

FY 2022 NEW YORK STATE EXECUTIVE BUDGET
PUBLIC PROTECTION AND GENERAL GOVERNMENT
ARTICLE VII LEGISLATION

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PUBLIC PROTECTION GENERAL GOVERNMENTS
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Legislative Bill Drafting Commission
12570-01-1

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
2021-2022 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	s17 Felder	s07 Kaplan	s58 O'Mara	s10 Sanders
s52 Akshar	s59 Gallivan	s26 Kavanagh	s62 Ortt	s23 Savino
s36 Bailey	s05 Gaughran	s63 Kennedy	s01 Palumbo	s32 Sepulveda
s30 Benjamin	s12 Gianaris	s28 Krueger	s21 Parker	s41 Serino
s34 Biaggi	s22 Gounardes	s24 Lanza	s19 Persaud	s29 Serrano
s57 Borrello	s47 Griffo	s11 Liu	s13 Ramos	s39 Skoufis
s04 Boyle	s40 Harckham	s50 Mannion	s61 Rath	s16 Stavisky
s44 Breslin	s54 Helming	s42 Martucci	s38 Reichlin-	s45 Stec
s25 Brisport	s46 Hinchey	s02 Mattera	Melnick	s35 Stewart-
s08 Brooks	s27 Hoylman	s53 May	s48 Ritchie	Cousins
s55 Brouk	s31 Jackson	s37 Mayer	s33 Rivera	s49 Tedisco
s14 Comrie	s43 Jordan	s20 Myrie	s60 Ryan	s06 Thomas
s56 Cooney	s09 Kaminsky	s51 Oberacker	s18 Salazar	s03 Weik

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

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

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

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

166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend 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 the pre-criminal proceeding settlements in the City of New York, in relation to the effectiveness thereof (Part A); to amend the executive law, the criminal procedure law, the domestic relations law, the family court act, the general business law, the insurance law, the labor law, the public health law, the social services law, and the state finance law, in relation to establishing the New York state office to end domestic and gender-based violence (Part B); to amend the penal law, in relation to establishing the crime of domestic violence (Part C); to amend the family court act, the criminal procedure law, and the domestic relations law, in relation to authorizing the court to require a person subject to an order of protection to pay reasonable costs

for repairing damages caused by that person to the premises of a person protected by such order (Part D); to amend the judiciary law and the executive law, in relation to reports of domestic violence data (Part E); to amend the domestic relations law, in relation to the custody of children (Part F); to repeal section 240.37 of the penal law, relating to loitering for the purpose of engaging in a prostitution offense; and to amend the penal law, the criminal procedure law, the social services law and the administrative code of the city of New York, in relation to making technical corrections relating thereto (Part G); to amend the family court act and the education law, in relation to removing the term incorrigible (Part H); to amend the election law, in relation to authorizing judges and their immediate family members to apply for confidentiality of voter registration records (Part I); to amend the criminal procedure law, in relation to the electronic appearance of a defendant (Part J); to amend the executive law, the criminal procedure law, the general municipal law, the public authorities law and the civil service law, in relation to police officers; and to repeal certain provisions of the executive law and the civil service law, relating thereto (Part K); to amend the executive law, in relation to monitoring compliance with executive order two hundred three (Part L); in relation to the closure of correctional facilities; and providing for the repeal of such provisions upon the expiration thereof (Part M); to amend the penal law, in relation to the purchase and disposal of firearms, rifles and shotguns (Part N); to amend the executive law, in relation to the reporting of firearms seized or recovered by law enforcement (Part O); to amend chapter 268 of the laws of 1996, amending the education law and the state finance law relating to providing a recruitment incentive and retention

program for certain active members of the New York army national guard, New York air national guard, and New York naval militia, in relation to the effectiveness of such chapter (Part P); to amend election law, in relation to expanding the application period for an absentee ballot request (Part Q); to amend the election law, in relation to establishing a deadline for county boards to process and mail requested absentee ballots (Part R); to amend the election law, in relation to expanding polling site hours of operation during early voting (Part S); to amend the election law, in relation to expediting the absentee ballot counting process (Part T); to amend the election law, in relation to establishing a uniform process to ensure the timely administration of recounts (Part U); to amend the workers' compensation law, in relation to allowing the New York state insurance fund to enter into agreements with private insurance providers to cover out-of-state work (Part V); to amend the workers' compensation law and the insurance law, in relation to diversifying the New York state insurance fund's investment authority (Part W); to amend the workers' compensation law and the insurance law, in relation to specifying methods of calculating deposits and reserves for the aggregate trust fund and reserves of the state insurance fund (Part X); to amend the alcoholic beverage control law, in relation to temporary permits; to amend chapter 396 of the laws of 2010, relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof; and to repeal certain provisions of such law relating thereto (Part Y); 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 Z); to amend the civil practice law and rules and the state finance law, in

relation to the rate of interest to be paid on judgment and accrued claims (Part AA); to amend the state finance law and the public authorities law, in relation to enacting the "New York medical supplies act" (Part BB); to amend the civil service law, in relation to ceasing reimbursement of the Medicare income related monthly adjustment amounts (IRMAA) to high income state retirees (Part CC); 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 DD); to amend the civil service law, in relation to capping the standard medicare premium charge (Part EE); to amend the state technology law and the state finance law, in relation to authorizing comprehensive technology service contracts (Part FF); to amend the state finance law, in relation to posting the names of individuals who are authorized to sign state contracts and eliminating unfavorable terms in state contracts (Part GG); to amend the public officers law, in relation to allowing the exchange of any record or personal information between and among agencies of the state (Part HH); to amend the general business law, in relation to enacting the "New York data accountability and transparency act" (Part II); to amend the general business law, in relation to disclosures for the use of voice recognition features in internet-capable devices (Part JJ); to amend the state finance law, in relation to video lottery terminal aid (Part KK); to amend the state finance law and the tax law, in relation to reducing aid and incentives for municipalities base level grants (Part LL); to amend the general municipal law, in relation to authorized investments for local governments (Part MM); to amend the general municipal law, in relation to enhancing flexibility within the county-wide shared services initiative; and to repeal certain

provