 compatible with the mission of a college and university and compatible
13 with the policy and purposes of this chapter in consideration of the
14 effect of the particular businesses on the community and area in the
15 vicinity of the licensed premises.

16 (f) Notwithstanding any contrary provision of law or of any rule or
17 regulation promulgated pursuant thereto, and in addition to the activ-
18 ities which may otherwise be carried out by any person licensed under
19 this section, such person may, on the premises designated in such
20 license: (i) produce, package, bottle, sell and deliver soft drinks and
21 other non-alcoholic beverages; (ii) recover carbon dioxide and yeast;
22 (iii) store bottles, packages and supplies necessary or incidental to
23 all such operations; (iv) package, bottle, sell and deliver wine
24 products; (v) allow for the premises including space and equipment to be
25 rented by a licensed tenant alcoholic beverage producer for the purposes
26 of alternation.

27 (g) The authority is hereby authorized to promulgate rules and regu-
28 lations to effectuate the provisions of this section. In prescribing

1 such rules and regulations, the authority shall promote the expansion
2 and profitability of alcoholic beverage production and of tourism in New
3 York, thereby promoting the conservation, production and enhancement of
4 New York state agricultural lands.

5 3.(a) Any activities authorized under this section and carried out by
6 an entity licensed pursuant to this section shall not be violative of
7 subdivision one of section one hundred one, subdivision sixteen of
8 section one hundred five, or subdivision thirteen of section one hundred
9 six of this chapter provided such entity has no interests direct or
10 indirect in the manufacture, wholesale, or retail of alcoholic beverages
11 other than at the licensed premises.

12 (b) Provided however that if the licensed entity has an interest in
13 the manufacture or wholesale or alcoholic beverages at another location,
14 such interest shall be permissible where: (i) the interest is total
15 ownership, or (ii) where the interest is less than total ownership, and
16 (A) the manufacturer or wholesaler does not, directly or indirectly,
17 exercise control over or participate in management of the retail busi-
18 ness of the licensed entity; (B) the interest does not result in the
19 retail business of the licensed entity purchasing alcoholic beverages
20 from the manufacturer or wholesaler to the exclusion, in whole or part,
21 of alcoholic beverages offered for sale by other persons; (C) the
22 products and services of the manufacturer or wholesaler are not offered
23 discriminatorily in that they are offered to all retailers in the local
24 market on the same terms; and (D) the retail business of the licensed
25 entity purchases alcoholic beverages from a wholesaler licensed under
26 this chapter without an interest in the retail business of such licensed
27 entity when purchasing alcoholic beverages not manufactured by the
28 licensee.

1 (c) Provided further that if the licensed entity has an interest in
2 retail sale of alcoholic beverages at another location, such interest
3 shall be permissible where: (i) the interest is total ownership, or (ii)
4 where the interest is less than total ownership, and (A) the retailer
5 does not, directly or indirectly, exercise control over or participate
6 in management of the manufacturing or wholesaling business of the
7 licensed entity; (B) the interest does not result in the retail business
8 of the licensed entity purchasing alcoholic beverages from the manufac-
9 turer or wholesaler to the exclusion, in whole or in part, of alcoholic
10 beverages offered for sale by other persons; (C) the retail business
11 purchases alcoholic beverages from a wholesaler licensed under this
12 chapter without an interest in the retail business when purchasing alco-
13 holic beverages not manufactures by the licensee.

14 § 4. Subdivision 1 of section 56-a of the alcoholic beverage control
15 law, as amended by chapter 522 of the laws of 2018, is amended to read
16 as follows:

17 1. In addition to the annual fees provided for in this chapter, there
18 shall be paid to the authority with each initial application for a
19 license filed pursuant to section thirty, thirty-one, forty, fifty-one,
20 fifty-one-a, fifty-two, fifty-three, fifty-eight, fifty-eight-c, fifty-
21 eight-d, sixty-one, sixty-two, seventy-six, seventy-seven or seventy-
22 eight of this chapter, a filing fee of four hundred dollars; with each
23 initial application for a license filed pursuant to section sixty-three,
24 sixty-four, sixty-four-a or sixty-four-b of this chapter, a filing fee
25 of two hundred dollars; with each initial application for a license
26 filed pursuant to section fifty-three-a, fifty-four, fifty-five, fifty-
27 five-a, seventy-nine, eighty-one or eighty-one-a of this chapter, a
28 filing fee of one hundred dollars; with each initial application for a

1 permit filed pursuant to section ninety-one, ninety-one-a, ninety-two,
2 ninety-two-a, ninety-three, ninety-three-a, if such permit is to be
3 issued on a calendar year basis, ninety-four, ninety-five, ninety-six or
4 ninety-six-a, or pursuant to paragraph b, c, e or j of subdivision one
5 of section ninety-nine-b of this chapter if such permit is to be issued
6 on a calendar year basis, or for an additional bar pursuant to subdivi-
7 sion four of section one hundred of this chapter, a filing fee of twenty
8 dollars; and with each application for a permit under section ninety-
9 three-a of this chapter, other than a permit to be issued on a calendar
10 year basis, section ninety-seven, ninety-eight, ninety-nine, or ninety-
11 nine-b of this chapter, other than a permit to be issued pursuant to
12 paragraph b, c, e or j of subdivision one of section ninety-nine-b of
13 this chapter on a calendar year basis, a filing fee of ten dollars.

14 § 5. This act shall take effect October 1, 2020, provided that the
15 amendments to subdivision 3 of section 17 of the alcoholic beverage
16 control law made by section one of this act shall be subject to the
17 expiration and reversion of such subdivision pursuant to section 4 of
18 chapter 118 of the laws of 2012, as amended, when upon such date the
19 provisions of section two of this act shall take effect.

20

PART DD

21 Section 1. Section 106 of the alcoholic beverage control law is
22 amended by adding a new subdivision 16 to read as follows:

23 16. A person holding a retail on-premises license for a movie theatre
24 granted pursuant to section sixty-four-a of this chapter shall:

1 (a) for every purchase of an alcoholic beverage, require the purchaser
2 to provide written evidence of age as set forth in paragraph (b) of
3 subdivision two of section sixty-five-b of this chapter; and

4 (b) allow the purchase of only one alcoholic beverage per transaction;
5 and

6 (c) only permit the sale or delivery of alcoholic beverages directly
7 to an individual holding a ticket for a motion picture with a Motion
8 Picture Association of America rating of "PG-13", "R", or "NC-17"; and

9 (d) not commence the sale of alcoholic beverages until one hour prior
10 to the start of the first motion picture and cease all sales of alcohol-
11 ic beverages after the conclusion of the final motion picture.

12 § 2. Subdivision 6 of section 64-a of the alcoholic beverage control
13 law, as amended by chapter 475 of the laws of 2011, is amended to read
14 as follows:

15 6. No special on-premises license shall be granted except for premises
16 in which the principal business shall be (a) the sale of food or bever-
17 ages at retail for consumption on the premises or (b) the operation of a
18 legitimate theatre, including a motion picture theatre that is a build-
19 ing or facility which is regularly used and kept open primarily for the
20 exhibition of motion pictures for at least five out of seven days a
21 week, or on a regular seasonal basis of no less than six contiguous
22 weeks, to the general public where all auditorium seating is permanently
23 affixed to the floor and at least sixty-five percent of the motion
24 picture theatre's annual gross revenues is the combined result of admis-
25 sion revenue for the showing of motion pictures and the sale of food and
26 non-alcoholic beverages, or such other lawful adult entertainment or
27 recreational facility as the liquor authority, giving due regard to the
28 convenience of the public and the strict avoidance of sales prohibited

1 by this chapter, shall by regulation classify for eligibility. [Nothing
2 contained in this subdivision shall be deemed to authorize the issuance
3 of a license to a motion picture theatre, except those meeting the defi-
4 nition of restaurant and meals, and where all seating is at tables where
5 meals are served.]

6 § 3. Subdivision 8 of section 64-a of the alcoholic beverage control
7 law, as added by chapter 531 of the laws of 1964, is amended to read as
8 follows:

9 8. Every special on-premises licensee shall regularly keep food avail-
10 able for sale to its customers for consumption on the premises. The
11 availability of sandwiches, soups or other foods, whether fresh, proc-
12 essed, pre-cooked or frozen, shall be deemed compliance with this
13 requirement. For motion picture theatres licensed under paragraph (b) of
14 subdivision six of this section, food that is typically found in a
15 motion picture theatre, including but not limited to: popcorn, candy,
16 and light snacks, shall be deemed to be in compliance with this require-
17 ment. The licensed premises shall comply at all times with all the regu-
18 lations of the local department of health. Nothing contained in this
19 subdivision, however, shall be construed to require that any food be
20 sold or purchased with any liquor, nor shall any rule, regulation or
21 standard be promulgated or enforced requiring that the sale of food be
22 substantial or that the receipts of the business other than from the
23 sale of liquor equal any set percentage of total receipts from sales
24 made therein.

25 § 4. Subdivision 9 of section 64-a of the alcoholic beverage control
26 law is renumbered subdivision 10 and a new subdivision 9 is added to
27 read as follows:

1 9. In the case of a motion picture theatre applying for a license
2 under this section, any municipality required to be notified under
3 section one hundred ten-b of this chapter may express an opinion with
4 respect to whether the application should be approved, and such opinion
5 may be considered in determining whether good cause exists to deny any
6 such application.

7 § 5. This act shall take effect immediately.

8 PART EE

9 Section 1. Subdivision 1 of section 101 of the alcoholic beverage
10 control law is amended by adding a new paragraph (a-1) to read as
11 follows:

12 (a-1) Notwithstanding the provisions of paragraph (a) of this subdivi-
13 sion, it shall be lawful for a manufacturer or wholesaler to hold,
14 directly or indirectly, an interest in a premises licensed under this
15 chapter where alcoholic beverages are sold at retail, provided that:

16 (i) the manufacturer or wholesaler does not, directly or indirectly,
17 exercise control over or participate in the management of the retailer's
18 business or business decisions;

19 (ii) the interest does not result in the retailer purchasing alcoholic
20 beverages from the manufacturer or wholesaler to the exclusion, in whole
21 or in part, of alcoholic beverages offered for sale by other persons;

22 (iii) the products and services of the manufacturer or wholesaler are
23 not offered discriminatorily in that they are offered to all retailers
24 in the local market on the same terms; and

25 (iv) the retailer purchases alcoholic beverages from a wholesaler
26 licensed under this chapter without an interest in the retailer.

1 § 2. Subdivision 1 of section 101 of the alcoholic beverage control
2 law is amended by adding a new paragraph (a-2) to read as follows:

3 (a-2) The provisions of paragraphs (a) and (a-1) of this subdivision
4 shall not apply to a manufacturer or wholesaler with complete ownership
5 of a premises where alcoholic beverages are sold at retail.

6 § 3. Subdivision 1 of section 101 of the alcoholic beverage control
7 law is amended by adding a new paragraph (c-1) to read as follows:

8 (c-1) The direct or indirect operation and management of a retail
9 premises licensed under this chapter by a manufacturer or wholesaler
10 with complete ownership of the premises shall not constitute a prohibit-
11 ed gift or service.

12 § 4. Section 105 of the alcoholic beverage control law is amended by
13 adding a new subdivision 16-a to read as follows:

14 16-a. Notwithstanding the provisions of subdivision sixteen of this
15 section, it shall be lawful for a retail licensee for off-premises
16 consumption to hold, directly or indirectly, an interest in a manufac-
17 turer or wholesaler, provided that:

18 (a) the retail licensee does not exercise, direct or indirect, control
19 over or participate in the management of the manufacturer or whole-
20 saler's business or business decisions;

21 (b) the interest does not result in the retailer purchasing the
22 manufacturer or wholesaler's alcoholic beverages to the exclusion, in
23 whole or in part, of alcoholic beverages offered for sale by other
24 persons; and

25 (c) the retail licensee purchases its alcoholic beverages from a
26 wholesaler licensed under this chapter that the retail licensee does not
27 hold an interest in.

1 § 5. Section 105 of the alcoholic beverage control law is amended by
2 adding a new subdivision 16-b to read as follows:

3 16-b. The provisions of subdivisions sixteen and sixteen-a of this
4 section shall not apply to a retail licensee for off-premises consump-
5 tion with complete ownership of a manufacturer or wholesaler.

6 § 6. Section 106 of the alcoholic beverage control law is amended by
7 adding a new subdivision 13-a to read as follows:

8 13-a. Notwithstanding the provisions of subdivision thirteen of this
9 section, it shall be lawful for a retail licensee for on-premises
10 consumption to hold, directly or indirectly, an interest in a manufac-
11 turer or wholesaler licensed under this chapter, provided that:

12 (a) the retail licensee does not exercise, direct or indirect, control
13 over or participate in the management of the manufacturer or whole-
14 saler's business or business decisions;

15 (b) the interest does not result in the retailer purchasing the
16 manufacturer or wholesaler's alcoholic beverages to the exclusion, in
17 whole or in part, of alcoholic beverages offered for sale by other
18 persons; and

19 (c) the retail licensee purchases its alcoholic beverages from a
20 wholesaler licensed under this chapter that the retail licensee does not
21 hold an interest in.

22 § 7. Section 106 of the alcoholic beverage control law is amended by
23 adding a new subdivision 13-b to read as follows:

24 13-b. The provisions of paragraph a of subdivision thirteen and subdivi-
25 vision thirteen-a shall not apply to a retail licensee for on-premises
26 consumption with complete ownership of a manufacturer or wholesaler.

27 § 8. This act shall take effect immediately.

1

PART FF

2 Section 1. Paragraph (b) of subdivision 5 of section 106 of the alco-
3 holic beverage control law, as amended by chapter 83 of the laws of
4 1995, is amended to read as follows:

5 (b) On any other day between four ante meridiem and eight ante meri-
6 diem; provided, however, for a premises located within an international
7 airport owned or operated by the Port Authority of New York and New
8 Jersey, on any other day between three ante meridiem and six ante meri-
9 diem; provided further that such hours for a premises located within an
10 international airport owned or operated by the Port Authority of New
11 York and New Jersey shall not be subject to change pursuant to subdivi-
12 sion eleven of section seventeen of this chapter.

13 § 2. This act shall take effect immediately.

14

PART GG

15 Section 1. The section heading and subdivisions 1, 2, 3 and 7 of
16 section 87 of the workers' compensation law, the section heading and
17 subdivision 1 as amended and subdivisions 2, 3 and 7 as added by section
18 20 of part GG of chapter 57 of the laws of 2013, are amended to read as
19 follows:

20 [Investment of surplus or reserve] Investments. 1. Any of the reserve
21 funds belonging to the state insurance fund, by order of the commission-
22 ers, approved by the superintendent of financial services, may be
23 invested in the types of [securities] investments described in [subdivi-
24 sions one, two, three, four, five, six, eleven, twelve, twelve-a, thir-
25 teen, fourteen, fifteen, nineteen, twenty, twenty-one, twenty-one-a,

1 twenty-four, twenty-four-a, twenty-four-b, twenty-four-c and twenty-five
2 of section two hundred thirty-five of the banking law or in paragraph]
3 paragraphs one through four of subsection (b) of section one thousand
4 four hundred two of the insurance law and paragraphs one, two, three,
5 four, five, six, seven, and eleven of subsection (a) of section one
6 thousand four hundred four of the insurance law except that a minimum of
7 [up to] five percent of such reserve funds [may] shall be invested in
8 the types of securities [of any solvent American institution as]
9 described in [such paragraph irrespective of the rating of such insti-
10 tution's obligations or other similar qualitative standards described
11 therein] paragraphs one through four of subsection (b) of section one
12 thousand four hundred two of the insurance law.

13 2. Any [of the surplus] funds belonging to the state insurance fund
14 exceeding seventy percent of the aggregate of loss reserves, loss
15 expense reserves, and unearned premium reserves, by order of the commis-
16 sioners, approved by the superintendent of financial services, may be
17 invested in the types of [securities described in subdivisions one, two,
18 three, four, five, six, eleven, twelve, twelve-a, thirteen, fourteen,
19 fifteen, nineteen, twenty, twenty-one, twenty-one-a, twenty-four, twen-
20 ty-four-a, twenty-four-b, twenty-four-c and twenty-five of section two
21 hundred thirty-five of the banking law or, up to fifty percent of
22 surplus funds, in the types of securities or] investments described in
23 [paragraphs two, three, eight and ten of] paragraphs one through four of
24 subsection (b) of section one thousand four hundred two of the insurance
25 law and subsection (a) of section one thousand four hundred four of the
26 insurance law, [except that up to ten percent of surplus funds may be
27 invested in the securities of any solvent American institution as
28 described in such paragraphs irrespective of the rating of such insti-

1 tution's obligations or other similar qualitative standards described
2 therein,] but such investments shall not be subject to the qualitative
3 standards or quantitative limitations which are set forth with respect
4 to any investment permitted by such subsection and, up to fifteen
5 percent of [surplus] such funds, in [securities or] investments which do
6 not otherwise qualify for investment under this section as shall be made
7 with the care, prudence and diligence under the circumstances then
8 prevailing that a prudent person acting in a like capacity and familiar
9 with such matters would use in the conduct of an enterprise of a like
10 character and with like aims as provided for the state insurance fund
11 under this article, but shall not include any direct derivative instru-
12 ment or derivative transaction except for hedging purposes. [Notwith-
13 standing any other provision in this subdivision, the aggregate amount
14 that the state insurance fund may invest in the types of securities or
15 investments described in paragraphs three, eight and ten of subsection
16 (a) of section one thousand four hundred four of the insurance law and
17 as a prudent person acting in a like capacity would invest as provided
18 in this subdivision shall not exceed fifty percent of such surplus
19 funds.]

20 3. Any [of the surplus or reserve] funds belonging to the state insur-
21 ance fund, upon like approval of the superintendent of financial
22 services, may be loaned on the pledge of any such securities. The
23 commissioners, upon like approval of the superintendent of financial
24 services, may also sell any of such securities or investments.

25 7. Notwithstanding any provision in this section, the [surplus and
26 reserve] funds of the state insurance fund shall not be invested in any
27 investment that has been found by the superintendent of financial
28 services to be against public policy or in any investment prohibited by

1 the provisions of [paragraph six of subsection (a) of section one thou-
2 sand four hundred four of the insurance law or by the provisions of]
3 paragraph one, two, three, four, six, seven, eight, nine or ten of
4 subsection (a) of section one thousand four hundred seven of the insur-
5 ance law or in excess of any limitation provided under sections one
6 thousand four hundred eight and one thousand four hundred nine of the
7 insurance law.

8 § 2. This act shall take effect July 1, 2020; provided, however, if
9 this act shall become a law after such date it shall take effect imme-
10 diately and shall be deemed to have been in full force and effect on and
11 after July 1, 2020.

12 PART HH

13 Section 1. Paragraph (a) of subdivision 5 of section 54 of the work-
14 ers' compensation law, as amended by chapter 469 of the laws of 2017, is
15 amended to read as follows:

16 (a) Cancellation and termination of insurance contracts. No contract
17 of insurance issued by an insurance carrier against liability arising
18 under this chapter shall be cancelled within the time limited in such
19 contract for its expiration unless notice is given as required by this
20 section. When cancellation is due to non-payment of premiums and assess-
21 ments, such cancellation shall not be effective until at least ten days
22 after a notice of cancellation of such contract, on a date specified in
23 such notice, shall be filed in the office of the chair and also served
24 on the employer. When cancellation is due to any reason other than non-
25 payment of premiums and assessments, such cancellation shall not be
26 effective until at least thirty days after a notice of cancellation of

1 such contract, on a date specified in such notice, shall be filed in the
2 office of the chair and also served on the employer; provided, however,
3 in either case, that if the employer has secured insurance with another
4 insurance carrier which becomes effective prior to the expiration of the
5 time stated in such notice, the cancellation shall be effective as of
6 the date of such other coverage. No insurer shall refuse to renew any
7 policy insuring against liability arising under this chapter unless at
8 least thirty days prior to its expiration notice of intention not to
9 renew has been filed in the office of the chair and also served on the
10 employer.

11 Such notice shall be served on the employer by delivering it to him,
12 her or it or by sending it by mail, by certified or registered letter,
13 return receipt requested, addressed to the employer at his, her or its
14 last known place of business; provided that, if the employer be a part-
15 nership, then such notice may be so given to any of one of the partners,
16 and if the employer be a corporation then the notice may be given to any
17 agent or officer of the corporation upon whom legal process may be
18 served; and further provided that an employer may designate any person
19 or entity at any address to receive such notice including the desig-
20 nation of one person or entity to receive notice on behalf of multiple
21 entities insured under one insurance policy and that service of notice
22 at the address so designated upon the person or entity so designated by
23 delivery or by mail, by certified or registered letter, return receipt
24 requested, shall satisfy the notice requirement of this section.
25 [Provided, however, the] The right to cancellation of a policy of insur-
26 ance in the state insurance fund, however, shall be exercised only for
27 non-payment of premiums and assessments, or failure by the employer to
28 cooperate with a payroll audit, or as provided in section ninety-four of

1 this chapter. The state insurance fund may cancel a policy for the
2 employer's failure to cooperate with a payroll audit if the employer
3 fails (i) either to make or keep an appointment during regular business
4 hours with a payroll auditor, after the state insurance fund has made at
5 least two attempts to arrange an appointment including contacting the
6 employer's broker or accountant, if any, or (ii) to furnish business
7 records in the course of a payroll audit as required pursuant to
8 sections ninety-five and one hundred thirty-one of this chapter. At
9 least fifteen days in advance of sending a notice of cancellation for
10 failure to cooperate with a payroll audit, the state insurance fund
11 shall send a warning notice to the employer in the same manner as
12 provided in this subdivision for serving a notice of cancellation. Such
13 notice shall specify a means of contacting the state insurance fund to
14 set up an audit appointment. The state insurance fund will be required
15 to provide only one such warning notice to an employer related to any
16 particular payroll audit prior to cancellation.

17 The provisions of this subdivision shall not apply with respect to
18 policies containing coverage pursuant to subsection (j) of section three
19 thousand four hundred twenty of the insurance law relating to every
20 policy providing comprehensive personal liability insurance on a one,
21 two, three or four family owner-occupied dwelling.

22 In the event such cancellation or termination notice is not filed with
23 the chair within the required time period, the chair shall impose a
24 penalty in the amount of up to five hundred dollars for each ten-day
25 period the insurance carrier or state insurance fund failed to file the
26 notification. All penalties collected pursuant to this subdivision shall
27 be deposited in the uninsured employers' fund.

1 § 2. Section 93 of the workers' compensation law, as amended by
2 section 24 of part GG of chapter 57 of the laws of 2013, is amended to
3 read as follows:

4 § 93. Collection of premium in case of default. a. If a policyholder
5 shall default in any payment required to be made by [him] such policy-
6 holder to the state insurance fund or shall fail to cooperate with a
7 payroll audit as specified in subdivision five of section fifty-four of
8 this chapter, after due notice, [his] such policyholder's insurance in
9 the state insurance fund may be cancelled and the amount due from [him]
10 such policyholder shall be collected by civil action brought against
11 [him] such policyholder in any county wherein the state insurance fund
12 maintains an office in the name of the commissioners of the state insur-
13 ance fund and the same, when collected, shall be paid into the state
14 insurance fund, and such policyholder's compliance with the provisions
15 of this chapter requiring payments to be made to the state insurance
16 fund shall date from the time of the payment of said money to the state
17 insurance fund.

18 b. An employer, whose policy of insurance has been cancelled by the
19 state insurance fund for non-payment of premium and assessments, or for
20 failure to cooperate with a payroll audit, or [withdraws] cancelled
21 pursuant to section ninety-four of this article, is ineligible to
22 contract for a subsequent policy of insurance with the state insurance
23 fund [while] until the state insurance fund receives full cooperation
24 from such employer in completing any payroll audit on the cancelled
25 policy and the billed premium on the cancelled policy [remains uncol-
26 lected] is paid, including any additional amounts billed following the
27 completion of any payroll audit.

1 c. The state insurance fund shall not be required to write a policy of
2 insurance for any employer which is owned or controlled or the majority
3 interest of which is owned or controlled, directly or indirectly, by any
4 person who directly or indirectly owns or controls or owned or
5 controlled at the time of cancellation an employer whose former policy
6 of insurance with the state insurance fund was cancelled for non-payment
7 of premium and assessments, or for failure to cooperate with a payroll
8 audit, or [withdraws] cancelled pursuant to section ninety-four of this
9 article, or who is or was at the time of cancellation the president,
10 vice-president, secretary or treasurer of such an employer until the
11 state insurance fund receives full cooperation from such employer in
12 completing any payroll audit and the billed premium on the cancelled
13 policy is paid, including any additional amounts billed following the
14 completion of any payroll audit.

15 For purposes of this subdivision, "person" [shall include individuals,
16 partnerships, corporations, and other associations] means any individ-
17 ual, firm, company, partnership, corporation, limited liability company,
18 joint venture, joint-stock association, association, trust or any other
19 legal entity whatsoever.

20 § 3. Section 95 of the workers' compensation law, as amended by chap-
21 ter 135 of the laws of 1998, is amended to read as follows:

22 § 95. Record and audit of payrolls. (1) Every employer who is insured
23 in the state insurance fund shall keep a true and accurate record of the
24 number of [his] its employees, the classification of its employees,
25 information regarding employee accidents and the wages paid by [him]
26 such employer, as well as such records relating to any person performing
27 services under a subcontract with such employer who is not covered under
28 the subcontractor's own workers' compensation insurance policy, and

1 shall furnish, upon demand, a sworn statement of the same. Such record
2 and any other records of an employer containing such information
3 pertaining to any policy period including, but not limited to, any
4 payroll book, payroll and distribution records, cash book, check book,
5 bank account statements, commission records, ledgers, journals, regis-
6 ters, vouchers, contracts, tax returns and reports, and computer
7 programs for retrieving data, certificates of insurance pertaining to
8 subcontractors and any other business records specified by the rules of
9 the board shall be open to inspection by the state insurance fund at any
10 time and as often as may be necessary to verify the number of employees
11 [and], the amount of the payroll, the classification of employees and
12 information regarding employee accidents. Any employer who shall fail
13 to keep [such] any record required by this section, who shall willfully
14 fail to furnish such record or who shall willfully falsify any such
15 record[,] shall be guilty of a misdemeanor and subject to any penalties
16 otherwise provided by law.

17 (2) Employers subject to [subdivision] subsection (e) of section two
18 thousand three hundred four of the insurance law and subdivision two of
19 section eighty-nine of this article shall keep a true and accurate
20 record of hours worked for all construction classification employees.
21 The willful failure to keep such record, or the knowing falsification of
22 any such record, may be prosecuted as insurance fraud in accordance with
23 the provisions of section 176.05 of the penal law.

24 § 4. Subdivision 1 of section 131 of the workers' compensation law, as
25 amended by chapter 6 of the laws of 2007, is amended to read as follows:

26 (1) Every employer subject to the provisions of this chapter shall
27 keep a true and accurate record of the number of [his or her] its
28 employees, the classification of its employees, information regarding

1 employee accidents and the wages paid by [him or her] such employer for
2 a period of four years after each entry therein, [which] as well as such
3 records relating to any person performing services under a subcontract
4 of such employer that is not covered under the subcontractor's own work-
5 ers' compensation insurance policy. Such records shall be open to
6 inspection at any time, and as often as may be necessary to verify the
7 same by investigators of the board, by the authorized auditors, account-
8 ants or inspectors of the carrier with whom the employer is insured, or
9 by the authorized auditors, accountants or inspectors of any workers'
10 compensation insurance rating board or bureau operating under the
11 authority of the insurance law and of which board or bureau such carrier
12 is a member or the group trust of which the employer is a member. Any
13 and all records required by law to be kept by such employer upon which
14 the employer makes or files a return concerning wages paid to employees
15 and any other records of an employer containing such information
16 pertaining to any policy period including, but not limited to, any
17 payroll book, payroll and distribution records, cash book, check book,
18 bank account statements, commission records, ledgers, journals, regis-
19 ters, vouchers, contracts, tax returns and reports, and computer
20 programs for retrieving data, certificates of insurance pertaining to
21 subcontractors and any other business records specified by the rules of
22 the board shall form part of the records described in this section and
23 shall be open to inspection in the same manner as provided in this
24 section. Any employer who shall fail to keep such records, who shall
25 willfully fail to furnish such record as required in this section or who
26 shall falsify any such records, shall be guilty of a misdemeanor and
27 subject to a fine of not less than five nor more than ten thousand
28 dollars in addition to any other penalties otherwise provided by law,

1 except that any such employer that has previously been subject to crimi-
2 nal penalties under this section within the prior ten years shall be
3 guilty of a class E felony, and subject to a fine of not less than ten
4 nor more than twenty-five thousand dollars in addition to any penalties
5 otherwise provided by law.

6 § 5. This act shall take effect July 1, 2020.

7 PART II

8 Section 1. Section 76 of the workers' compensation law is amended by
9 adding a new subdivision 1-a to read as follows:

10 1-a. a. The purposes of the state insurance fund are hereby enlarged
11 to permit it to enter agreements with insurers licensed to write work-
12 ers' compensation insurance in states outside New York to issue policies
13 to state insurance fund policyholders covering those policyholders'
14 obligations to secure the payment of workers' compensation benefits
15 under the laws of states other than New York. The state insurance fund
16 shall also be authorized to receive premiums into its workers' compen-
17 sation fund for policies written under such agreements and to pay from
18 such fund: (i) reimbursement of all losses and loss adjustment expenses
19 paid by a licensed insurer under such policies; and (ii) fees to such a
20 licensed insurer for administering claims and policies covered by such
21 agreements.

22 b. For a policyholder to be eligible for insurance in states other
23 than New York provided through agreements entered under this subdivi-
24 sion, either: (i) the policyholder's workers' compensation premiums with
25 the state insurance fund covering its employees under this chapter must
26 be greater than the premiums charged to cover the policyholder's obli-

1 gations to pay workers' compensation benefits in all states, in the
2 aggregate, other than New York; or (ii) the payroll for the
3 policyholder's operations in New York must be greater than the
4 policyholder's payroll in all states, in the aggregate, other than New
5 York for the prior policy period. For determining eligibility, "premi-
6 ums" mean estimated premiums as determined by the state insurance fund
7 at the beginning of the policy period. In addition, for a policyholder
8 to be eligible for insurance in states other than New York through the
9 state insurance fund, the policyholder must meet the state insurance
10 fund's underwriting criteria for other states coverage as specified by
11 rules of the commissioners.

12 § 2. This act shall take effect immediately.

13 PART JJ

14 Section 1. Section 9-211 of the election law is amended by adding a
15 new subdivision 6 to read as follows:

16 6. (a) Notwithstanding any other provision of law, within fifteen days
17 after each general, special or primary election conducted by the board
18 of elections, the board of elections or a bipartisan committee appointed
19 by such board shall conduct a complete audit of the voter verifiable
20 audit records of every voting machine or system within the jurisdiction
21 of such board in the following circumstances:

22 (i) In a state-wide election where a 0.2% margin of victory exists.

23 (ii) In any public election that is not a state-wide election where a
24 0.5% margin of victory exists.

1 (b) For the purposes of this section, margin of victory shall mean the
2 margin of victory for all votes cast in the entire election following
3 the initial canvass of votes.

4 (c) Audits under this section shall be performed manually.

5 § 2. This act shall take effect on the first of January next succeed-
6 ing the date on which it shall have become a law and shall apply to any
7 election held 120 days or more after such effective date.

8 PART KK

9 Section 1. Section 54-1 of the state finance law, as added by section
10 1 of part J of chapter 57 of 2011, paragraph b of subdivision 2 as
11 amended by section 1 of part X of chapter 55 of the laws of 2014 and
12 subdivision 5 as added by section 5 of part S of chapter 39 of the laws
13 of 2019, is amended to read as follows:

14 § 54-1. State assistance to eligible cities [and eligible municipi-
15 palities] in which a video lottery gaming facility is located. 1. Defi-
16 nitions. When used in this section, unless otherwise expressly stated:

17 [a.] "Eligible city" shall mean a city with a population equal to or
18 greater than one hundred twenty-five thousand and less than one million
19 in which a video lottery gaming facility is located and operating as of
20 January first, two thousand nine pursuant to section sixteen hundred
21 seventeen-a of the tax law.

22 [b. "Eligible municipality" shall mean a county, city, town or village
23 in which a video lottery gaming facility is located pursuant to section
24 sixteen hundred seventeen-a of the tax law that is not located in a city
25 with a population equal to or greater than one hundred twenty-five thou-
26 sand.]

1 2. [a.] Within the amount appropriated therefor, an eligible city
2 shall receive an amount equal to the state aid payment received in the
3 state fiscal year commencing April first, two thousand eight from an
4 appropriation for aid to municipalities with video lottery gaming facil-
5 ities.

6 [b. Within the amounts appropriated therefor, eligible municipalities
7 shall receive an amount equal to seventy percent of the state aid
8 payment received in the state fiscal year commencing April first, two
9 thousand eight from an appropriation for aid to municipalities with
10 video lottery gaming facilities.]

11 3. [a.] State aid payments made to an eligible city pursuant to [para-
12 graph a of] subdivision two of this section shall be used to increase
13 support for public schools in such city.

14 [b. State aid payments made to an eligible municipality pursuant to
15 paragraph b of subdivision two of this section shall be used by such
16 eligible municipality to: (i) defray local costs associated with a video
17 lottery gaming facility, or (ii) minimize or reduce real property
18 taxes.]

19 4. Payments of state aid pursuant to this section shall be made on or
20 before June thirtieth of each state fiscal year to the chief fiscal
21 officer of each eligible city [and each eligible municipality] on audit
22 and warrant of the state comptroller out of moneys appropriated by the
23 legislature for such purpose to the credit of the local assistance fund
24 in the general fund of the state treasury.

25 [5. The town and county in which the facility defined in paragraph
26 five of subdivision a of section sixteen hundred seventeen-a of the tax
27 law is located shall receive assistance payments made pursuant to this
28 section at the same dollar level realized by the village of Monticello,

1 Sullivan county, the town of Thompson, Sullivan county, and Sullivan
2 county. Each village in which the facility defined in paragraph five of
3 subdivision a of section sixteen hundred seventeen-a of the tax law is
4 located shall receive assistance payments made pursuant to this section
5 at the rate of fifty percent of the dollar level realized by the village
6 of Monticello. Any payments made pursuant to this subdivision shall not
7 commence until the facility defined in paragraph five of subdivision a
8 of section sixteen hundred seventeen-a of the tax law has realized
9 revenue for a period of twelve consecutive months.]
10 § 2. This act shall take effect immediately.

11 PART LL

12 Section 1. Subdivision 8 of section 239-bb of the general municipal
13 law, as added by section 1 of part EE of chapter 55 of the laws of 2018,
14 is amended to read as follows:

15 8. For each county, new shared services actions [not included] in [a
16 previously] an approved and submitted plan pursuant to this section or
17 part BBB of chapter fifty-nine of the laws of two thousand seventeen,
18 may be eligible for funding to match savings from such action, subject
19 to available appropriation. Savings that are actually and demonstrably
20 realized by the participating local governments are eligible for match-
21 ing funding. For actions that are part of an approved plan transmitted
22 to the secretary of state in accordance with paragraph b of subdivision
23 seven of this section, savings achieved [from] during either: (i) Janu-
24 ary first through December thirty-first from new actions implemented on
25 or after January first through December thirty-first of the year imme-
26 diately following an approved [and transmitted] plan, or (ii) July first

1 of the year immediately following an approved plan through June thirti-
2 eth of the subsequent year from new actions implemented July first of
3 the year immediately following an approved plan through June thirtieth
4 of the subsequent year may be eligible for matching funding. Only net
5 savings between local governments for each action would be eligible for
6 matching funding. Savings from internal efficiencies or any other action
7 taken by a local government without the participation of another local
8 government are not eligible for matching funding. Each county and all of
9 the local governments within the county that are part of any action to
10 be implemented as part of an approved plan must collectively apply for
11 the matching funding and agree on the distribution and use of any match-
12 ing funding in order to qualify for matching funding. Each county shall
13 be authorized to submit one consolidated application for matching funds
14 for each approved and transmitted plan. All actions from a plan for
15 which matching funds will be requested shall adhere to the same twelve-
16 month period beginning either January first or July first. The secretary
17 of state shall develop the application with any necessary requirements
18 for receipt of state matching funds.

19 § 2. This act shall take effect immediately.

20 PART MM

21 Section 1. Subdivision 1 of section 160.05 of the local finance law,
22 as added by chapter 67 of the laws of 2013, is amended to read as
23 follows:

24 1. There shall be a financial restructuring board for local govern-
25 ments which shall consist of ten members: the director of the budget who
26 shall be chair of the board, the attorney general, the state comp-

1 troller, and the secretary of state, each of whom may designate a repre-
2 sentative to attend sessions of the board on his or her behalf, and six
3 members appointed by the governor, one of whom upon the recommendation
4 of the temporary president of the senate, one of whom upon the recommen-
5 dation of the speaker of the assembly, and four other members appointed
6 by the governor, one of whom shall have significant experience in munic-
7 ipal financial and restructuring matters. In making such appointments,
8 the governor shall consider regional diversity. Appointees shall serve
9 at the pleasure of his or her appointing authority. The appointee of the
10 governor who has been designated as having significant experience in
11 municipal financial and restructuring matters shall receive fair compen-
12 sation for his or her services performed pursuant to this section in an
13 amount to be determined by the director of the budget and all members
14 shall be reimbursed for all reasonable expenses actually and necessarily
15 incurred by him or her in the performance of his or her duties. The
16 board shall have the power to act by an affirmative vote of a majority
17 of the total number of members present at the meeting and shall render
18 its findings and recommendations within six months of being requested to
19 act by a fiscally eligible municipality. The provisions of section
20 seventeen of the public officers law shall apply to members of the
21 board. No member of the board shall be held liable for the performance
22 of any function or duty authorized by this section. The work of the
23 board shall be conducted with such staff as the director of the budget,
24 the secretary of state, the attorney general and the state comptroller
25 shall make available. All proceedings, meetings and hearings conducted
26 by the board shall be held in the city of Albany.

27 § 2. This act shall take effect immediately.

1

PART NN

2 Section 1. Paragraph 3 of subdivision (c) of section 1261 of the tax
3 law, as amended by section 9 of part SS-1 of chapter 57 of the laws of
4 2008, is amended to read as follows:

5 (3) However, the taxes, penalties and interest which (i) the county of
6 Nassau, (ii) the county of Erie, to the extent the county of Erie is
7 contractually or statutorily obligated to allocate and apply or pay net
8 collections to the city of Buffalo and to the extent that such county
9 has set aside net collections for educational purposes attributable to
10 the Buffalo school district, or the city of Buffalo or (iii) the county
11 of Erie is authorized to impose pursuant to section twelve hundred ten
12 of this article, other than such taxes in the amounts described, respec-
13 tively, in subdivisions one and two of section one thousand two hundred
14 sixty-two-e of this part, during the period that such section authorizes
15 Nassau county to establish special or local assistance programs there-
16 under, together with any penalties and interest related thereto, and
17 after the comptroller has reserved such refund fund and such costs,
18 shall, commencing on the next payment date after the effective date of
19 this sentence and of each month thereafter, until such date as (i) the
20 Nassau county interim finance authority shall have no obligations
21 outstanding, or (ii) the Buffalo fiscal stability authority shall cease
22 to exist, or (iii) the Erie county fiscal stability authority shall
23 cease to exist, be paid by the comptroller, respectively, to (i) the
24 Nassau county interim finance authority to be applied by the Nassau
25 county interim finance authority, or (ii) to the Buffalo fiscal stabili-
26 ty authority to be applied by the Buffalo fiscal stability authority, or
27 (iii) to the Erie county fiscal stability authority to be applied by the

1 Erie county fiscal stability authority, as the case may be, in the
2 following order of priority: first pursuant to the Nassau county interim
3 finance authority's contracts with bondholders or the Buffalo fiscal
4 stability authority's contracts with bondholders or the Erie county
5 fiscal stability authority's contracts with bondholders, respectively,
6 then to pay the Nassau county interim finance authority's operating
7 expenses not otherwise provided for or the Buffalo fiscal stability
8 authority's operating expenses not otherwise provided for or the Erie
9 county fiscal stability authority's operating expenses not otherwise
10 provided for, respectively, then (i) for the Nassau county interim
11 finance authority to pay to the state as soon as practicable in the
12 months of May and December each year, the amount necessary to fulfill
13 the town and village distribution requirement on behalf of Nassau county
14 pursuant to paragraph five-a of this subdivision, or (ii) for the
15 Buffalo fiscal stability authority to pay to the state as soon as prac-
16 ticable in the months of May and December each year, the percentage of
17 the amount necessary to fulfill the town and village distribution
18 requirement on behalf of Erie county pursuant to paragraph five-a of
19 this subdivision that equates to the percentage of the county net
20 collections that the city of Buffalo and the Buffalo city school
21 district, together, are due in the months of May and December each year,
22 or (iii) for the Erie county fiscal stability authority to pay to the
23 state as soon as practicable in the months of May and December each
24 year, the amount necessary to fulfill the town and village distribution
25 requirement on behalf of Erie county pursuant to paragraph five-a of
26 this subdivision, less the amount being paid to the state by the Buffalo
27 fiscal stability authority in each respective month, and then (i) pursu-
28 ant to the Nassau county interim finance authority's agreements with the

1 county of Nassau, which agreements shall require the Nassau county
2 interim finance authority to transfer such taxes, penalties and interest
3 remaining after providing for contractual or other obligations of the
4 Nassau county interim finance authority, and subject to any agreement
5 between such authority and the county of Nassau, to the county of Nassau
6 as frequently as practicable; or (ii) pursuant to the Buffalo fiscal
7 stability authority's agreements with the city of Buffalo, which agree-
8 ments shall require the Buffalo fiscal stability authority to transfer
9 such taxes, penalties and interest remaining after providing for
10 contractual or other obligations of the Buffalo fiscal stability author-
11 ity, and subject to any agreement between such authority and the city of
12 Buffalo, to the city of Buffalo or the city of Buffalo school district,
13 as the case may be, as frequently as practicable; or (iii) pursuant to
14 the Erie county fiscal stability authority's agreements with the county
15 of Erie, which agreements shall require the Erie county fiscal stability
16 authority to transfer such taxes, penalties and interest remaining after
17 providing for contractual or other obligations of the Erie county fiscal
18 stability authority, and subject to any agreement between such authority
19 and the county of Erie, to the county of Erie as frequently as practica-
20 ble. During the period that the comptroller is required to make payments
21 to the Nassau county interim finance authority described in the previous
22 sentence, the county of Nassau shall have no right, title or interest in
23 or to such taxes, penalties and interest required to be paid to the
24 Nassau county interim finance authority, except as provided in such
25 authority's agreements with the county of Nassau. During the period that
26 the comptroller is required to make payments to the Buffalo fiscal
27 stability authority described in the second previous sentence, the city
28 of Buffalo and such school district shall have no right, title or inter-

1 est in or to such taxes, penalties and interest required to be paid to
2 the Buffalo fiscal stability authority, except as provided in such
3 authority's agreements with the city of Buffalo. During the period that
4 the comptroller is required to make payments to the Erie county fiscal
5 stability authority described in the third previous sentence, the county
6 of Erie shall have no right, title or interest in or to such taxes,
7 penalties and interest required to be paid to the Erie county fiscal
8 stability authority, except as provided in such authority's agreements
9 with the county of Erie.

10 § 2. Paragraph 5-a of subdivision (c) of section 1261 of the tax law,
11 as added by section 3 of part PPP of chapter 59 of the laws of 2019, is
12 amended to read as follows:

13 (5-a) However, after the comptroller has made the payments to the
14 Nassau county interim finance authority, the Buffalo fiscal stability
15 authority, and the Erie county fiscal stability authority required by
16 [paragraphs two,] paragraph three [and five] of this subdivision, for
17 each municipality that received a base level grant in state fiscal year
18 two thousand eighteen-two thousand nineteen but not in state fiscal year
19 two thousand nineteen-two thousand twenty under the aid and incentives
20 for municipalities program pursuant to subdivision ten of section
21 fifty-four of the state finance law, the comptroller shall annually
22 withhold from each county except Nassau and Erie from the remaining
23 taxes, penalties and interest imposed by the county in which a majority
24 of the population of such municipality resides, and on behalf of Nassau
25 and Erie counties the comptroller shall annually receive from the Nassau
26 county interim finance authority, the Buffalo fiscal stability authori-
27 ty, and the Erie county fiscal stability authority, an amount equal to
28 the base level grant received by such municipality in state fiscal year

1 two thousand eighteen-two thousand nineteen and shall annually distrib-
2 ute, by December fifteenth, two thousand nineteen and by such date annu-
3 ally thereafter, such amount directly to such municipality, unless such
4 municipality has a fiscal year ending May thirty-first, then such annual
5 distribution shall be made by May fifteenth, two thousand twenty and by
6 such date annually thereafter. No county shall have any right, title or
7 interest in or to the taxes, penalties and interest required to be with-
8 held [and] or distributed pursuant to this paragraph.

9 § 3. Subdivision 5 of section 3657 of the public authorities law, as
10 added by chapter 84 of the laws of 2000, is amended to read as follows:

11 5. Tax revenues received by the authority pursuant to section twelve
12 hundred sixty-one of the tax law, together with any other revenues
13 received by the authority, shall be applied in the following order of
14 priority: first pursuant to the authority's contracts with bondholders,
15 then to pay the authority's operating expenses not otherwise provided
16 for, then to pay to the state pursuant to paragraph three of subdivision
17 (c) of section twelve hundred sixty-one of the tax law, and then,
18 subject to the authority's agreements with the county, to transfer the
19 balance of such tax revenues not required to meet contractual or other
20 obligations of the authority to the county as frequently as practicable.

21 § 4. Subdivision 5 of section 3865 of the public authorities law, as
22 amended by chapter 86 of the laws of 2004, is amended to read as
23 follows:

24 5. Revenues of the authority shall be applied in the following order
25 of priority: first to pay debt service or for set asides to pay debt
26 service on the authority's bonds, notes, or other obligations and to
27 replenish any reserve funds securing such bonds, notes or other obli-
28 gations of the authority, in accordance with the provision of any inden-

1 ture or bond resolution of the authority; then to pay the authority's
2 operating expenses not otherwise provided for; then to pay to the state
3 pursuant to paragraph three of subdivision (c) of section twelve hundred
4 sixty-one of the tax law; and then, subject to the authority's agreement
5 with the city, for itself or on behalf of the city's dependent school
6 district and any other covered organization, to transfer as frequently
7 as practicable the balance of revenues not required to meet contractual
8 or other obligations of the authority to the city or the city's depend-
9 ent school district as provided in subdivision seven of this section.

10 § 5. Subdivision 5 of section 3965 of the public authorities law, as
11 added by chapter 182 of the laws of 2005, is amended to read as follows:

12 5. Revenues of the authority shall be applied in the following order
13 of priority: first to pay debt service or for set asides to pay debt
14 service on the authority's bonds, notes, or other obligations and to
15 replenish any reserve funds securing such bonds, notes or other obli-
16 gations of the authority in accordance with the provision of indenture
17 or bond resolution of the authority; then to pay the authority's operat-
18 ing expenses not otherwise provided for; then to pay to the state pursu-
19 ant to paragraph three of subdivision (c) of section twelve hundred
20 sixty-one of the tax law; and then, subject to the authority's agree-
21 ments with the county for itself or on behalf of any covered organiza-
22 tion to transfer as frequently as practicable the balance of revenues
23 not required to meet contractual or other obligations of the authority
24 to the county as provided in subdivision seven of this section.

25 § 6. This act shall take effect immediately.

1 Section 1. Section 217 of the county law is amended to read as
2 follows:

3 § 217. County jail. Each county shall continue to maintain a county
4 jail as prescribed by law; provided, however, this section shall not
5 prohibit counties from jointly maintaining a county jail pursuant to a
6 shared services agreement.

7 § 2. Subdivision 1 of section 500-a of the correction law is amended
8 by adding a new paragraph (h) to read as follows:

9 (h) Notwithstanding any other law to the contrary, nothing in this
10 subdivision shall prohibit counties from jointly maintaining a county
11 jail pursuant to a shared services agreement.

12 § 3. Subdivision 1 of section 500-c of the correction law, as added by
13 chapter 907 of the laws of 1984, is amended to read as follows:

14 1. Except as provided in subdivision two of this section, the sheriff
15 of each county shall have custody of the county jail of such county;
16 provided however, that for counties jointly maintaining a county jail
17 pursuant to a shared services agreement, the sheriff of the county in
18 which such jail is located shall consult with the sheriff of any county
19 using the jail pursuant to a shared services agreement.

20 § 4. Section 500 of the correction law, as amended by chapter 131 of
21 the laws of 2014, is amended to read as follows:

22 § 500. Application of article. The provisions of this article shall
23 apply to any all local correctional facilities as defined by subdivision
24 sixteen of section two of this chapter and shall apply to any county
25 jail maintained by more than one county pursuant to a shared services
26 agreement.

27 § 5. Subdivision 2 of section 40 of the correction law, as amended by
28 chapter 247 of the laws of 2018, is amended to read as follows:

1 2. "Local correctional facility" means any jail, penitentiary, state,
2 county or municipal lockup, court detention pen, hospital prison ward or
3 specialized secure juvenile detention facility for older youth, or jail
4 jointly maintained by more than one county pursuant to a shared services
5 agreement.

6 § 6. Subdivision 1 of section 751 of the judiciary law, as amended by
7 chapter 399 of the laws of 1988, is amended to read as follows:

8 1. Except as provided in subdivisions (2), (3) and (4), punishment for
9 a contempt, specified in section seven hundred fifty, may be by fine,
10 not exceeding one thousand dollars, or by imprisonment, not exceeding
11 thirty days, in the jail of the county where the court is sitting, or
12 both, in the discretion of the court. If the county jail in which the
13 court is sitting has entered into a shared services agreement to main-
14 tain a joint county jail, the person may be imprisoned in a jail in
15 another county that is a party to that agreement. Where the punishment
16 for contempt is based on a violation of an order of protection issued
17 under section 530.12 or 530.13 of the criminal procedure law, imprison-
18 ment may be for a term not exceeding three months. Where a person is
19 committed to jail, for the nonpayment of a fine, imposed under this
20 section, he must be discharged at the expiration of thirty days; but
21 where he is also committed for a definite time, the thirty days must be
22 computed from the expiration of the definite time.

23 Such a contempt, committed in the immediate view and presence of the
24 court, may be punished summarily; when not so committed, the party
25 charged must be notified of the accusation, and have a reasonable time
26 to make a defense.

27 § 7. This act shall take effect immediately; provided that the amend-
28 ments to subdivision 1 of section 500-c of the correction law made by

1 section three of this act shall not affect the repeal of such section
2 and shall be deemed repealed therewith.

3 PART PP

4 Section 1. Subparagraph 9 of paragraph d of subdivision 5 of part B of
5 section 236 of the domestic relations law, as amended by chapter 281 of
6 the laws of 1980 and as renumbered by chapter 229 of the laws of 2009,
7 is amended to read as follows:

8 (9) the probable future financial circumstances of each party includ-
9 ing acts of domestic violence as provided in section four hundred
10 fifty-nine-a of the social services law by one party against another
11 that have inhibited or continue to inhibit a party's earning capacity or
12 ability to obtain meaningful employment;

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

15 PART QQ

16 Section 1. The public authorities law is amended by adding a new
17 section 3 to read as follows:

18 § 3. Pay equity. 1. In order to attract unusual merit and ability to
19 the service of public authorities in the state of New York, to stimulate
20 higher efficiency among the personnel, to provide skilled leadership in
21 administration, to reward merit and to insure the highest return in
22 services for the necessary costs of administration, it is hereby
23 declared that public authorities shall, consistent with the federal
24 Equal Pay Act of 1963 (29 U.S.C. § 206), the federal Civil Rights Act

1 (42 U.S.C. § 2000e-2), article fifteen of the executive law, and section
2 forty-c of the civil rights law, ensure a fair, non-biased compensation
3 structure for all employees in which status within one or more protected
4 class or classes is not considered either directly or indirectly in
5 determining the proper compensation for a title or in determining the
6 pay for any individual or group of employees, ensure that no employee
7 with status within one or more protected class or classes shall be paid
8 a wage at a rate less than the rate at which an employee without status
9 within the same protected class or classes in the same establishment is
10 paid for similar work or substantially similar work and provide regular
11 increases in pay in proper proportion to increase of ability, increase
12 of output and increase of quality of work demonstrated in service.

13 2. For the purpose of this section:

14 (a) the term "protected class" includes age, race, creed, color,
15 national origin, sexual orientation, gender identity or expression,
16 military status, sex, disability, predisposing genetic characteristics,
17 familial status, marital status, or domestic violence victim status, and
18 any employee protected from discrimination pursuant to paragraphs (a),
19 (b), and (c) of subdivision one of section two hundred ninety-six of the
20 executive law, and any intern protected from discrimination pursuant to
21 section two hundred ninety-six-c of the executive law.

22 (b) the term "compensation" shall include but not be limited to: all
23 earnings of an employee for labor or services rendered, regardless of
24 whether the amount of earnings is paid on an annual salary, hourly,
25 biweekly or per diem basis; reimbursement for expenses; health, welfare
26 and retirement benefits; and vacation pay, sick pay, separation or holi-
27 day pay, or any other form of remuneration.

1 (c) employees shall be deemed to work in the same establishment if the
2 employees work for the same employer at workplaces located in the same
3 geographical region, no larger than a county, taking into account popu-
4 lation distribution, economic activity, and/or the presence of munici-
5 palties.

6 (d) the term "public authorities" shall mean any authority as defined
7 in section two of this title.

8 3. (a) It shall not be a violation of this section for an employer to
9 pay different compensation to employees, where such payments are made
10 pursuant to:

11 (1) a bona fide seniority or merit system;

12 (2) a bona fide system that measures earnings by quantity or quality
13 of production;

14 (3) a bona fide system based on geographic differentials;

15 (4) any other bona fide factor other than status within one or more
16 protected class or classes, such as education, training, or experience.

17 Such factor: (A) shall not be based upon or derived from a differential
18 in compensation based on status within one or more protected class or

19 classes; and (B) shall be job-related with respect to the position in
20 question and shall be consistent with business necessity. Such exception

21 under this paragraph shall not apply when the employee demonstrates (i)
22 that an employer uses a particular employment practice that causes a

23 disparate impact on the basis of status within one or more protected
24 class or classes, (ii) that an alternative employment practice exists

25 that would serve the same purpose and not produce such differential, and
26 (iii) that the employer has refused to adopt such alternative practice;

27 or

28 (5) a collective bargaining agreement.

1 (b) For the purpose of paragraph (a) of this subdivision, "business
2 necessity" shall be defined as a factor that bears a manifest relation-
3 ship to the employment in question.

4 (c) Nothing set forth in this section shall be construed to impede,
5 infringe or diminish the rights and benefits which accrue to employees
6 through collective bargaining agreements, or otherwise diminish the
7 integrity of the existing collective bargaining relationship.

8 § 2. This act shall take effect immediately.

9 PART RR

10 Section 1. The opening paragraph of subdivision 1 of section 812 of
11 the family court act, as amended by chapter 109 of the laws of 2019, is
12 amended to read as follows:

13 The family court and the criminal courts shall have concurrent juris-
14 diction over any proceeding concerning acts which would constitute
15 disorderly conduct, unlawful dissemination or publication of an intimate
16 image, harassment in the first degree, harassment in the second degree,
17 aggravated harassment in the second degree, sexual misconduct, forcible
18 touching, sexual abuse in the third degree, sexual abuse in the second
19 degree as set forth in subdivision one of section 130.60 of the penal
20 law, stalking in the first degree, stalking in the second degree, stalk-
21 ing in the third degree, stalking in the fourth degree, criminal
22 mischief, menacing in the second degree, menacing in the third degree,
23 reckless endangerment, criminal obstruction of breathing or blood circu-
24 lation, strangulation in the second degree, strangulation in the first
25 degree, assault in the second degree, assault in the third degree, an
26 attempted assault, identity theft in the first degree, identity theft in

1 the second degree, identity theft in the third degree, grand larceny in
2 the fourth degree, grand larceny in the third degree, coercion in the
3 second degree or coercion in the third degree as set forth in subdivi-
4 sions one, two and three of section 135.60 of the penal law between
5 spouses or former spouses, or between parent and child or between
6 members of the same family or household except that if the respondent
7 would not be criminally responsible by reason of age pursuant to section
8 30.00 of the penal law, then the family court shall have exclusive
9 jurisdiction over such proceeding. Notwithstanding a complainant's
10 election to proceed in family court, the criminal court shall not be
11 divested of jurisdiction to hear a family offense proceeding pursuant to
12 this section. The family court may also issue an order of protection
13 based on any circumstances that the court determines require an order
14 for the purposes established in paragraph (b) of subdivision two of this
15 section. In any proceeding pursuant to this article, a court shall not
16 deny an order of protection, or dismiss a petition, solely on the basis
17 that the acts or events alleged are not relatively contemporaneous with
18 the date of the petition, the conclusion of the fact-finding or the
19 conclusion of the dispositional hearing. For purposes of this article,
20 "disorderly conduct" includes disorderly conduct not in a public place.
21 For purposes of this article, "members of the same family or household"
22 shall mean the following:

23 § 2. Paragraph (a) of subdivision 1 of section 821 of the family court
24 act, as amended by section 6 of part NN of chapter 55 of the laws of
25 2018, is amended to read as follows:

26 (a) An allegation that: (i) the respondent assaulted or attempted to
27 assault his or her spouse, or former spouse, parent, child or other
28 member of the same family or household or engaged in disorderly conduct,

1 harassment, sexual misconduct, forcible touching, sexual abuse in the
2 third degree, sexual abuse in the second degree as set forth in subdivi-
3 sion one of section 130.60 of the penal law, stalking, criminal
4 mischief, menacing, reckless endangerment, criminal obstruction of
5 breathing or blood circulation, strangulation, identity theft in the
6 first degree, identity theft in the second degree, identity theft in the
7 third degree, grand larceny in the fourth degree, grand larceny in the
8 third degree, coercion in the second degree or coercion in the third
9 degree as set forth in subdivisions one, two and three of section 135.60
10 of the penal law, toward any such person; or (ii) the respondent is the
11 spouse, or former spouse, parent, child or other member of the same
12 family or household as the petitioner and circumstances exist that
13 require an order of protection for the purposes established in paragraph
14 (b) of subdivision two of section eight hundred twelve of this article;

15 § 3. Subdivision 3-a of section 530.12 of the criminal procedure law,
16 as added by chapter 186 of the laws of 1997, is amended to read as
17 follows:

18 3-a. Emergency powers when family court not in session; issuance of
19 temporary orders of protection. Upon the request of the petitioner, a
20 local criminal court may on an ex parte basis issue a temporary order of
21 protection pending a hearing in family court, provided that a sworn
22 affidavit, verified in accordance with subdivision one of section 100.30
23 of this chapter, is submitted: (i) alleging that the family court is not
24 in session; (ii) alleging that: (A) a family offense, as defined in
25 subdivision one of section eight hundred twelve of the family court act
26 and subdivision one of section 530.11 of this article, has been commit-
27 ted; or (B) circumstances exist that require an order of protection for
28 the purposes established in paragraph (b) of subdivision two of section

1 eight hundred twelve of the family court act; the respondent is the
2 spouse, or former spouse, parent, child or other member of the same
3 family or household as the petitioner and circumstances exist that
4 require an order of protection for the purposes established in paragraph
5 (b) of subdivision two of section eight hundred twelve of the family
6 court act; (iii) alleging that a family offense petition has been filed
7 or will be filed in family court on the next day the court is in
8 session; and (iv) showing good cause. Upon appearance in a local crimi-
9 nal court, the petitioner shall be advised that he or she may continue
10 with the proceeding either in family court or upon the filing of a local
11 criminal court accusatory instrument in criminal court or both. Upon
12 issuance of a temporary order of protection where petitioner requests
13 that it be returnable in family court, the local criminal court shall
14 transfer the matter forthwith to the family court and shall make the
15 matter returnable in family court on the next day the family court is in
16 session, or as soon thereafter as practicable, but in no event more than
17 four calendar days after issuance of the order. The local criminal
18 court, upon issuing a temporary order of protection returnable in family
19 court pursuant to this subdivision, shall immediately forward, in a
20 manner designed to insure arrival before the return date set in the
21 order, a copy of the temporary order of protection and sworn affidavit
22 to the family court and shall provide a copy of such temporary order of
23 protection to the petitioner; provided, however, that where a copy of
24 the temporary order of protection and affidavit are transmitted to the
25 family court by facsimile or other electronic means, the original order
26 and affidavit shall be forwarded to the family court immediately there-
27 after. Any temporary order of protection issued pursuant to this subdi-
28 vision shall be issued to the respondent, and copies shall be filed as

1 required in subdivisions six and eight of this section for orders of
2 protection issued pursuant to this section. Any temporary order of
3 protection issued pursuant to this subdivision shall plainly state the
4 date that such order expires which, in the case of an order returnable
5 in family court, shall be not more than four calendar days after its
6 issuance, unless sooner vacated or modified by the family court. A peti-
7 tioner requesting a temporary order of protection returnable in family
8 court pursuant to this subdivision in a case in which a family court
9 petition has not been filed shall be informed that such temporary order
10 of protection shall expire as provided for herein, unless the petitioner
11 files a petition pursuant to subdivision one of section eight hundred
12 twenty-one of the family court act on or before the return date in fami-
13 ly court and the family court issues a temporary order of protection or
14 order of protection as authorized under article eight of the family
15 court act. Nothing in this subdivision shall limit or restrict the
16 petitioner's right to proceed directly and without court referral in
17 either a criminal or family court, or both, as provided for in section
18 one hundred fifteen of the family court act and section 100.07 of this
19 chapter.

20 § 4. This act shall take effect immediately.

21 PART SS

22 Section 1. The election law is amended by adding a new section
23 14-116-a to read as follows:

24 § 14-116-a. Restriction on contributions from foreign-influenced
25 corporations or entities. 1. No corporation, limited liability company,
26 joint-stock association or other corporate entity doing business in this

1 state that is foreign-influenced, nor any foreign national, shall
2 directly or indirectly pay or use or offer, consent or agree to pay or
3 use any money or property for or in aid of any political party, commit-
4 tee or organization, or for, or in aid of, any corporation, limited
5 liability company, joint-stock, other association, or other corporate
6 entity organized or maintained for political purposes, or for, or in aid
7 of, any candidate for political office or for nomination for such
8 office, or for any political purpose whatsoever, or for the reimburse-
9 ment or indemnification of any person for moneys or property so used.
10 Any officer, director, stock-holder, member, owner, attorney or agent of
11 any corporation, limited liability company, joint-stock association or
12 other corporate entity which violates any of the provisions of this
13 section, who participates in, aids, abets or advises or consents to any
14 such violations, and any person who solicits or knowingly receives any
15 money or property in violation of this section, shall be guilty of a
16 misdemeanor. Any such contribution may result in the assessment of a
17 civil fine, not to exceed ten thousand dollars per contribution, in
18 addition to any other penalties under the law.

19 2. For purposes of this section, "foreign-influenced" shall mean any
20 entity for which at least one of the following conditions is met:

21 (a) a single foreign national holds, owns, controls, or otherwise has
22 direct or indirect beneficial ownership of five percent or more of the
23 total equity, outstanding voting shares, membership units, or other
24 applicable ownership interest in the entity making the contribution,
25 expenditure or payment; or

26 (b) two or more foreign nationals, in aggregate, hold, own, control,
27 or otherwise have direct or indirect beneficial ownership of ten percent

1 or more of the total equity outstanding voting shares, membership units,
2 or other applicable ownership interest of the entity; or

3 (c) one or more foreign nationals, in aggregate, hold more than ten
4 percent of the board of director seats in the entity's governing board;
5 or

6 (d) a foreign national participates directly or indirectly in the
7 entity's decision-making process with respect to the entity's political
8 activities in the United States, including the entity's political activ-
9 ities with respect to a covered election.

10 3. For purposes of this section, "foreign national" shall have the
11 same meaning as the term defined in subsection b of section 30121 of
12 title 52 of the United States Code, including but not limited to a
13 foreign government or a foreign principal.

14 § 2. This act shall take effect June 1, 2020.

15 PART TT

16 Section 1. Section 10 of the public officers law, as amended by chap-
17 ter 29 of the laws of 1977, is amended to read as follows:

18 § 10. Official oaths. 1. Every officer shall take and file the oath
19 of office required by law, and every judicial officer of the unified
20 court system, in addition, shall file a copy of said oath in the office
21 of court administration, before he shall be entitled to enter upon the
22 discharge of any of his official duties. An oath of office may be admin-
23 istered by a judge of the court of appeals, the attorney general, or by
24 any officer authorized to take, within the state, the acknowledgment of
25 the execution of a deed of real property, or by an officer in whose
26 office the oath is required to be filed or by his duly designated

1 assistant, or may be administered to any member of a body of officers,
2 by a presiding officer or clerk, thereof, who shall have taken an oath
3 of office. An oath of office may be administered to any state or local
4 officer who is a member of the armed forces of the United States by any
5 commissioned officer, in active service, of the armed forces of the
6 United States. In addition to the requirements of any other law, the
7 certificate of the officer in the armed forces administering the oath of
8 office under this section shall state (a) the rank of the officer admin-
9 istering the oath, and (b) that the person taking the oath was at the
10 time, enlisted, inducted, ordered or commissioned in or serving with,
11 attached to or accompanying the armed forces of the United States. The
12 fact that the officer administering the oath was at the time duly
13 commissioned and in active service with the armed forces, shall be
14 certified by the secretary of the army, secretary of the air force or by
15 the secretary of the navy, as the case may be, of the United States, or
16 by a person designated by him to make such certifications, but the place
17 where such oath was administered need not be disclosed. The oath of
18 office of a notary public or commissioner of deeds shall be filed in the
19 office of the clerk of the county in which he shall reside. The oath of
20 office of every state officer shall be filed in the office of the secre-
21 tary of state; of every officer of a municipal corporation, including a
22 school district, with the clerk thereof; and of every other officer,
23 including the trustees and officers of a public library and the officers
24 of boards of cooperative educational services, in the office of the
25 clerk of the county in which he shall reside, if no place be otherwise
26 provided by law for the filing thereof.

27 2. The oath of office of a statewide elected official, member of the
28 legislature, head of a state agency or elected local official, as such

1 terms are used in section seventy-three-a of this chapter, shall be
2 filed together with a certification that such official will annually
3 file his or her New York state income tax return with the joint commis-
4 sion on public ethics as required by section seventy-three-a of this
5 chapter. Notwithstanding the provisions of subdivision (e) of section
6 six hundred ninety-seven of the tax law, such certification shall also
7 constitute authorization for the department of taxation and finance to
8 disclose to the joint commission on public ethics any income tax return
9 filed with such department that was required to be filed with such
10 commission pursuant to section seventy-three-a of this chapter upon
11 notification by such commission that such return was not filed as so
12 required.

13 § 2. Section 13 of the public officers law is amended to read as
14 follows:

15 § 13. Notice of neglect to file oath or undertaking. The officer or
16 body making the appointment or certificate of election of a public offi-
17 cer shall, if the officer be required to give an official undertaking to
18 be filed in an office other than that in which the written appointment
19 or certificate of election is to be filed, forthwith give written notice
20 of such appointment or election to the officer in whose office the
21 undertaking is to be filed. The officer or body making the appointment
22 or certificate of election of a statewide elected official, member of
23 the legislature, head of a state agency or elected local official, as
24 such terms are used in section seventy-three-a of this chapter, shall
25 also forthwith give written notice of such appointment or election to
26 the joint commission on public ethics. If any officer shall neglect,
27 within the time required by law, to take and file an official oath, or
28 execute and file an official undertaking, the officer, with whom or in

1 whose office such oath or undertaking is required to be filed, shall
2 forthwith give notice of such neglect, if of an appointive officer, to
3 the authority appointing such officer; if of an elective officer, to the
4 officer, board or body authorized to fill a vacancy in such office, if
5 any, or if none and a vacancy in the office may be filled by a special
6 election, to the officer, board or body authorized to call or give
7 notice of a special election to fill such vacancy; except that the
8 notice of failure of a justice of the peace to file his official oath,
9 shall be given to the town clerk of the town for which the justice was
10 elected.

11 § 3. Paragraph h of subdivision 1 of section 30 of the public officers
12 law, as amended by chapter 209 of the laws of 1954, is amended to read
13 as follows:

14 h. His refusal or neglect to file his official oath, certification
15 pursuant to subdivision two of section ten of this chapter, if required,
16 or undertaking, if one is required, before or within thirty days after
17 the commencement of the term of office for which he is chosen, if an
18 elective office, or if an appointive office, within thirty days after
19 notice of his appointment, or within thirty days after the commencement
20 of such term; or to file a renewal undertaking within the time required
21 by law, or if no time be so specified, within thirty days after notice
22 to him in pursuance of law, that such renewal undertaking is required.
23 The neglect or failure of any state or local officer to execute and file
24 his oath of office, certification required by subdivision two of section
25 ten of this chapter and official undertaking within the time limited
26 therefor by law, shall not create a vacancy in the office if such offi-
27 cer was on active duty in the armed forces of the United States and
28 absent from the county of his residence at the time of his election or

1 appointment, and shall take his oath of office and execute his official
2 undertaking within thirty days after receipt of notice of his election
3 or appointment, and provided such oath of office, certification required
4 by subdivision two of section ten of this chapter and official undertak-
5 ing be filed within ninety days following the date it has been taken and
6 subscribed, any inconsistent provision of law, general, special, or
7 local to the contrary, notwithstanding.

8 § 4. Subdivision 1 of section 73-a of the public officers law is
9 amended by adding a new paragraph (n) to read as follows:

10 (n) The term "elected local official" shall mean an elected official
11 of a local agency who receives annual compensation for such position in
12 excess of one hundred thousand dollars.

13 § 5. Paragraphs (a), (e) and (k) of subdivision 2 of section 73-a of
14 public officers law, paragraphs (a) and (e) as amended and paragraph (k)
15 as added by section 5 of part A of chapter 399 of the laws of 2011, are
16 amended to read as follows:

17 (a) Every statewide elected official, state officer or employee,
18 member of the legislature, legislative employee and political party
19 chairman and every candidate for statewide elected office or for member
20 of the legislature shall file an annual statement of financial disclo-
21 sure containing the information and in the form set forth in subdivision
22 three of this section. Every statewide elected official, member of the
23 legislature, or head of a state agency shall also file, and every
24 elected local official shall file a copy of his or her New York state
25 income tax return, including any schedules and attachments to such
26 return, for the preceding year. On or before the fifteenth day of May
27 with respect to the preceding calendar year: (1) every member of the
28 legislature, every candidate for member of the legislature and legisla-

1 tive employee shall file such statement, and such tax return, if
2 required, with the legislative ethics commission which shall provide
3 such statement along with any requests for exemptions or deletions, and
4 such tax return, if required, to the joint commission on public ethics
5 for filing and rulings with respect to such requests for exemptions or
6 deletions, on or before the thirtieth day of June; [and] (2) all other
7 individuals required to file such statement shall file it, and such tax
8 return, if required, with the joint commission on public ethics; and (3)
9 any elected local official shall file such tax return with such commis-
10 sion, except that:

11 (i) a person who is subject to the reporting requirements of this
12 subdivision and who timely filed with the internal revenue service an
13 application for automatic extension of time in which to file his or her
14 individual income tax return for the immediately preceding calendar or
15 fiscal year shall be required to file such financial disclosure state-
16 ment on or before May fifteenth but may, without being subjected to any
17 civil penalty on account of a deficient statement, indicate with respect
18 to any item of the disclosure statement that information with respect
19 thereto is lacking but will be supplied in a supplementary statement of
20 financial disclosure, which shall be filed, together with any required
21 tax return, on or before the seventh day after the expiration of the
22 period of such automatic extension of time within which to file such
23 individual income tax return, provided that failure to file or to timely
24 file such supplementary statement of financial disclosure or the filing
25 of an incomplete or deficient supplementary statement of financial
26 disclosure shall be subject to the notice and penalty provisions of this
27 section respecting annual statements of financial disclosure as if such
28 supplementary statement were an annual statement;

1 (ii) a person who is required to file an annual financial disclosure
2 statement with the joint commission on public ethics, and who is granted
3 an additional period of time within which to file such statement due to
4 justifiable cause or undue hardship, in accordance with required rules
5 and regulations on the subject adopted pursuant to paragraph [c] (c) of
6 subdivision nine of section ninety-four of the executive law shall file
7 such statement within the additional period of time granted; and the
8 legislative ethics commission shall notify the joint commission on
9 public ethics of any extension granted pursuant to this paragraph;

10 (iii) candidates for statewide office who receive a party designation
11 for nomination by a state committee pursuant to section 6-104 of the
12 election law shall file such statement within ten days after the date of
13 the meeting at which they are so designated;

14 (iv) candidates for statewide office who receive twenty-five percent
15 or more of the vote cast at the meeting of the state committee held
16 pursuant to section 6-104 of the election law and who demand to have
17 their names placed on the primary ballot and who do not withdraw within
18 fourteen days after such meeting shall file such statement within ten
19 days after the last day to withdraw their names in accordance with the
20 provisions of such section of the election law;

21 (v) candidates for statewide office and candidates for member of the
22 legislature who file party designating petitions for nomination at a
23 primary election shall file such statement within ten days after the
24 last day allowed by law for the filing of party designating petitions
25 naming them as candidates for the next succeeding primary election;

26 (vi) candidates for independent nomination who have not been desig-
27 nated by a party to receive a nomination shall file such statement with-
28 in ten days after the last day allowed by law for the filing of inde-

1 pendent nominating petitions naming them as candidates in the next
2 succeeding general or special election;

3 (vii) candidates who receive the nomination of a party for a special
4 election shall file such statement within ten days after the date of the
5 meeting of the party committee at which they are nominated;

6 (viii) a candidate substituted for another candidate, who fills a
7 vacancy in a party designation or in an independent nomination, caused
8 by declination, shall file such statement within ten days after the last
9 day allowed by law to file a certificate to fill a vacancy in such party
10 designation or independent nomination;

11 (ix) with respect to all candidates for member of the legislature, the
12 legislative ethics commission shall within five days of receipt provide
13 the joint commission on public ethics the statement filed pursuant to
14 subparagraphs (v), (vi), (vii) and (viii) of this paragraph.

15 (e) Any person required to file such statement and/or file such tax
16 return who commences employment after May fifteenth of any year and
17 political party chairman shall file such statement and, if required,
18 such tax return within thirty days after commencing employment or of
19 taking the position of political party chairman, as the case may be. In
20 the case of members of the legislature and legislative employees, such
21 statements shall be filed with the legislative ethics commission within
22 thirty days after commencing employment, and the legislative ethics
23 commission shall provide such statements to the joint commission on
24 public ethics within forty-five days of receipt.

25 (k) The joint commission on public ethics shall: (i) post for at least
26 five years beginning for filings made on January first, two thousand
27 thirteen the annual statement of financial disclosure and any amendments
28 filed by each person subject to the reporting requirements of this

1 subdivision who is an elected official on its website for public review
2 within thirty days of its receipt of such statement or within ten days
3 of its receipt of such amendment that reflects any corrections of defi-
4 ciencies identified by the commission or by the reporting individual
5 after the reporting individual's initial filing. Except upon an individ-
6 ual determination by the commission that certain information may be
7 deleted from a reporting individual's annual statement of financial
8 disclosure, none of the information in the statement posted on the
9 commission's website shall be otherwise deleted;

10 (ii) post for at least five years beginning for filings made for the
11 two thousand nineteen calendar year any income tax return filed pursuant
12 to this subdivision, provided, however, that prior to posting any tax
13 return to the commission shall redact such information as it, in consul-
14 tation with the commissioner of taxation and finance or his or her dele-
15 gate, deems appropriate or required by law. An official shall be enti-
16 tled to request at the time of filing of a tax return particular
17 redactions to such return that the commission shall make if it deems
18 such redactions to be appropriate.

19 § 6. The election law is amended by adding a new section 6-169 to read
20 as follows:

21 § 6-169. Notice of transparency requirements. The state board of
22 elections or other board of elections, as the case may be, shall notify
23 each person nominated or designated as a candidate for elective office,
24 not later than ten days after such nomination or designation, that such
25 office may be subject to certification requirements pursuant to section
26 ten of the public officers law and subject to financial and tax disclo-
27 sure requirements pursuant to section seventy-three-a of the public
28 officers law.

1 § 7. This act shall take effect immediately and shall apply to
2 elections conducted and appointments made on or after such date.

3 PART UU

4 Section 1. Section 172-b of the executive law is amended by adding a
5 new subdivision 9 to read as follows:

6 9. Any registered charitable organization that is required to file an
7 annual financial report pursuant to subdivision one or two of this
8 section, or that is required to file a funding disclosure report pursu-
9 ant to section one hundred seventy-two-e of this article, and/or a
10 financial disclosure report pursuant to section one hundred
11 seventy-two-f of this article for a reporting period during the applica-
12 ble fiscal year shall also be required to file such annual financial
13 report, including all required forms and attachments, with the depart-
14 ment of taxation and finance.

15 § 1-a. Subdivision 2 of section 172-e of the executive law, as added
16 by section 1 of part F of chapter 286 of the laws of 2016, is amended to
17 read as follows:

18 2. Funding disclosure reports to be filed by covered entities. (a) Any
19 covered entity that makes an in-kind donation in excess of [two] ten
20 thousand [five hundred] dollars to a recipient entity during a relevant
21 reporting period shall file a funding disclosure report with the depart-
22 ment of law. The funding disclosure report shall include:

23 (i) the name and address of the covered entity that made the in-kind
24 donation;

25 (ii) the name and address of the recipient entity that received or
26 benefitted from the in-kind donation;

1 (iii) the names of any persons who exert operational or managerial
2 control over the covered entity. The disclosures required by this para-
3 graph shall include the name of at least one natural person;

4 (iv) the date [the in-kind] such donation was made by the covered
5 entity; and

6 (v) [any donation in excess of two thousand five hundred dollars to
7 the covered entity during the relevant reporting period including the
8 identity of the donor of any such donation] a detailed description of
9 the in-kind donation, including the charitable purpose advanced by such
10 donation, if any, and any restrictions on the use of such donation by
11 the recipient entity.

12 [(vi) the date of any such donation to a covered entity.]

13 (b) The covered entity shall file a funding disclosure report with the
14 department of law and the department of taxation and finance within
15 thirty days of the close of a reporting period.

16 § 2. Subdivision 2 of section 172-f of the executive law, as added by
17 section 1 of part G of chapter 286 of the laws of 2016, is amended to
18 read as follows:

19 2. Disclosure of expenditures for covered communications. (a) Any
20 covered entity that makes expenditures for covered communications in an
21 aggregate amount or fair market value exceeding ten thousand dollars in
22 a calendar year shall file a financial disclosure report with the
23 department of law. The financial disclosure report shall include:

24 (i) the name and address of the covered entity that made the expendi-
25 ture for covered communications;

26 (ii) the name or names of any individuals who exert operational or
27 managerial control over the covered entity. The disclosures required by
28 this paragraph shall include the name of at least one natural person;

1 (iii) a detailed description of the covered communication;

2 (iv) the dollar amount paid for each covered communication, the name
3 and address of the person or entity receiving the payment, and the date
4 the payment was made; and

5 [(iv)] (v) for any restricted donation received by the covered entity
6 in whole or in part for the support of the covered communication, the
7 name and address of any individual, corporation, association, or group
8 that made a donation [of one thousand dollars or more] to the covered
9 entity and the date of such donation, and the amount of the donation,
10 together with a description of any restriction.

11 (b) The covered entity shall file a financial disclosure report with
12 the department of law and the department of taxation and finance within
13 thirty days of the close of a reporting period.

14 (c) If a covered entity keeps one or more segregated bank accounts
15 containing funds used solely for covered communications and makes all of
16 its expenditures for covered communications from such accounts, then
17 with respect to donations included in subparagraph [(iv)] (v) of para-
18 graph (a) of this subdivision, the financial report need only include
19 donations deposited into such accounts.

20 § 3. Section 172-e of the executive law is amended by adding a new
21 subdivision 4 to read as follows:

22 4. If a covered entity's or recipient entity's annual report filed
23 pursuant to section one hundred seventy-two of this article does not
24 include a completed Internal Revenue Service Form 990 schedule B and
25 that covered entity makes, or that recipient entity receives, qualifying
26 donations pursuant to subdivision two of this section, that entity shall
27 in addition to filing a disclosure with the department of law, also file
28 with the department of taxation and finance a complete Internal Revenue

1 Service Form 990 Schedule B, regardless of whether such form is submit-
2 ted or required to be submitted to the Internal Revenue Service.

3 § 4. Section 172-f of the executive law is amended by adding a new
4 subdivision 4 to read as follows:

5 4. If a covered entity's annual report filed pursuant to section one
6 hundred seventy-two of this article does not include a completed Inter-
7 nal Revenue Service Form 990 schedule B, the entity shall in addition to
8 filing a disclosure with the department of law, also file with the
9 department of taxation and finance a complete Internal Revenue Service
10 Form 990 schedule B, regardless of whether such form is submitted or
11 required to be submitted to the Internal Revenue Service.

12 § 5. Section 171 of the tax law is amended by adding a new subdivision
13 twenty-ninth to read as follows:

14 Twenty-ninth. The commissioner shall receive all annual reports
15 required to be filed with the department pursuant to either subdivision
16 one or two of section one hundred seventy-two-b of the executive law,
17 subdivision four of section one hundred seventy-two-e of the executive
18 law, or subdivision four of section one hundred seventy-two-f of the
19 executive law and shall publish such schedules on the department's
20 website.

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

23 PART VV

24 Section 1. The state comptroller is hereby authorized and directed to
25 loan money in accordance with the provisions set forth in subdivision 5

1 of section 4 of the state finance law to the following funds and/or
2 accounts:

- 3 1. DOL-Child performer protection account (20401).
- 4 2. Proprietary vocational school supervision account (20452).
- 5 3. Local government records management account (20501).
- 6 4. Child health plus program account (20810).
- 7 5. EPIC premium account (20818).
- 8 6. Education - New (20901).
- 9 7. VLT - Sound basic education fund (20904).
- 10 8. Sewage treatment program management and administration fund
11 (21000).
- 12 9. Hazardous bulk storage account (21061).
- 13 10. Utility environmental regulatory account (21064).
- 14 11. Federal grants indirect cost recovery account (21065).
- 15 12. Low level radioactive waste account (21066).
- 16 13. Recreation account (21067).
- 17 14. Public safety recovery account (21077).
- 18 15. Environmental regulatory account (21081).
- 19 16. Natural resource account (21082).
- 20 17. Mined land reclamation program account (21084).
- 21 18. Great lakes restoration initiative account (21087).
- 22 19. Environmental protection and oil spill compensation fund (21200).
- 23 20. Public transportation systems account (21401).
- 24 21. Metropolitan mass transportation (21402).
- 25 22. Operating permit program account (21451).
- 26 23. Mobile source account (21452).
- 27 24. Statewide planning and research cooperative system account
28 (21902).

- 1 25. New York state thruway authority account (21905).
- 2 26. Mental hygiene program fund account (21907).
- 3 27. Mental hygiene patient income account (21909).
- 4 28. Financial control board account (21911).
- 5 29. Regulation of racing account (21912).
- 6 30. State university dormitory income reimbursable account (21937).
- 7 31. Criminal justice improvement account (21945).
- 8 32. Environmental laboratory reference fee account (21959).
- 9 33. Training, management and evaluation account (21961).
- 10 34. Clinical laboratory reference system assessment account (21962).
- 11 35. Indirect cost recovery account (21978).
- 12 36. High school equivalency program account (21979).
- 13 37. Multi-agency training account (21989).
- 14 38. Bell jar collection account (22003).
- 15 39. Industry and utility service account (22004).
- 16 40. Real property disposition account (22006).
- 17 41. Parking account (22007).
- 18 42. Courts special grants (22008).
- 19 43. Asbestos safety training program account (22009).
- 20 44. Camp Smith billeting account (22017).
- 21 45. Batavia school for the blind account (22032).
- 22 46. Investment services account (22034).
- 23 47. Surplus property account (22036).
- 24 48. Financial oversight account (22039).
- 25 49. Regulation of Indian gaming account (22046).
- 26 50. Rome school for the deaf account (22053).
- 27 51. Seized assets account (22054).
- 28 52. Administrative adjudication account (22055).

- 1 53. Federal salary sharing account (22056).
- 2 54. New York City assessment account (22062).
- 3 55. Cultural education account (22063).
- 4 56. Local services account (22078).
- 5 57. DHCR mortgage servicing account (22085).
- 6 58. Housing indirect cost recovery account (22090).
- 7 59. DHCR-HCA application fee account (22100).
- 8 60. Low income housing monitoring account (22130).
- 9 61. Corporation administration account (22135).
- 10 62. New York State Home for Veterans in the Lower-Hudson Valley
- 11 account (22144).
- 12 63. Deferred compensation administration account (22151).
- 13 64. Rent revenue other New York City account (22156).
- 14 65. Rent revenue account (22158).
- 15 66. Tax revenue arrearage account (22168).
- 16 67. New York state medical indemnity fund account (22240).
- 17 68. State university general income offset account (22654).
- 18 69. Lake George park trust fund account (22751).
- 19 70. State police motor vehicle law enforcement account (22802).
- 20 71. Highway safety program account (23001).
- 21 72. DOH drinking water program account (23102).
- 22 73. NYCCC operating offset account (23151).
- 23 74. Commercial gaming revenue account (23701).
- 24 75. Commercial gaming regulation account (23702).
- 25 76. Highway use tax administration account (23801).
- 26 77. New York state secure choice administrative account (23806).
- 27 78. Fantasy sports administration account (24951).
- 28 79. Highway and bridge capital account (30051).

- 1 80. Aviation purpose account (30053).
- 2 81. State university residence hall rehabilitation fund (30100).
- 3 82. State parks infrastructure account (30351).
- 4 83. Clean water/clean air implementation fund (30500).
- 5 84. Hazardous waste remedial cleanup account (31506).
- 6 85. Youth facilities improvement account (31701).
- 7 86. Housing assistance fund (31800).
- 8 87. Housing program fund (31850).
- 9 88. Highway facility purpose account (31951).
- 10 89. Information technology capital financing account (32215).
- 11 90. New York racing account (32213).
- 12 91. Capital miscellaneous gifts account (32214).
- 13 92. New York environmental protection and spill remediation account
- 14 (32219).
- 15 93. Mental hygiene facilities capital improvement fund (32300).
- 16 94. Correctional facilities capital improvement fund (32350).
- 17 95. New York State Storm Recovery Capital Fund (33000).
- 18 96. OGS convention center account (50318).
- 19 97. Empire Plaza Gift Shop (50327).
- 20 98. Centralized services fund (55000).
- 21 99. Archives records management account (55052).
- 22 100. Federal single audit account (55053).
- 23 101. Civil service EHS occupational health program account (55056).
- 24 102. Banking services account (55057).
- 25 103. Cultural resources survey account (55058).
- 26 104. Neighborhood work project account (55059).
- 27 105. Automation & printing chargeback account (55060).
- 28 106. OFT NYT account (55061).

- 1 107. Data center account (55062).
- 2 108. Intrusion detection account (55066).
- 3 109. Domestic violence grant account (55067).
- 4 110. Centralized technology services account (55069).
- 5 111. Labor contact center account (55071).
- 6 112. Human services contact center account (55072).
- 7 113. Tax contact center account (55073).
- 8 114. Department of law civil recoveries account (55074).
- 9 115. Executive direction internal audit account (55251).
- 10 116. CIO Information technology centralized services account (55252).
- 11 117. Health insurance internal service account (55300).
- 12 118. Civil service employee benefits division administrative account
- 13 (55301).
- 14 119. Correctional industries revolving fund (55350).
- 15 120. Employees health insurance account (60201).
- 16 121. Medicaid management information system escrow fund (60900).
- 17 122. New York state cannabis revenue fund.
- 18 123. Behavioral health parity compliance fund.
- 19 § 1-a. The state comptroller is hereby authorized and directed to loan
- 20 money in accordance with the provisions set forth in subdivision 5 of
- 21 section 4 of the state finance law to any account within the following
- 22 federal funds, provided the comptroller has made a determination that
- 23 sufficient federal grant award authority is available to reimburse such
- 24 loans:
- 25 1. Federal USDA-food and nutrition services fund (25000).
- 26 2. Federal health and human services fund (25100).
- 27 3. Federal education fund (25200).
- 28 4. Federal block grant fund (25250).

- 1 5. Federal miscellaneous operating grants fund (25300).
- 2 6. Federal unemployment insurance administration fund (25900).
- 3 7. Federal unemployment insurance occupational training fund (25950).
- 4 8. Federal emergency employment act fund (26000).
- 5 9. Federal capital projects fund (31350).

6 § 2. Notwithstanding any law to the contrary, and in accordance with
7 section 4 of the state finance law, the comptroller is hereby authorized
8 and directed to transfer, upon request of the director of the budget, on
9 or before March 31, 2021, up to the unencumbered balance or the follow-
10 ing amounts:

11 Economic Development and Public Authorities:

- 12 1. \$175,000 from the miscellaneous special revenue fund, underground
13 facilities safety training account (22172), to the general fund.
- 14 2. An amount up to the unencumbered balance from the miscellaneous
15 special revenue fund, business and licensing services account (21977),
16 to the general fund.
- 17 3. \$14,810,000 from the miscellaneous special revenue fund, code
18 enforcement account (21904), to the general fund.
- 19 4. \$3,000,000 from the general fund to the miscellaneous special
20 revenue fund, tax revenue arrearage account (22168).

21 Education:

- 22 1. \$2,487,000,000 from the general fund to the state lottery fund,
23 education account (20901), as reimbursement for disbursements made from
24 such fund for supplemental aid to education pursuant to section 92-c of
25 the state finance law that are in excess of the amounts deposited in
26 such fund for such purposes pursuant to section 1612 of the tax law.
- 27 2. \$978,000,000 from the general fund to the state lottery fund, VLT
28 education account (20904), as reimbursement for disbursements made from

1 such fund for supplemental aid to education pursuant to section 92-c of
2 the state finance law that are in excess of the amounts deposited in
3 such fund for such purposes pursuant to section 1612 of the tax law.

4 3. \$168,000,000 from the general fund to the New York state commercial
5 gaming fund, commercial gaming revenue account (23701), as reimbursement
6 for disbursements made from such fund for supplemental aid to education
7 pursuant to section 97-nnnn of the state finance law that are in excess
8 of the amounts deposited in such fund for purposes pursuant to section
9 1352 of the racing, pari-mutuel wagering and breeding law.

10 4. \$5,000,000 from the interactive fantasy sports fund, fantasy sports
11 education account (24950), to the state lottery fund, education account
12 (20901), as reimbursement for disbursements made from such fund for
13 supplemental aid to education pursuant to section 92-c of the state
14 finance law.

15 5. An amount up to the unencumbered balance from the charitable gifts
16 trust fund, elementary and secondary education account (24901), to the
17 general fund, for payment of general support for public schools pursuant
18 to section 3609-a of the education law.

19 6. Moneys from the state lottery fund (20900) up to an amount deposit-
20 ed in such fund pursuant to section 1612 of the tax law in excess of the
21 current year appropriation for supplemental aid to education pursuant to
22 section 92-c of the state finance law.

23 7. \$300,000 from the New York state local government records manage-
24 ment improvement fund, local government records management account
25 (20501), to the New York state archives partnership trust fund, archives
26 partnership trust maintenance account (20351).

27 8. \$900,000 from the general fund to the miscellaneous special revenue
28 fund, Batavia school for the blind account (22032).

1 9. \$900,000 from the general fund to the miscellaneous special revenue
2 fund, Rome school for the deaf account (22053).

3 10. \$343,400,000 from the state university dormitory income fund
4 (40350) to the miscellaneous special revenue fund, state university
5 dormitory income reimbursable account (21937).

6 11. \$8,318,000 from the general fund to the state university income
7 fund, state university income offset account (22654), for the state's
8 share of repayment of the STIP loan.

9 12. \$47,000,000 from the state university income fund, state universi-
10 ty hospitals income reimbursable account (22656) to the general fund for
11 hospital debt service for the period April 1, 2020 through March 31,
12 2021.

13 13. \$25,390,000 from the miscellaneous special revenue fund, office of
14 the professions account (22051), to the miscellaneous capital projects
15 fund, office of the professions electronic licensing account (32222).

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

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

21 16. \$1,500,000 from the miscellaneous special revenue fund, office of
22 the professions account (22051), to the general fund from fees charged
23 to each non-licensee owner of a firm that is incorporating as a profes-
24 sional service corporation formed to lawfully engage in the practice of
25 public accountancy.

26 Environmental Affairs:

- 1 1. \$16,000,000 from any of the department of environmental conserva-
2 tion's special revenue federal funds to the environmental conservation
3 special revenue fund, federal indirect recovery account (21065).
- 4 2. \$5,000,000 from any of the department of environmental conserva-
5 tion's special revenue federal funds to the conservation fund (21150) or
6 Marine Resources Account (21151) as necessary to avoid diversion of
7 conservation funds.
- 8 3. \$3,000,000 from any of the office of parks, recreation and historic
9 preservation capital projects federal funds and special revenue federal
10 funds to the miscellaneous special revenue fund, federal grant indirect
11 cost recovery account (22188).
- 12 4. \$1,000,000 from any of the office of parks, recreation and historic
13 preservation special revenue federal funds to the miscellaneous capital
14 projects fund, I love NY water account (32212).
- 15 5. \$28,000,000 from the general fund to the environmental protection
16 fund, environmental protection fund transfer account (30451).
- 17 6. \$1,800,000 from the general fund to the hazardous waste remedial
18 fund, hazardous waste oversight and assistance account (31505).
- 19 7. An amount up to or equal to the cash balance within the special
20 revenue-other waste management & cleanup account (21053) to the capital
21 projects fund (30000) for services and capital expenses related to the
22 management and cleanup program as put forth in section 27-1915 of the
23 environmental conservation law.
- 24 8. \$3,600,000 from the miscellaneous special revenue fund, public
25 service account (22011) to the miscellaneous special revenue fund, util-
26 ity environmental regulatory account (21064).
- 27 9. \$4,000,000 from the general fund to the enterprise fund, state fair
28 account (50051).

1 Family Assistance:

2 1. \$7,000,000 from any of the office of children and family services,
3 office of temporary and disability assistance, or department of health
4 special revenue federal funds and the general fund, in accordance with
5 agreements with social services districts, to the miscellaneous special
6 revenue fund, office of human resources development state match account
7 (21967).

8 2. \$4,000,000 from any of the office of children and family services
9 or office of temporary and disability assistance special revenue federal
10 funds to the miscellaneous special revenue fund, family preservation and
11 support services and family violence services account (22082).

12 3. \$18,670,000 from any of the office of children and family services,
13 office of temporary and disability assistance, or department of health
14 special revenue federal funds and any other miscellaneous revenues
15 generated from the operation of office of children and family services
16 programs to the general fund.

17 4. \$125,000,000 from any of the office of temporary and disability
18 assistance or department of health special revenue funds to the general
19 fund.

20 5. \$2,500,000 from any of the office of temporary and disability
21 assistance special revenue funds to the miscellaneous special revenue
22 fund, office of temporary and disability assistance program account
23 (21980).

24 6. \$35,000,000 from any of the office of children and family services,
25 office of temporary and disability assistance, department of labor, and
26 department of health special revenue federal funds to the office of
27 children and family services miscellaneous special revenue fund, multi-
28 agency training contract account (21989).

1 7. \$205,000,000 from the miscellaneous special revenue fund, youth
2 facility per diem account (22186), to the general fund.

3 8. \$621,850 from the general fund to the combined gifts, grants, and
4 bequests fund, WB Hoyt Memorial account (20128).

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

7 10. \$600,000 from the miscellaneous special revenue fund, veterans
8 remembrance and cemetery maintenance and operation fund (20201), to the
9 capital projects fund (30000).

10 General Government:

11 1. \$1,566,000 from the miscellaneous special revenue fund, examination
12 and miscellaneous revenue account (22065) to the general fund.

13 2. \$12,000,000 from the general fund to the health insurance revolving
14 fund (55300).

15 3. \$292,400,000 from the health insurance reserve receipts fund
16 (60550) to the general fund.

17 4. \$150,000 from the general fund to the not-for-profit revolving loan
18 fund (20650).

19 5. \$150,000 from the not-for-profit revolving loan fund (20650) to the
20 general fund.

21 6. \$3,000,000 from the miscellaneous special revenue fund, surplus
22 property account (22036), to the general fund.

23 7. \$19,000,000 from the miscellaneous special revenue fund, revenue
24 arrearage account (22024), to the general fund.

25 8. \$1,826,000 from the miscellaneous special revenue fund, revenue
26 arrearage account (22024), to the miscellaneous special revenue fund,
27 authority budget office account (22138).

1 9. \$1,000,000 from the agencies enterprise fund, parking services
2 account (22007), to the general fund, for the purpose of reimbursing the
3 costs of debt service related to state parking facilities.

4 10. \$9,628,000 from the general fund to the centralized services fund,
5 COPS account (55013).

6 11. \$11,460,000 from the general fund to the agencies internal service
7 fund, central technology services account (55069), for the purpose of
8 enterprise technology projects.

9 12. \$10,000,000 from the general fund to the agencies internal service
10 fund, state data center account (55062).

11 13. \$20,000,000 from the miscellaneous special revenue fund, workers'
12 compensation account (21995), to the miscellaneous capital projects
13 fund, workers' compensation board IT business process design fund,
14 (32218).

15 14. \$12,000,000 from the agencies enterprise fund, parking services
16 account (22007), to the centralized services, building support services
17 account (55018).

18 15. \$30,000,000 from the general fund to the internal service fund,
19 business services center account (55022).

20 16. \$8,000,000 from the general fund to the internal service fund,
21 building support services account (55018).

22 17. \$1,500,000 from the agencies enterprise fund, special events
23 account (20120), to the general fund.

24 Health:

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

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

5 3. A transfer from the general fund to the combined gifts, grants and
6 bequests fund, Alzheimer's disease research and assistance account
7 (20143), up to an amount equal to the moneys collected and deposited
8 into that account in the previous fiscal year.

9 4. \$33,134,000 from the HCRA resources fund (20800) to the miscella-
10 neous special revenue fund, empire state stem cell trust fund account
11 (22161).

12 5. \$6,000,000 from the miscellaneous special revenue fund, certificate
13 of need account (21920), to the miscellaneous capital projects fund,
14 healthcare IT capital subfund (32216).

15 6. \$2,000,000 from the miscellaneous special revenue fund, vital
16 health records account (22103), to the miscellaneous capital projects
17 fund, healthcare IT capital subfund (32216).

18 7. \$2,000,000 from the miscellaneous special revenue fund, profes-
19 sional medical conduct account (22088), to the miscellaneous capital
20 projects fund, healthcare IT capital subfund (32216).

21 8. \$91,304,000 from the HCRA resources fund (20800) to the capital
22 projects fund (30000).

23 9. \$6,550,000 from the general fund to the medical marihuana trust
24 fund, health operation and oversight account (23755).

25 10. An amount up to the unencumbered balance from the miscellaneous
26 special revenue fund, certificate of need account (21920), to the gener-
27 al fund.

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

8 12. \$3,000,000 from the miscellaneous special revenue fund, New York
9 State cannabis revenue fund, to the general fund.

10 Labor:

11 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
12 penalty account (21923), to the child performer's protection fund, child
13 performer protection account (20401).

14 2. \$11,700,000 from the unemployment insurance interest and penalty
15 fund, unemployment insurance special interest and penalty account
16 (23601), to the general fund.

17 3. \$5,000,000 from the miscellaneous special revenue fund, workers'
18 compensation account (21995), to the training and education program
19 occupation safety and health fund, OSHA-training and education account
20 (21251) and occupational health inspection account (21252).

21 Mental Hygiene:

22 1. \$10,000,000 from the general fund, to the miscellaneous special
23 revenue fund, federal salary sharing account (22056).

24 2. \$3,800,000 from the general fund, to the agencies internal service
25 fund, civil service EHS occupational health program account (55056).

26 3. \$3,000,000 from the chemical dependence service fund, substance
27 abuse services fund account (22700), to the mental hygiene capital
28 improvement fund (32305).

1 Public Protection:

- 2 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
3 management account (21944), to the general fund.
- 4 2. \$2,087,000 from the general fund to the miscellaneous special
5 revenue fund, recruitment incentive account (22171).
- 6 3. \$22,773,000 from the general fund to the correctional industries
7 revolving fund, correctional industries internal service account
8 (55350).
- 9 4. \$60,000,000 from any of the division of homeland security and emer-
10 gency services special revenue federal funds to the general fund.
- 11 5. \$11,149,000 from the miscellaneous special revenue fund, criminal
12 justice improvement account (21945), to the general fund.
- 13 6. \$115,420,000 from the state police motor vehicle law enforcement
14 and motor vehicle theft and insurance fraud prevention fund, state
15 police motor vehicle enforcement account (22802), to the general fund
16 for state operation expenses of the division of state police.
- 17 7. \$120,500,000 from the general fund to the correctional facilities
18 capital improvement fund (32350).
- 19 8. \$5,000,000 from the general fund to the dedicated highway and
20 bridge trust fund (30050) for the purpose of work zone safety activities
21 provided by the division of state police for the department of transpor-
22 tation.
- 23 9. \$10,000,000 from the miscellaneous special revenue fund, statewide
24 public safety communications account (22123), to the capital projects
25 fund (30000).
- 26 10. \$9,830,000 from the miscellaneous special revenue fund, legal
27 services assistance account (22096), to the general fund.

1 11. \$1,000,000 from the general fund to the agencies internal service
2 fund, neighborhood work project account (55059).

3 12. \$7,980,000 from the miscellaneous special revenue fund, finger-
4 print identification & technology account (21950), to the general fund.

5 13. \$1,100,000 from the state police motor vehicle law enforcement and
6 motor vehicle theft and insurance fraud prevention fund, motor vehicle
7 theft and insurance fraud account (22801), to the general fund.

8 14. \$25,000,000 from the miscellaneous special revenue fund, statewide
9 public safety communications account (22123), to the general fund.

10 Transportation:

11 1. \$31,000,000 from the general fund to the MTA financial assistance
12 fund, mobility tax trust account (23651) for disbursements related to
13 part NN of chapter 54 of the laws of 2016.

14 2. \$20,000,000 from the general fund to the mass transportation oper-
15 ating assistance fund, public transportation systems operating assist-
16 ance account (21401), of which \$12,000,000 constitutes the base need for
17 operations.

18 3. \$727,500,000 from the general fund to the dedicated highway and
19 bridge trust fund (30050).

20 4. \$244,250,000 from the general fund to the MTA financial assistance
21 fund, mobility tax trust account (23651).

22 5. \$5,000,000 from the miscellaneous special revenue fund, transporta-
23 tion regulation account (22067) to the dedicated highway and bridge
24 trust fund (30050), for disbursements made from such fund for motor
25 carrier safety that are in excess of the amounts deposited in the dedi-
26 cated highway and bridge trust fund (30050) for such purpose pursuant to
27 section 94 of the transportation law.

1 6. \$3,000,000 from the miscellaneous special revenue fund, traffic
2 adjudication account (22055), to the general fund.

3 7. \$11,721,000 from the mass transportation operating assistance fund,
4 metropolitan mass transportation operating assistance account (21402),
5 to the capital projects fund (30000).

6 8. \$5,000,000 from the miscellaneous special revenue fund, transporta-
7 tion regulation account (22067) to the general fund, for disbursements
8 made from such fund for motor carrier safety that are in excess of the
9 amounts deposited in the general fund for such purpose pursuant to
10 section 94 of the transportation law.

11 Miscellaneous:

12 1. \$250,000,000 from the general fund to any funds or accounts for the
13 purpose of reimbursing certain outstanding accounts receivable balances.

14 2. \$500,000,000 from the general fund to the debt reduction reserve
15 fund (40000).

16 3. \$450,000,000 from the New York state storm recovery capital fund
17 (33000) to the revenue bond tax fund (40152).

18 4. \$15,500,000 from the general fund, community projects account GG
19 (10256), to the general fund, state purposes account (10050).

20 5. \$100,000,000 from any special revenue federal fund to the general
21 fund, state purposes account (10050).

22 § 3. Notwithstanding any law to the contrary, and in accordance with
23 section 4 of the state finance law, the comptroller is hereby authorized
24 and directed to transfer, on or before March 31, 2021:

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

1 and \$1,834,600 from the conservation fund (21150), to the environmental
2 conservation special revenue fund, indirect charges account (21060).

3 2. Upon request of the commissioner of agriculture and markets, up to
4 \$3,000,000 from any special revenue fund or enterprise fund within the
5 department of agriculture and markets to the general fund, to pay appro-
6 priate administrative expenses.

7 3. Upon request of the commissioner of agriculture and markets, up to
8 \$2,000,000 from the state exposition special fund, state fair receipts
9 account (50051) to the miscellaneous capital projects fund, state fair
10 capital improvement account (32208).

11 4. Upon request of the commissioner of the division of housing and
12 community renewal, up to \$6,221,000 from revenues credited to any divi-
13 sion of housing and community renewal federal or miscellaneous special
14 revenue fund to the miscellaneous special revenue fund, housing indirect
15 cost recovery account (22090).

16 5. Upon request of the commissioner of the division of housing and
17 community renewal, up to \$5,500,000 may be transferred from any miscel-
18 laneous special revenue fund account, to any miscellaneous special
19 revenue fund.

20 6. Upon request of the commissioner of health up to \$13,225,000 from
21 revenues credited to any of the department of health's special revenue
22 funds, to the miscellaneous special revenue fund, administration account
23 (21982).

24 § 4. On or before March 31, 2021, the comptroller is hereby authorized
25 and directed to deposit earnings that would otherwise accrue to the
26 general fund that are attributable to the operation of section 98-a of
27 the state finance law, to the agencies internal service fund, banking

1 services account (55057), for the purpose of meeting direct payments
2 from such account.

3 § 5. Notwithstanding any law to the contrary, upon the direction of
4 the director of the budget and upon requisition by the state university
5 of New York, the dormitory authority of the state of New York is
6 directed to transfer, up to \$22,000,000 in revenues generated from the
7 sale of notes or bonds, the state university income fund general revenue
8 account (22653) for reimbursement of bondable equipment for further
9 transfer to the state's general fund.

10 § 6. 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, upon request of the director of the budget and
13 upon consultation with the state university chancellor or his or her
14 designee, on or before March 31, 2021, up to \$16,000,000 from the state
15 university income fund general revenue account (22653) to the state
16 general fund for debt service costs related to campus supported capital
17 project costs for the NY-SUNY 2020 challenge grant program at the
18 University at Buffalo.

19 § 7. 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, 2021, up to \$6,500,000 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 Albany.

1 § 8. Notwithstanding any law to the contrary, the state university
2 chancellor or his or her designee is authorized and directed to transfer
3 estimated tuition revenue balances from the state university collection
4 fund (61000) to the state university income fund, state university
5 general revenue offset account (22655) on or before March 31, 2021.

6 § 9. Notwithstanding any law to the contrary, and in accordance with
7 section 4 of the state finance law, the comptroller is hereby authorized
8 and directed to transfer, upon request of the director of the budget, up
9 to \$1,019,748,300 from the general fund to the state university income
10 fund, state university general revenue offset account (22655) during the
11 period of July 1, 2020 through June 30, 2021 to support operations at
12 the state university.

13 § 10. Notwithstanding any law to the contrary, and in accordance with
14 section 4 of the state finance law, the comptroller is hereby authorized
15 and directed to transfer, upon request of the director of the budget, up
16 to \$20,000,000 from the general fund to the state university income
17 fund, state university general revenue offset account (22655) during the
18 period of July 1, 2020 to June 30, 2021 to support operations at the
19 state university in accordance with the maintenance of effort pursuant
20 to subparagraph (4) of paragraph h of subdivision 2 of section 355 of
21 the education law.

22 § 11. 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 state university chancel-
25 lor or his or her designee, up to \$55,000,000 from the state university
26 income fund, state university hospitals income reimbursable account
27 (22656), for services and expenses of hospital operations and capital
28 expenditures at the state university hospitals; and the state university

1 income fund, Long Island veterans' home account (22652) to the state
2 university capital projects fund (32400) on or before June 30, 2021.

3 § 12. Notwithstanding any law to the contrary, and in accordance with
4 section 4 of the state finance law, the comptroller, after consultation
5 with the state university chancellor or his or her designee, is hereby
6 authorized and directed to transfer moneys, in the first instance, from
7 the state university collection fund, Stony Brook hospital collection
8 account (61006), Brooklyn hospital collection account (61007), and Syra-
9 cuse hospital collection account (61008) to the state university income
10 fund, state university hospitals income reimbursable account (22656) in
11 the event insufficient funds are available in the state university
12 income fund, state university hospitals income reimbursable account
13 (22656) to permit the full transfer of moneys authorized for transfer,
14 to the general fund for payment of debt service related to the SUNY
15 hospitals. Notwithstanding any law to the contrary, the comptroller is
16 also hereby authorized and directed, after consultation with the state
17 university chancellor or his or her designee, to transfer moneys from
18 the state university income fund to the state university income fund,
19 state university hospitals income reimbursable account (22656) in the
20 event insufficient funds are available in the state university income
21 fund, state university hospitals income reimbursable account (22656) to
22 pay hospital operating costs or to permit the full transfer of moneys
23 authorized for transfer, to the general fund for payment of debt service
24 related to the SUNY hospitals on or before March 31, 2021.

25 § 13. Notwithstanding any law to the contrary, upon the direction of
26 the director of the budget and the chancellor of the state university of
27 New York or his or her designee, and in accordance with section 4 of the
28 state finance law, the comptroller is hereby authorized and directed to

1 transfer monies from the state university dormitory income fund (40350)
2 to the state university residence hall rehabilitation fund (30100), and
3 from the state university residence hall rehabilitation fund (30100) to
4 the state university dormitory income fund (40350), in an amount not to
5 exceed \$80 million from each fund.

6 § 14. Notwithstanding any law to the contrary, and in accordance with
7 section 4 of the state finance law, the comptroller is hereby authorized
8 and directed to transfer, at the request of the director of the budget,
9 up to \$650 million from the unencumbered balance of any special revenue
10 fund or account, agency fund or account, internal service fund or
11 account, enterprise fund or account, or any combination of such funds
12 and accounts, to the general fund. The amounts transferred pursuant to
13 this authorization shall be in addition to any other transfers expressly
14 authorized in the 2020-21 budget. Transfers from federal funds, debt
15 service funds, capital projects funds, the community projects fund, or
16 funds that would result in the loss of eligibility for federal benefits
17 or federal funds pursuant to federal law, rule, or regulation as assent-
18 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
19 1951 are not permitted pursuant to this authorization.

20 § 15. Notwithstanding any law to the contrary, and in accordance with
21 section 4 of the state finance law, the comptroller is hereby authorized
22 and directed to transfer, at the request of the director of the budget,
23 up to \$100 million from any non-general fund or account, or combination
24 of funds and accounts, to the miscellaneous special revenue fund, tech-
25 nology financing account (22207), the miscellaneous capital projects
26 fund, the federal capital projects account (31350), information technol-
27 ogy capital financing account (32215), or the centralized technology
28 services account (55069), for the purpose of consolidating technology

1 procurement and services. The amounts transferred to the miscellaneous
2 special revenue fund, technology financing account (22207) pursuant to
3 this authorization shall be equal to or less than the amount of such
4 monies intended to support information technology costs which are
5 attributable, according to a plan, to such account made in pursuance to
6 an appropriation by law. Transfers to the technology financing account
7 shall be completed from amounts collected by non-general funds or
8 accounts pursuant to a fund deposit schedule or permanent statute, and
9 shall be transferred to the technology financing account pursuant to a
10 schedule agreed upon by the affected agency commissioner. Transfers from
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 § 16. 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 \$400 million from any non-general fund or account, or combination
19 of funds and accounts, to the general fund for the purpose of consol-
20 idating technology procurement and services. The amounts transferred
21 pursuant to this authorization shall be equal to or less than the amount
22 of such monies intended to support information technology costs which
23 are attributable, according to a plan, to such account made in pursuance
24 to an appropriation by law. Transfers to the general fund shall be
25 completed from amounts collected by non-general funds or accounts pursu-
26 ant to a fund deposit schedule. Transfers from funds that would result
27 in the loss of eligibility for federal benefits or federal funds pursu-
28 ant to federal law, rule, or regulation as assented to in chapter 683 of

1 the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
2 pursuant to this authorization.

3 § 17. Notwithstanding any provision of law to the contrary, as deemed
4 feasible and advisable by its trustees, the power authority of the state
5 of New York is authorized and directed to transfer to the state treasury
6 to the credit of the general fund \$20,000,000 for the state fiscal year
7 commencing April 1, 2020, the proceeds of which will be utilized to
8 support energy-related state activities.

9 § 18. Notwithstanding any provision of law, rule or regulation to the
10 contrary, the New York state energy research and development authority
11 is authorized and directed to make the following contributions to the
12 state treasury to the credit of the general fund on or before March 31,
13 2021: (a) \$913,000; and (b) \$23,000,000 from proceeds collected by the
14 authority from the auction or sale of carbon dioxide emission allowances
15 allocated by the department of environmental conservation.

16 § 19. Notwithstanding any provision of law, rule or regulation to the
17 contrary, the New York state energy research and development authority
18 is authorized and directed to transfer five million dollars to the cred-
19 it of the Environmental Protection Fund on or before March 31, 2021 from
20 proceeds collected by the authority from the auction or sale of carbon
21 dioxide emission allowances allocated by the department of environmental
22 conservation.

23 § 20. Subdivision 5 of section 97-rrr of the state finance law, as
24 amended by section 21 of part TTT of chapter 59 of the laws of 2019, is
25 amended to read as follows:

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

1 y-one, and notwithstanding the provisions of chapter ninety-four of the
2 laws of two thousand eleven, or any other provisions of law to the
3 contrary, during the fiscal year beginning April first, two thousand
4 [nineteen] twenty, the state comptroller is hereby authorized and
5 directed to deposit to the fund created pursuant to this section from
6 amounts collected pursuant to article twenty-two of the tax law and
7 pursuant to a schedule submitted by the director of the budget, up to
8 [\$2,185,995,000] \$1,999,516,000, as may be certified in such schedule as
9 necessary to meet the purposes of such fund for the fiscal year begin-
10 ning April first, two thousand [nineteen] twenty.

11 § 21. Notwithstanding any law to the contrary, the comptroller is
12 hereby authorized and directed to transfer, upon request of the director
13 of the budget, on or before March 31, 2021, the following amounts from
14 the following special revenue accounts to the capital projects fund
15 (30000), for the purposes of reimbursement to such fund for expenses
16 related to the maintenance and preservation of state assets:

17 1. \$43,000 from the miscellaneous special revenue fund, administrative
18 program account (21982).

19 2. \$1,478,000 from the miscellaneous special revenue fund, helen hayes
20 hospital account (22140).

21 3. \$366,000 from the miscellaneous special revenue fund, New York city
22 veterans' home account (22141).

23 4. \$513,000 from the miscellaneous special revenue fund, New York
24 state home for veterans' and their dependents at oxford account (22142).

25 5. \$159,000 from the miscellaneous special revenue fund, western New
26 York veterans' home account (22143).

27 6. \$323,000 from the miscellaneous special revenue fund, New York
28 state for veterans in the lower-hudson valley account (22144).

1 7. \$2,550,000 from the miscellaneous special revenue fund, patron
2 services account (22163).

3 8. \$7,300,000 from the miscellaneous special revenue fund, state
4 university general income reimbursable account (22653).

5 9. \$132,000,000 from the miscellaneous special revenue fund, state
6 university revenue offset account (22655).

7 10. \$48,000,000 from the state university dormitory income fund, state
8 university dormitory income fund (40350).

9 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
10 settlement and civil recovery account (22117).

11 § 22. Notwithstanding any provision of law to the contrary, in the
12 event that federal legislation, federal regulatory actions, federal
13 executive actions or federal judicial actions in federal fiscal year
14 2021 reduce federal financial participation in Medicaid funding to New
15 York state or its subdivisions by \$850 million or more in state fiscal
16 years 2020-21 or 2021-22, the director of the division of the budget
17 shall notify the temporary president of the senate and the speaker of
18 the assembly in writing that the federal actions will reduce expected
19 funding to New York state. The director of the division of the budget
20 shall prepare a plan that shall be submitted to the legislature, which
21 shall (a) specify the total amount of the reduction in federal financial
22 participation in Medicaid, (b) itemize the specific programs and activ-
23 ities that will be affected by the reduction in federal financial
24 participation in Medicaid, and (c) identify the general fund and state
25 special revenue fund appropriations and related disbursements that shall
26 be reduced, and in what program areas, provided, however, that such
27 reductions to appropriations and disbursements shall be applied equally
28 and proportionally to the programs affected by the reduction in federal

1 financial participation in Medicaid. Upon such submission, the legisla-
2 ture shall have 90 days after such submission to either prepare its own
3 plan, which may be adopted by concurrent resolution passed by both hous-
4 es, or if after 90 days the legislature fails to adopt their own plan,
5 the reductions to the general fund and state special revenue fund appro-
6 priations and related disbursements identified in the division of the
7 budget plan will go into effect automatically.

8 § 23. Notwithstanding any provision of law to the contrary, in the
9 event that federal legislation, federal regulatory actions, federal
10 executive actions or federal judicial actions in federal fiscal year
11 2021 reduce federal financial participation or other federal aid in
12 funding to New York state that affects the state operating funds finan-
13 cial plan by \$850 million or more in state fiscal years 2020-21 or
14 2021-22, exclusive of any cuts to Medicaid, the director of the division
15 of the budget shall notify the temporary president of the senate and the
16 speaker of the assembly in writing that the federal actions will reduce
17 expected funding to New York state. The director of the division of the
18 budget shall prepare a plan that shall be submitted to the legislature,
19 which shall (a) specify the total amount of the reduction in federal
20 aid, (b) itemize the specific programs and activities that will be
21 affected by the federal reductions, exclusive of Medicaid, and (c) iden-
22 tify the general fund and state special revenue fund appropriations and
23 related disbursements that shall be reduced, and in what program areas,
24 provided, however, that such reductions to appropriations and disburse-
25 ments shall be applied equally and proportionally. Upon such submission,
26 the legislature shall have 90 days after such submission to either
27 prepare its own plan, which may be adopted by concurrent resolution
28 passed by both houses, or if after 90 days the legislature fails to

1 adopt their own plan, the reductions to the general fund and state
2 special revenue fund appropriations and related disbursements identified
3 in the division of the budget plan will go into effect automatically.

4 § 24. Notwithstanding any provision of law to the contrary, if the
5 financial plan required under sections twenty-two or twenty-three of
6 this article estimates that the General Fund is reasonably anticipated
7 to end the fiscal year with an imbalance of \$500 million or more, the
8 director of the division of the budget shall prepare a plan that shall
9 be submitted to the legislature, which shall identify the general fund
10 and state special revenue fund aid to localities appropriations and
11 related disbursements that may be reduced to eliminate the imbalance
12 identified in the General Fund, provided, however, that the total
13 reduction in disbursements identified in such plan shall not exceed an
14 amount equal to 1.0 percent of estimated disbursements in state operat-
15 ing funds for fiscal year 2020-2021. The legislature shall have 30 days
16 after such submission to either prepare its own plan, which may be
17 adopted by concurrent resolution passed by both houses and implemented
18 by the division of the budget, or if after 30 days the legislature fails
19 to adopt its own plan, the reductions to the general fund and state
20 special revenue fund aid to localities appropriations and related
21 disbursements identified in the division of the budget plan will go into
22 effect automatically. To the extent the State is obligated to make
23 payment to any individual or entity pursuant to any appropriation to
24 which an adjustment or reduction is applied in accordance with this
25 section, such obligation shall be reduced commensurate with any adjust-
26 ments or reductions made by the director of the budget and/or by the
27 legislature. The following types of appropriations shall be exempt from
28 reduction in any plan prepared by the budget director and/or any plan

1 adopted by the legislature: (a) public assistance payments for families
2 and individuals and payments for eligible aged, blind and disabled
3 persons related to supplemental social security; (b) any reductions that
4 would violate federal law; (c) payments of debt service and related
5 expenses for which the state is constitutionally obligated to pay debt
6 service or is contractually obligated to pay debt service, subject to an
7 appropriation, including where the state has a contingent contractual
8 obligation; and (d) payments the state is obligated to make pursuant to
9 court orders or judgments.

10 § 25. Subdivision 6 of section 4 of the state finance law, as amended
11 by section 25 of part BBB of chapter 59 of the laws of 2018, is amended
12 to read as follows:

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

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

5 [The provisions of this subdivision shall expire on March thirty-
6 first, two thousand twenty.]

7 § 26. Subdivision 4 of section 40 of the state finance law, as amended
8 by section 26 of part BBB of chapter 59 of the laws of 2018, is amended
9 to read as follows:

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

18 [The provisions of this subdivision shall expire March thirty-first,
19 two thousand twenty.]

20 § 27. Notwithstanding any other law, rule, or regulation to the
21 contrary, the state comptroller is hereby authorized and directed to use
22 any balance remaining in the mental health services fund debt service
23 appropriation, after payment by the state comptroller of all obligations
24 required pursuant to any lease, sublease, or other financing arrangement
25 between the dormitory authority of the state of New York as successor to
26 the New York state medical care facilities finance agency, and the
27 facilities development corporation pursuant to chapter 83 of the laws of
28 1995 and the department of mental hygiene for the purpose of making

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

14 § 28. Subdivision 1 of section 16 of part D of chapter 389 of the laws
15 of 1997, relating to the financing of the correctional facilities
16 improvement fund and the youth facility improvement fund, as amended by
17 section 28 of part TTT of chapter 59 of the laws of 2019, is amended to
18 read as follows:

19 1. Subject to the provisions of chapter 59 of the laws of 2000, but
20 notwithstanding the provisions of section 18 of section 1 of chapter 174
21 of the laws of 1968, the New York state urban development corporation is
22 hereby authorized to issue bonds, notes and other obligations in an
23 aggregate principal amount not to exceed [eight billion four hundred
24 ninety-four million nine hundred seventy-nine thousand] eight billion
25 eight hundred seventeen million two hundred ninety-nine thousand dollars
26 [\$8,494,979,000] \$8,817,299,000, and shall include all bonds, notes and
27 other obligations issued pursuant to chapter 56 of the laws of 1983, as
28 amended or supplemented. The proceeds of such bonds, notes or other

1 obligations shall be paid to the state, for deposit in the correctional
2 facilities capital improvement fund to pay for all or any portion of the
3 amount or amounts paid by the state from appropriations or reappropri-
4 ations made to the department of corrections and community supervision
5 from the correctional facilities capital improvement fund for capital
6 projects. The aggregate amount of bonds, notes or other obligations
7 authorized to be issued pursuant to this section shall exclude bonds,
8 notes or other obligations issued to refund or otherwise repay bonds,
9 notes or other obligations theretofore issued, the proceeds of which
10 were paid to the state for all or a portion of the amounts expended by
11 the state from appropriations or reappropriations made to the department
12 of corrections and community supervision; provided, however, that upon
13 any such refunding or repayment the total aggregate principal amount of
14 outstanding bonds, notes or other obligations may be greater than [eight
15 billion four hundred ninety-four million nine hundred seventy-nine thou-
16 sand] eight billion eight hundred seventeen million two hundred ninety-
17 nine thousand dollars [\$8,494,979,000] \$8,817,299,000, only if the pres-
18 ent value of the aggregate debt service of the refunding or repayment
19 bonds, notes or other obligations to be issued shall not exceed the
20 present value of the aggregate debt service of the bonds, notes or other
21 obligations so to be refunded or repaid. For the purposes hereof, the
22 present value of the aggregate debt service of the refunding or repay-
23 ment bonds, notes or other obligations and of the aggregate debt service
24 of the bonds, notes or other obligations so refunded or repaid, shall be
25 calculated by utilizing the effective interest rate of the refunding or
26 repayment bonds, notes or other obligations, which shall be that rate
27 arrived at by doubling the semi-annual interest rate (compounded semi-
28 annually) necessary to discount the debt service payments on the refund-

1 ing or repayment bonds, notes or other obligations from the payment
2 dates thereof to the date of issue of the refunding or repayment bonds,
3 notes or other obligations and to the price bid including estimated
4 accrued interest or proceeds received by the corporation including esti-
5 mated accrued interest from the sale thereof.

6 § 29. Subdivision (a) of section 27 of part Y of chapter 61 of the
7 laws of 2005, relating to providing for the administration of certain
8 funds and accounts related to the 2005-2006 budget, as amended by
9 section 32 of part TTT of chapter 59 of the laws of 2019, is amended to
10 read as follows:

11 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
12 notwithstanding any provisions of law to the contrary, the urban devel-
13 opment corporation is hereby authorized to issue bonds or notes in one
14 or more series in an aggregate principal amount not to exceed [two
15 hundred seventy-one million six hundred thousand] three hundred twenty-
16 three million one hundred thousand dollars [\$271,600,000] \$323,100,000,
17 excluding bonds issued to finance one or more debt service reserve
18 funds, to pay costs of issuance of such bonds, and bonds or notes issued
19 to refund or otherwise repay such bonds or notes previously issued, for
20 the purpose of financing capital projects including IT initiatives for
21 the division of state police, debt service and leases; and to reimburse
22 the state general fund for disbursements made therefor. Such bonds and
23 notes of such authorized issuer shall not be a debt of the state, and
24 the state shall not be liable thereon, nor shall they be payable out of
25 any funds other than those appropriated by the state to such authorized
26 issuer for debt service and related expenses pursuant to any service
27 contract executed pursuant to subdivision (b) of this section and such
28 bonds and notes shall contain on the face thereof a statement to such

1 effect. Except for purposes of complying with the internal revenue code,
2 any interest income earned on bond proceeds shall only be used to pay
3 debt service on such bonds.

4 § 30. Subdivision 3 of section 1285-p of the public authorities law,
5 as amended by section 35 of part TTT of chapter 59 of the laws of 2019,
6 is amended to read as follows:

7 3. The maximum amount of bonds that may be issued for the purpose of
8 financing environmental infrastructure projects authorized by this
9 section shall be [five billion six hundred thirty-eight million ten
10 thousand] six billion three hundred seventy-four million ten thousand
11 dollars [\$5,638,010,000] \$6,374,010,000, exclusive of bonds issued to
12 fund any debt service reserve funds, pay costs of issuance of such
13 bonds, and bonds or notes issued to refund or otherwise repay bonds or
14 notes previously issued. Such bonds and notes of the corporation shall
15 not be a debt of the state, and the state shall not be liable thereon,
16 nor shall they be payable out of any funds other than those appropriated
17 by the state to the corporation for debt service and related expenses
18 pursuant to any service contracts executed pursuant to subdivision one
19 of this section, and such bonds and notes shall contain on the face
20 thereof a statement to such effect.

21 § 31. Subdivision (a) of section 48 of part K of chapter 81 of the
22 laws of 2002, relating to providing for the administration of certain
23 funds and accounts related to the 2002-2003 budget, as amended by
24 section 36 of part TTT of chapter 59 of the laws of 2019, is amended to
25 read as follows:

26 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
27 notwithstanding the provisions of section 18 of the urban development
28 corporation act, the corporation is hereby authorized to issue bonds or

1 notes in one or more series in an aggregate principal amount not to
2 exceed [two hundred eighty-six million] three hundred fourteen million
3 dollars [\$286,000,000] \$314,000,000, excluding bonds issued to fund one
4 or more debt service reserve funds, to pay costs of issuance of such
5 bonds, and bonds or notes issued to refund or otherwise repay such bonds
6 or notes previously issued, for the purpose of financing capital costs
7 related to homeland security and training facilities for the division of
8 state police, the division of military and naval affairs, and any other
9 state agency, including the reimbursement of any disbursements made from
10 the state capital projects fund, and is hereby authorized to issue bonds
11 or notes in one or more series in an aggregate principal amount not to
12 exceed [\$952,800,000 nine hundred fifty-two million eight hundred thou-
13 sand] \$1,115,800,000 one billion one hundred fifteen million eight
14 hundred thousand dollars, excluding bonds issued to fund one or more
15 debt service reserve funds, to pay costs of issuance of such bonds, and
16 bonds or notes issued to refund or otherwise repay such bonds or notes
17 previously issued, for the purpose of financing improvements to State
18 office buildings and other facilities located statewide, including the
19 reimbursement of any disbursements made from the state capital projects
20 fund. Such bonds and notes of 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 corporation for debt service and related expenses pursuant to any
24 service contracts executed pursuant to subdivision (b) of this section,
25 and such bonds and notes shall contain on the face thereof a statement
26 to such effect.

1 § 32. Paragraph (c) of subdivision 19 of section 1680 of the public
2 authorities law, as amended by section 38 of part TTT of chapter 59 of
3 the laws of 2019, is amended to read as follows:

4 (c) Subject to the provisions of chapter fifty-nine of the laws of two
5 thousand, the dormitory authority shall not issue any bonds for state
6 university educational facilities purposes if the principal amount of
7 bonds to be issued when added to the aggregate principal amount of bonds
8 issued by the dormitory authority on and after July first, nineteen
9 hundred eighty-eight for state university educational facilities will
10 exceed [thirteen billion eight hundred forty-one million eight hundred
11 sixty-four thousand] fourteen billion seven hundred forty-one million
12 eight hundred sixty-four thousand dollars [\$13,841,864,000]
13 \$14,741,864,000; provided, however, that bonds issued or to be issued
14 shall be excluded from such limitation if: (1) such bonds are issued to
15 refund state university construction bonds and state university
16 construction notes previously issued by the housing finance agency; or
17 (2) such bonds are issued to refund bonds of the authority or other
18 obligations issued for state university educational facilities purposes
19 and the present value of the aggregate debt service on the refunding
20 bonds does not exceed the present value of the aggregate debt service on
21 the bonds refunded thereby; provided, further that upon certification by
22 the director of the budget that the issuance of refunding bonds or other
23 obligations issued between April first, nineteen hundred ninety-two and
24 March thirty-first, nineteen hundred ninety-three will generate long
25 term economic benefits to the state, as assessed on a present value
26 basis, such issuance will be deemed to have met the present value test
27 noted above. For purposes of this subdivision, the present value of the
28 aggregate debt service of the refunding bonds and the aggregate debt

1 service of the bonds refunded, shall be calculated by utilizing the true
2 interest cost of the refunding bonds, which shall be that rate arrived
3 at by doubling the semi-annual interest rate (compounded semi-annually)
4 necessary to discount the debt service payments on the refunding bonds
5 from the payment dates thereof to the date of issue of the refunding
6 bonds to the purchase price of the refunding bonds, including interest
7 accrued thereon prior to the issuance thereof. The maturity of such
8 bonds, other than bonds issued to refund outstanding bonds, shall not
9 exceed the weighted average economic life, as certified by the state
10 university construction fund, of the facilities in connection with which
11 the bonds are issued, and in any case not later than the earlier of
12 thirty years or the expiration of the term of any lease, sublease or
13 other agreement relating thereto; provided that no note, including
14 renewals thereof, shall mature later than five years after the date of
15 issuance of such note. The legislature reserves the right to amend or
16 repeal such limit, and the state of New York, the dormitory authority,
17 the state university of New York, and the state university construction
18 fund are prohibited from covenanting or making any other agreements with
19 or for the benefit of bondholders which might in any way affect such
20 right.

21 § 33. Paragraph (c) of subdivision 14 of section 1680 of the public
22 authorities law, as amended by section 39 of part TTT of chapter 59 of
23 the laws of 2019, is amended to read as follows:

24 (c) Subject to the provisions of chapter fifty-nine of the laws of two
25 thousand, (i) the dormitory authority shall not deliver a series of
26 bonds for city university community college facilities, except to refund
27 or to be substituted for or in lieu of other bonds in relation to city
28 university community college facilities pursuant to a resolution of the

1 dormitory authority adopted before July first, nineteen hundred eighty-
2 five or any resolution supplemental thereto, if the principal amount of
3 bonds so to be issued when added to all principal amounts of bonds
4 previously issued by the dormitory authority for city university commu-
5 nity college facilities, except to refund or to be substituted in lieu
6 of other bonds in relation to city university community college facili-
7 ties will exceed the sum of four hundred twenty-five million dollars and
8 (ii) the dormitory authority shall not deliver a series of bonds issued
9 for city university facilities, including community college facilities,
10 pursuant to a resolution of the dormitory authority adopted on or after
11 July first, nineteen hundred eighty-five, except to refund or to be
12 substituted for or in lieu of other bonds in relation to city university
13 facilities and except for bonds issued pursuant to a resolution supple-
14 mental to a resolution of the dormitory authority adopted prior to July
15 first, nineteen hundred eighty-five, if the principal amount of bonds so
16 to be issued when added to the principal amount of bonds previously
17 issued pursuant to any such resolution, except bonds issued to refund or
18 to be substituted for or in lieu of other bonds in relation to city
19 university facilities, will exceed [eight billion six hundred seventy-
20 four million two hundred fifty-six thousand] nine billion two hundred
21 twenty-two million seven hundred thirty-two thousand dollars
22 [\$8,674,256,000] \$9,222,732,000. The legislature reserves the right to
23 amend or repeal such limit, and the state of New York, the dormitory
24 authority, the city university, and the fund are prohibited from coven-
25 anting or making any other agreements with or for the benefit of bond-
26 holders which might in any way affect such right.

1 § 34. Subdivision 10-a of section 1680 of the public authorities law,
2 as amended by section 40 of part TTT of chapter 59 of the laws of 2019,
3 is amended to read as follows:

4 10-a. Subject to the provisions of chapter fifty-nine of the laws of
5 two thousand, but notwithstanding any other provision of the law to the
6 contrary, the maximum amount of bonds and notes to be issued after March
7 thirty-first, two thousand two, on behalf of the state, in relation to
8 any locally sponsored community college, shall be [one billion five
9 million six hundred two thousand] one billion fifty-one million six
10 hundred forty thousand dollars [\$1,005,602,000] \$1,051,640,000. Such
11 amount shall be exclusive of bonds and notes issued to fund any reserve
12 fund or funds, costs of issuance and to refund any outstanding bonds and
13 notes, issued on behalf of the state, relating to a locally sponsored
14 community college.

15 § 35. Subdivision 1 of section 17 of part D of chapter 389 of the laws
16 of 1997, relating to the financing of the correctional facilities
17 improvement fund and the youth facility improvement fund, as amended by
18 section 41 of part TTT of chapter 59 of the laws of 2019, is amended to
19 read as follows:

20 1. Subject to the provisions of chapter 59 of the laws of 2000, but
21 notwithstanding the provisions of section 18 of section 1 of chapter 174
22 of the laws of 1968, the New York state urban development corporation is
23 hereby authorized to issue bonds, notes and other obligations in an
24 aggregate principal amount not to exceed eight hundred [four] forty
25 million [six] three hundred fifteen thousand dollars [\$804,615,000]
26 \$840,315,000, which authorization increases the aggregate principal
27 amount of bonds, notes and other obligations authorized by section 40 of
28 chapter 309 of the laws of 1996, and shall include all bonds, notes and

1 other obligations issued pursuant to chapter 211 of the laws of 1990, as
2 amended or supplemented. The proceeds of such bonds, notes or other
3 obligations shall be paid to the state, for deposit in the youth facili-
4 ties improvement fund, to pay for all or any portion of the amount or
5 amounts paid by the state from appropriations or reappropriations made
6 to the office of children and family services from the youth facilities
7 improvement fund for capital projects. The aggregate amount of bonds,
8 notes and other obligations authorized to be issued pursuant to this
9 section shall exclude bonds, notes or other obligations issued to refund
10 or otherwise repay bonds, notes or other obligations theretofore issued,
11 the proceeds of which were paid to the state for all or a portion of the
12 amounts expended by the state from appropriations or reappropriations
13 made to the office of children and family services; provided, however,
14 that upon any such refunding or repayment the total aggregate principal
15 amount of outstanding bonds, notes or other obligations may be greater
16 than eight hundred [four] forty million [six] three hundred fifteen
17 thousand dollars [804,615,000] 840,315,000, only if the present value
18 of the aggregate debt service of the refunding or repayment bonds, notes
19 or other obligations to be issued shall not exceed the present value of
20 the aggregate debt service of the bonds, notes or other obligations so
21 to be refunded or repaid. For the purposes hereof, the present value of
22 the aggregate debt service of the refunding or repayment bonds, notes or
23 other obligations and of the aggregate debt service of the bonds, notes
24 or other obligations so refunded or repaid, shall be calculated by
25 utilizing the effective interest rate of the refunding or repayment
26 bonds, notes or other obligations, which shall be that rate arrived at
27 by doubling the semi-annual interest rate (compounded semi-annually)
28 necessary to discount the debt service payments on the refunding or

1 repayment bonds, notes or other obligations from the payment dates ther-
2 eof to the date of issue of the refunding or repayment bonds, notes or
3 other obligations and to the price bid including estimated accrued
4 interest or proceeds received by the corporation including estimated
5 accrued interest from the sale thereof.

6 § 36. Paragraph b of subdivision 2 of section 9-a of section 1 of
7 chapter 392 of the laws of 1973, constituting the New York state medical
8 care facilities finance agency act, as amended by section 42 of part TTT
9 of chapter 59 of the laws of 2019, is amended to read as follows:

10 b. The agency shall have power and is hereby authorized from time to
11 time to issue negotiable bonds and notes in conformity with applicable
12 provisions of the uniform commercial code in such principal amount as,
13 in the opinion of the agency, shall be necessary, after taking into
14 account other moneys which may be available for the purpose, to provide
15 sufficient funds to the facilities development corporation, or any
16 successor agency, for the financing or refinancing of or for the design,
17 construction, acquisition, reconstruction, rehabilitation or improvement
18 of mental health services facilities pursuant to paragraph a of this
19 subdivision, the payment of interest on mental health services improve-
20 ment bonds and mental health services improvement notes issued for such
21 purposes, the establishment of reserves to secure such bonds and notes,
22 the cost or premium of bond insurance or the costs of any financial
23 mechanisms which may be used to reduce the debt service that would be
24 payable by the agency on its mental health services facilities improve-
25 ment bonds and notes and all other expenditures of the agency incident
26 to and necessary or convenient to providing the facilities development
27 corporation, or any successor agency, with funds for the financing or
28 refinancing of or for any such design, construction, acquisition, recon-

1 struction, rehabilitation or improvement and for the refunding of mental
2 hygiene improvement bonds issued pursuant to section 47-b of the private
3 housing finance law; provided, however, that the agency shall not issue
4 mental health services facilities improvement bonds and mental health
5 services facilities improvement notes in an aggregate principal amount
6 exceeding [nine billion three hundred thirty-three million three hundred
7 eight thousand] nine billion nine hundred twenty-seven million two
8 hundred seventy-six thousand dollars [\$9,333,308,000] \$9,927,276,000,
9 excluding mental health services facilities improvement bonds and mental
10 health services facilities improvement notes issued to refund outstand-
11 ing mental health services facilities improvement bonds and mental
12 health services facilities improvement notes; provided, however, that
13 upon any such refunding or repayment of mental health services facili-
14 ties improvement bonds and/or mental health services facilities improve-
15 ment notes the total aggregate principal amount of outstanding mental
16 health services facilities improvement bonds and mental health facili-
17 ties improvement notes may be greater than [nine billion three hundred
18 thirty-three million three hundred eight thousand] nine billion nine
19 hundred twenty-seven million two hundred seventy-six thousand dollars
20 [\$9,333,308,000] \$9,927,276,000, only if, except as hereinafter provided
21 with respect to mental health services facilities bonds and mental
22 health services facilities notes issued to refund mental hygiene
23 improvement bonds authorized to be issued pursuant to the provisions of
24 section 47-b of the private housing finance law, the present value of
25 the aggregate debt service of the refunding or repayment bonds to be
26 issued shall not exceed the present value of the aggregate debt service
27 of the bonds to be refunded or repaid. For purposes hereof, the present
28 values of the aggregate debt service of the refunding or repayment

1 bonds, notes or other obligations and of the aggregate debt service of
2 the bonds, notes or other obligations so refunded or repaid, shall be
3 calculated by utilizing the effective interest rate of the refunding or
4 repayment bonds, notes or other obligations, which shall be that rate
5 arrived at by doubling the semi-annual interest rate (compounded semi-
6 annually) necessary to discount the debt service payments on the refund-
7 ing or repayment bonds, notes or other obligations from the payment
8 dates thereof to the date of issue of the refunding or repayment bonds,
9 notes or other obligations and to the price bid including estimated
10 accrued interest or proceeds received by the authority including esti-
11 mated accrued interest from the sale thereof. Such bonds, other than
12 bonds issued to refund outstanding bonds, shall be scheduled to mature
13 over a term not to exceed the average useful life, as certified by the
14 facilities development corporation, of the projects for which the bonds
15 are issued, and in any case shall not exceed thirty years and the maxi-
16 mum maturity of notes or any renewals thereof shall not exceed five
17 years from the date of the original issue of such notes. Notwithstanding
18 the provisions of this section, the agency shall have the power and is
19 hereby authorized to issue mental health services facilities improvement
20 bonds and/or mental health services facilities improvement notes to
21 refund outstanding mental hygiene improvement bonds authorized to be
22 issued pursuant to the provisions of section 47-b of the private housing
23 finance law and the amount of bonds issued or outstanding for such
24 purposes shall not be included for purposes of determining the amount of
25 bonds issued pursuant to this section. The director of the budget shall
26 allocate the aggregate principal authorized to be issued by the agency
27 among the office of mental health, office for people with developmental
28 disabilities, and the office of [alcoholism and substance abuse

1 services] addiction services and supports, in consultation with their
2 respective commissioners to finance bondable appropriations previously
3 approved by the legislature.

4 § 37. Subdivision (a) of section 28 of part Y of chapter 61 of the
5 laws of 2005, relating to providing for the administration of certain
6 funds and accounts related to the 2005-2006 budget, as amended by
7 section 43 of part TTT of chapter 59 of the laws of 2019, is amended to
8 read as follows:

9 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
10 notwithstanding any provisions of law to the contrary, one or more
11 authorized issuers as defined by section 68-a of the state finance law
12 are hereby authorized to issue bonds or notes in one or more series in
13 an aggregate principal amount not to exceed [ninety-two million] one
14 hundred fifty-seven million dollars [\$92,000,000] \$157,000,000, exclud-
15 ing bonds issued to finance one or more debt service reserve funds, to
16 pay costs of issuance of such bonds, and bonds or notes issued to refund
17 or otherwise repay such bonds or notes previously issued, for the
18 purpose of financing capital projects for public protection facilities
19 in the Division of Military and Naval Affairs, debt service and leases;
20 and to reimburse the state general fund for disbursements made therefor.
21 Such bonds and notes of such authorized issuer shall not be a debt of
22 the state, and the state shall not be liable thereon, nor shall they be
23 payable out of any funds other than those appropriated by the state to
24 such authorized issuer for debt service and related expenses pursuant to
25 any service contract executed pursuant to subdivision (b) of this
26 section and such bonds and notes shall contain on the face thereof a
27 statement to such effect. Except for purposes of complying with the

1 internal revenue code, any interest income earned on bond proceeds shall
2 only be used to pay debt service on such bonds.

3 § 38. Section 53 of section 1 of chapter 174 of the laws of 1968,
4 constituting the New York state urban development corporation act, as
5 added by section 46 of part TTT of chapter 59 of the laws of 2019, is
6 amended to read as follows:

7 § 53. 1. Notwithstanding the provisions of any other law to the
8 contrary, the dormitory authority and the urban development corporation
9 are hereby authorized to issue bonds or notes in one or more series for
10 the purpose of funding project costs for the acquisition of equipment,
11 including but not limited to the creation or modernization of informa-
12 tion technology systems and related research and development equipment,
13 health and safety equipment, heavy equipment and machinery, the creation
14 or improvement of security systems, and laboratory equipment and other
15 state costs associated with such capital projects. The aggregate princi-
16 pal amount of bonds authorized to be issued pursuant to this section
17 shall not exceed [ninety-three million] one hundred ninety-three million
18 dollars [\$93,000,000] \$193,000,000, excluding bonds issued to fund one
19 or more debt service reserve funds, to pay costs of issuance of such
20 bonds, and bonds or notes issued to refund or otherwise repay such bonds
21 or notes previously issued. Such bonds and notes of the dormitory
22 authority and the urban development corporation shall not be a debt of
23 the state, and the state shall not be liable thereon, nor shall they be
24 payable out of any funds other than those appropriated by the state to
25 the dormitory authority and the urban development corporation for prin-
26 cipal, interest, and related expenses pursuant to a service contract and
27 such bonds and notes shall contain on the face thereof a statement to
28 such effect. Except for purposes of complying with the internal revenue

1 code, any interest income earned on bond proceeds shall only be used to
2 pay debt service on such bonds.

3 2. Notwithstanding any other provision of law to the contrary, in
4 order to assist the dormitory authority and the urban development corpo-
5 ration in undertaking the financing for project costs for the acquisi-
6 tion of equipment, including but not limited to the creation or modern-
7 ization of information technology systems and related research and
8 development equipment, health and safety equipment, heavy equipment and
9 machinery, the creation or improvement of security systems, and labora-
10 tory equipment and other state costs associated with such capital
11 projects, the director of the budget is hereby authorized to enter into
12 one or more service contracts with the dormitory authority and the urban
13 development corporation, none of which shall exceed thirty years in
14 duration, upon such terms and conditions as the director of the budget
15 and the dormitory authority and the urban development corporation agree,
16 so as to annually provide to the dormitory authority and the urban
17 development corporation, in the aggregate, a sum not to exceed the prin-
18 cipal, interest, and related expenses required for such bonds and notes.
19 Any service contract entered into pursuant to this section shall provide
20 that the obligation of the state to pay the amount therein provided
21 shall not constitute a debt of the state within the meaning of any
22 constitutional or statutory provision and shall be deemed executory only
23 to the extent of monies available and that no liability shall be
24 incurred by the state beyond the monies available for such purpose,
25 subject to annual appropriation by the legislature. Any such contract or
26 any payments made or to be made thereunder may be assigned and pledged
27 by the dormitory authority and the urban development corporation as
28 security for its bonds and notes, as authorized by this section.

1 § 39. 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 1 of part K of chapter 39 of the laws of 2019, is amended to
5 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 [ten
15 billion eight hundred five million seven hundred seventy-eight thousand]
16 eleven billion two hundred eighty-three million five hundred seventy-
17 five thousand dollars [\$10,805,778,000] \$11,283,575,000 cumulatively by
18 the end of fiscal year [2019-20] 2020-21.

19 § 40. Subdivision 1 of section 1689-i of the public authorities law,
20 as amended by section 2 of part K of chapter 39 of the laws of 2019, is
21 amended to read as follows:

22 1. The dormitory authority is authorized to issue bonds, at the
23 request of the commissioner of education, to finance eligible library
24 construction projects pursuant to section two hundred seventy-three-a of
25 the education law, in amounts certified by such commissioner not to
26 exceed a total principal amount of two hundred [fifty-one] sixty-five
27 million dollars [\$251,000,000] \$265,000,000.

1 § 41. Section 44 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 3 of part K of chapter 39 of the laws of 2019, is
4 amended to read as follows:

5 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the
6 provisions of any other law to the contrary, the dormitory authority and
7 the corporation are hereby authorized to issue bonds or notes in one or
8 more series for the purpose of funding project costs for the regional
9 economic development council initiative, the economic transformation
10 program, state university of New York college for nanoscale and science
11 engineering, projects within the city of Buffalo or surrounding envi-
12 rons, the New York works economic development fund, projects for the
13 retention of professional football in western New York, the empire state
14 economic development fund, the clarkson-trudeau partnership, the New
15 York genome center, the cornell university college of veterinary medi-
16 cine, the olympic regional development authority, projects at nano
17 Utica, onondaga county revitalization projects, Binghamton university
18 school of pharmacy, New York power electronics manufacturing consortium,
19 regional infrastructure projects, high tech innovation and economic
20 development infrastructure program, high technology manufacturing
21 projects in Chautauqua and Erie county, an industrial scale research and
22 development facility in Clinton county, upstate revitalization initi-
23 ative projects, downstate revitalization initiative, market New York
24 projects, fairground buildings, equipment or facilities used to house
25 and promote agriculture, the state fair, the empire state trail, the
26 moynihan station development project, the Kingsbridge armory project,
27 strategic economic development projects, the cultural, arts and public
28 spaces fund, water infrastructure in the city of Auburn and town of

1 Owasco, a life sciences laboratory public health initiative, not-for-
2 profit pounds, shelters and humane societies, arts and cultural facili-
3 ties improvement program, restore New York's communities initiative,
4 heavy equipment, economic development and infrastructure projects,
5 Roosevelt Island operating corporation capital projects, Lake Ontario
6 regional projects, Pennsylvania station and other transit projects and
7 other state costs associated with such projects. The aggregate principal
8 amount of bonds authorized to be issued pursuant to this section shall
9 not exceed [nine billion eight hundred twenty-one million six hundred
10 thirty-six thousand] ten billion three hundred thirty-four million eight
11 hundred fifty-one thousand dollars [\$9,821,636,000] \$10,334,851,000,
12 excluding bonds issued to fund one or more debt service reserve funds,
13 to pay costs of issuance of such bonds, and bonds or notes issued to
14 refund or otherwise repay such bonds or notes previously issued. Such
15 bonds and notes of the dormitory authority and the corporation shall not
16 be a debt of the state, and the state shall not be liable thereon, nor
17 shall they be payable out of any funds other than those appropriated by
18 the state to the dormitory authority and the corporation for principal,
19 interest, and related expenses pursuant to a service contract and such
20 bonds and notes shall contain on the face thereof a statement to such
21 effect. Except for purposes of complying with the internal revenue code,
22 any interest income earned on bond proceeds shall only be used to pay
23 debt service on such bonds.

24 2. Notwithstanding any other provision of law to the contrary, in
25 order to assist the dormitory authority and the corporation in undertak-
26 ing the financing for project costs for the regional economic develop-
27 ment council initiative, the economic transformation program, state
28 university of New York college for nanoscale and science engineering,

1 projects within the city of Buffalo or surrounding environs, the New
2 York works economic development fund, projects for the retention of
3 professional football in western New York, the empire state economic
4 development fund, the clarkson-trudeau partnership, the New York genome
5 center, the cornell university college of veterinary medicine, the olym-
6 pic regional development authority, projects at nano Utica, onondaga
7 county revitalization projects, Binghamton university school of pharma-
8 cy, New York power electronics manufacturing consortium, regional
9 infrastructure projects, New York State Capital Assistance Program for
10 Transportation, infrastructure, and economic development, high tech
11 innovation and economic development infrastructure program, high tech-
12 nology manufacturing projects in Chautauqua and Erie county, an indus-
13 trial scale research and development facility in Clinton county, upstate
14 revitalization initiative projects, downstate revitalization initiative,
15 market New York projects, fairground buildings, equipment or facilities
16 used to house and promote agriculture, the state fair, the empire state
17 trail, the moynihan station development project, the Kingsbridge armory
18 project, strategic economic development projects, the cultural, arts and
19 public spaces fund, water infrastructure in the city of Auburn and town
20 of Owasco, a life sciences laboratory public health initiative, not-for-
21 profit pounds, shelters and humane societies, arts and cultural facili-
22 ties improvement program, restore New York's communities initiative,
23 heavy equipment, economic development and infrastructure projects,
24 Roosevelt Island operating corporation capital projects, Lake Ontario
25 regional projects, Pennsylvania station and other transit projects and
26 other state costs associated with such projects the director of the
27 budget is hereby authorized to enter into one or more service contracts
28 with the dormitory authority and the corporation, none of which shall

1 exceed thirty years in duration, upon such terms and conditions as the
2 director of the budget and the dormitory authority and the corporation
3 agree, so as to annually provide to the dormitory authority and the
4 corporation, in the aggregate, a sum not to exceed the principal, inter-
5 est, and related expenses required for such bonds and notes. Any service
6 contract entered into pursuant to this section shall provide that the
7 obligation of the state to pay the amount therein provided shall not
8 constitute a debt of the state within the meaning of any constitutional
9 or statutory provision and shall be deemed executory only to the extent
10 of monies available and that no liability shall be incurred by the state
11 beyond the monies available for such purpose, subject to annual appro-
12 priation by the legislature. Any such contract or any payments made or
13 to be made thereunder may be assigned and pledged by the dormitory
14 authority and the corporation as security for its bonds and notes, as
15 authorized by this section.

16 § 42. Subdivision 1 of section 386-b of the public authorities law, as
17 amended by section 4 of part K of chapter 39 of the laws of 2019, is
18 amended to read as follows:

19 1. Notwithstanding any other provision of law to the contrary, the
20 authority, the dormitory authority and the urban development corporation
21 are hereby authorized to issue bonds or notes in one or more series for
22 the purpose of financing peace bridge projects and capital costs of
23 state and local highways, parkways, bridges, the New York state thruway,
24 Indian reservation roads, and facilities, and transportation infrastruc-
25 ture projects including aviation projects, non-MTA mass transit
26 projects, and rail service preservation projects, including work appur-
27 tenant and ancillary thereto. The aggregate principal amount of bonds
28 authorized to be issued pursuant to this section shall not exceed [four

1 billion six hundred forty-eight million] six billion nine hundred
2 forty-two million four hundred sixty-three thousand dollars
3 [\$4,648,000,000] \$6,942,463,000, excluding bonds issued to fund one or
4 more debt service reserve funds, to pay costs of issuance of such bonds,
5 and to refund or otherwise repay such bonds or notes previously issued.
6 Such bonds and notes of the authority, the dormitory authority and the
7 urban development corporation shall not be a debt of the state, and the
8 state shall not be liable thereon, nor shall they be payable out of any
9 funds other than those appropriated by the state to the authority, the
10 dormitory authority and the urban development corporation for principal,
11 interest, and related expenses pursuant to a service contract and such
12 bonds and notes shall contain on the face thereof a statement to such
13 effect. Except for purposes of complying with the internal revenue code,
14 any interest income earned on bond proceeds shall only be used to pay
15 debt service on such bonds.

16 § 43. Paragraph (a) of subdivision 2 of section 47-e of the private
17 housing finance law, as amended by section 8 of part K of chapter 39 of
18 the laws of 2019, is amended to read as follows:

19 (a) Subject to the provisions of chapter fifty-nine of the laws of two
20 thousand, in order to enhance and encourage the promotion of housing
21 programs and thereby achieve the stated purposes and objectives of such
22 housing programs, the agency shall have the power and is hereby author-
23 ized from time to time to issue negotiable housing program bonds and
24 notes in such principal amount as shall be necessary to provide suffi-
25 cient funds for the repayment of amounts disbursed (and not previously
26 reimbursed) pursuant to law or any prior year making capital appropri-
27 ations or reappropriations for the purposes of the housing program;
28 provided, however, that the agency may issue such bonds and notes in an

1 aggregate principal amount not exceeding [six billion two hundred ninety
2 million five hundred ninety-nine thousand] six billion five hundred
3 thirty-one million five hundred twenty-three thousand dollars
4 [\$6,290,599,000] \$6,531,523,000, plus a principal amount of bonds issued
5 to fund the debt service reserve fund in accordance with the debt
6 service reserve fund requirement established by the agency and to fund
7 any other reserves that the agency reasonably deems necessary for the
8 security or marketability of such bonds and to provide for the payment
9 of fees and other charges and expenses, including underwriters'
10 discount, trustee and rating agency fees, bond insurance, credit
11 enhancement and liquidity enhancement related to the issuance of such
12 bonds and notes. No reserve fund securing the housing program bonds
13 shall be entitled or eligible to receive state funds apportioned or
14 appropriated to maintain or restore such reserve fund at or to a partic-
15 ular level, except to the extent of any deficiency resulting directly or
16 indirectly from a failure of the state to appropriate or pay the agreed
17 amount under any of the contracts provided for in subdivision four of
18 this section.

19 § 44. Subdivision 1 of section 50 of section 1 of chapter 174 of the
20 laws of 1968, constituting the New York state urban development corpo-
21 ration act, as amended by section 5 of part K of chapter 39 of the laws
22 of 2019, is amended to read as follows:

23 1. Notwithstanding the provisions of any other law to the contrary,
24 the dormitory authority and the urban development corporation are hereby
25 authorized to issue bonds or notes in one or more series for the purpose
26 of funding project costs undertaken by or on behalf of special act
27 school districts, state-supported schools for the blind and deaf,
28 approved private special education schools, non-public schools, communi-

1 ty centers, day care facilities, residential camps, day camps, and other
2 state costs associated with such capital projects. The aggregate princi-
3 pal amount of bonds authorized to be issued pursuant to this section
4 shall not exceed one hundred [thirty] fifty-five million dollars
5 [\\$130,000,000] \\$155,000,000, excluding bonds issued to fund one or more
6 debt service reserve funds, to pay costs of issuance of such bonds, and
7 bonds or notes issued to refund or otherwise repay such bonds or notes
8 previously issued. Such bonds and notes of the dormitory authority and
9 the urban development corporation shall not be a debt of the state, and
10 the state shall not be liable thereon, nor shall they be payable out of
11 any funds other than those appropriated by the state to the dormitory
12 authority and the urban development corporation for principal, interest,
13 and related expenses pursuant to a service contract and such bonds and
14 notes shall contain on the face thereof a statement to such effect.
15 Except for purposes of complying with the internal revenue code, any
16 interest income earned on bond proceeds shall only be used to pay debt
17 service on such bonds.

18 §45. Subdivision 1 of section 47 of section 1 of chapter 174 of the
19 laws of 1968, constituting the New York state urban development corpo-
20 ration act, as amended by section 27 of part TTT of chapter 59 of the
21 laws of 2019, is amended to read as follows:

22 1. Notwithstanding the provisions of any other law to the contrary,
23 the dormitory authority and the corporation are hereby authorized to
24 issue bonds or notes in one or more series for the purpose of funding
25 project costs for the office of information technology services, depart-
26 ment of law, and other state costs associated with such capital
27 projects. The aggregate principal amount of bonds authorized to be
28 issued pursuant to this section shall not exceed [six] eight hundred

1 [seventy-seven] thirty million [three hundred] fifty-four thousand
2 dollars, [\$677,354,000] \$830,054,000 excluding bonds issued to fund one
3 or more debt service reserve funds, to pay costs of issuance of such
4 bonds, and bonds or notes issued to refund or otherwise repay such bonds
5 or notes previously issued. Such bonds and notes of the dormitory
6 authority and the corporation shall not be a debt of the state, and the
7 state shall not be liable thereon, nor shall they be payable out of any
8 funds other than those appropriated by the state to the dormitory
9 authority and the corporation for principal, interest, and related
10 expenses pursuant to a service contract and such bonds and notes shall
11 contain on the face thereof a statement to such effect. Except for
12 purposes of complying with the internal revenue code, any interest
13 income earned on bond proceeds shall only be used to pay debt service on
14 such bonds.

15 § 46. Paragraph (b) of subdivision 4 of section 72 of the state
16 finance law, as amended by section 43 of part XXX of chapter 59 of the
17 laws of 2017, is amended to read as follows:

18 (b) On or before the beginning of each quarter, the director of the
19 budget may certify to the state comptroller the estimated amount of
20 monies that shall be reserved in the general debt service fund for the
21 payment of debt service and related expenses payable by such fund during
22 each month of the state fiscal year, excluding payments due from the
23 revenue bond tax fund. Such certificate may be periodically updated, as
24 necessary. Notwithstanding any provision of law to the contrary, the
25 state comptroller shall reserve in the general debt service fund the
26 amount of monies identified on such certificate as necessary for the
27 payment of debt service and related expenses during the current or next
28 succeeding quarter of the state fiscal year. Such monies reserved shall

1 not be available for any other purpose. Such certificate shall be
2 reported to the chairpersons of the Senate Finance Committee and the
3 Assembly Ways and Means Committee. [The provisions of this paragraph
4 shall expire June thirtieth, two thousand twenty.]

5 § 47. Section 2 of the state finance law is amended by adding a new
6 subdivision 1-a to read as follows:

7 1-a. "Business day". Any day of the year which is not a Saturday,
8 Sunday or legal holiday in the state of New York and not a day on which
9 banks are authorized or obligated to be closed in the city of New York.

10 § 48. Paragraph a of subdivision 4 of section 57 of the state finance
11 law, as amended by section 39 of part JJ of chapter 56 of the laws of
12 2010, is amended to read as follows:

13 a. Such bonds shall be sold at par, at par plus a premium, or at a
14 discount to the bidder offering the lowest interest cost to the state,
15 taking into consideration any premium or discount and, in the case of
16 refunding bonds, the bona fide initial public offering price, not less
17 than [four nor more than fifteen days, Sundays excepted,] two business
18 days after the publication of a notice of [such] sale [has been
19 published] at least once in a definitive trade publication of the munic-
20 ipal bond industry published on each business day in the state of New
21 York which is generally available in electronic or physical form to
22 participants in the municipal bond industry, which notice shall state
23 the terms of the sale. The comptroller may not change the terms of the
24 sale unless notice of such change is sent via a definitive trade wire
25 service of the municipal bond industry which, in general, makes avail-
26 able information regarding activity and sales of municipal bonds and is
27 generally available to participants in the municipal bond industry, at
28 least one hour prior to the time of the sale as set forth in the

1 original notice of sale. In so changing the terms or conditions of a
2 sale the comptroller may send notice by such wire service that the sale
3 will be delayed by up to thirty days, provided that wire notice of the
4 new sale date will be given at least one business day prior to the new
5 time when bids will be accepted. In such event, no new notice of sale
6 shall be required to be published. Notwithstanding the provisions of
7 section three hundred five of the state technology law or any other law,
8 if the notice of sale contains a provision that bids will only be
9 accepted electronically in the manner provided in such notice of sale,
10 the comptroller shall not be required to accept non-electronic bids in
11 any form. Advertisements shall contain a provision to the effect that
12 the state comptroller, in his or her discretion, may reject any or all
13 bids made in pursuance of such advertisements, and in the event of such
14 rejection, the state comptroller is authorized to negotiate a private
15 sale or readvertise for bids in the form and manner above described as
16 many times as, in his or her judgment, may be necessary to effect a
17 satisfactory sale. Notwithstanding the foregoing provisions of this
18 paragraph, whenever in the judgment of the comptroller the interests of
19 the state will be served thereby, he or she may sell state bonds at
20 private sale at par, at par plus a premium, or at a discount. The comp-
21 troller shall promulgate regulations governing the terms and conditions
22 of any such private sales, which regulations shall include a provision
23 that he or she give notice to the governor, the temporary president of
24 the senate, and the speaker of the assembly, of his or her intention to
25 conduct a private sale of obligations pursuant to this section not less
26 than [five] two business days prior to such sale or the execution of any
27 binding agreement to effect such sale.

1 § 49. Subdivision (a) of section 211 of the civil practice law and
2 rules, as amended by chapter 267 of the laws of 1970, is amended to read
3 as follows:

4 (a) On a bond. An action to recover principal or interest upon a writ-
5 ten instrument evidencing an indebtedness of the state of New York or of
6 any person, association or public or private corporation, originally
7 sold by the issuer after publication of an advertisement for bids for
8 the issue in [a newspaper of general circulation] electronic or physical
9 form and secured only by a pledge of the faith and credit of the issuer,
10 regardless of whether a sinking fund is or may be established for its
11 redemption, must be commenced within twenty years after the cause of
12 action accrues. This subdivision does not apply to actions upon written
13 instruments evidencing an indebtedness of any corporation, association
14 or person under the jurisdiction of the public service commission, the
15 commissioner of transportation, the interstate commerce commission, the
16 federal communications commission, the civil aeronautics board, the
17 federal power commission, or any other regulatory commission or board of
18 a state or of the federal government. This subdivision applies to all
19 causes of action, including those barred on April eighteenth, nineteen
20 hundred fifty, by the provisions of the civil practice act then effec-
21 tive.

22 § 50. The opening paragraph of subdivision 9 of section 8 of the state
23 finance law, as separately amended by chapters 405 and 957 of the laws
24 of 1981, is amended to read as follows:

25 Make a report to the legislature prior to the convening of its annual
26 session, containing a complete statement of every fund of the state
27 including every fund under the supervision or control of any department
28 or any officer or division, bureau, commission, board or other organiza-

1 tion therein from whatever source derived and whether or not deposited
2 in the treasury, other than the funds of moneyed corporations or private
3 bankers in liquidation or rehabilitation, together with a citation of
4 the statute authorizing the creation or establishment of each such fund,
5 all balances of money and receipts and disbursements during the preced-
6 ing fiscal year presented in accordance with the accounting principles,
7 policies, and legislative intent, including but not limited to refunds
8 of appropriation, set forth in a budget bill enacted in accordance with
9 Article VII of the State Constitution, a statement of each object of
10 disbursement, the funds, if any, from which paid or to be paid, a sched-
11 ule by month of the investments of cash not needed for day to day oper-
12 ations including but not limited to total investment income, the average
13 daily invested balance and related yields for each fund, and a statement
14 of all claims against the state presented to him where no provision or
15 an insufficient provision for the payment thereof has been made by law,
16 with the facts relating thereto and his opinion thereon, and suggesting
17 plans for the improvement and management of the public resources, and
18 containing such other information and recommendations relating to the
19 fiscal affairs of the state, as in his judgment should be communicated
20 to the legislature, provided that:

21 § 51. Paragraph a of subdivision 9-a of section 8 of the state finance
22 law, as amended by chapter 551 of the laws of 1989, is amended to read
23 as follows:

24 a. Issue, on or before the fifteenth day of each month and cause to be
25 published in the state register, a report including (1) a summary of the
26 preceding month's investments of cash not needed for day to day oper-
27 ations including but not limited to total investment income, the average
28 daily investment balance and related yield; and (2) a statement setting

1 forth briefly the several receipts of and disbursements from the general
2 fund during the preceding month, and also the total of such receipts and
3 disbursements from the beginning of the fiscal year to the close of such
4 preceding month and the cash balance of the general fund, exclusive of
5 receipts and disbursements on account of temporary borrowing, at the
6 close of such preceding month, provided that for state fiscal years
7 beginning on or after April first, nineteen hundred eighty-two the comp-
8 troller shall include in such reports the required information for all
9 funds and fund types. Such reports shall be prepared and presented in
10 accordance with the accounting principles, policies, and legislative
11 intent, including but not limited to refunds of appropriation, set forth
12 in a budget bill enacted in accordance with Article VII of the State
13 Constitution.

14 § 52. The state finance law is amended by adding a new section 2-b to
15 read as follows:

16 § 2-b. Additional definitions. As used in subdivisions nine and nine-a
17 of section eight of this article, the following terms shall have the
18 following meanings:

19 1. "Refund of appropriation". Receipt of refunds, rebates, reimburse-
20 ments, credits, repayments, and/or disallowances, as defined herein, the
21 office of the state comptroller shall credit the refunded, rebated,
22 reimbursed, credited, repaid, and disallowed amount back to the original
23 appropriation and reduce expenditures in the year which such credit is
24 received regardless of the timing of the initial expenditure.

25 2. "Refunds". Funds received to the state resulting from the overpay-
26 ment of monies.

1 3. "Rebates". Funds received to the state resulting a from return of a
2 full or partial amount previously paid, as for goods or services, serv-
3 ing as a reduction, discount or rebate to the original payment amount.

4 4. "Reimbursements". Funds received to the state as repayment in an
5 equivalent amount for goods or services, including but not limited to
6 personal service costs, incurred by the state in the first instance
7 being provided to a third party for their benefit and partially or in
8 full financed by such third party.

9 5. "Credit". Monies made available to the state that reduce the amount
10 owed to a third party, including but not limited to billing errors,
11 rebates, and prior overpayments.

12 6. "Repayment". The return of monies as pay back for expenses
13 incurred.

14 7. "Disallowance". Monies made available to the state that were not
15 allowed or accepted officially by the intended recipient, based on a
16 determination the payment is not acceptable and/or valid.

17 § 53. This act shall take effect immediately and shall be deemed to
18 have been in full force and effect on and after April 1, 2020; provided,
19 however, that the provisions of sections one, one-a, two, three, four,
20 five, six, seven, eight, twelve, thirteen, fourteen, fifteen, sixteen,
21 seventeen, eighteen, nineteen, twenty-one, twenty-two, twenty-three, and
22 twenty-four of this act shall expire March 31, 2021 when upon such date
23 the provisions of such sections shall be deemed repealed.

24 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
25 sion, section or part of this act shall be adjudged by any court of
26 competent jurisdiction to be invalid, such judgment shall not affect,
27 impair, or invalidate the remainder thereof, but shall be confined in
28 its operation to the clause, sentence, paragraph, subdivision, section

1 or part thereof directly involved in the controversy in which such judg-
2 ment shall be rendered. It is hereby declared to be the intent of the
3 legislature that this act would have been enacted even if such invalid
4 provisions had not been included herein.

5 § 3. This act shall take effect immediately provided, however, that
6 the applicable effective date of Parts A through VV of this act shall be
7 as specifically set forth in the last section of such Parts.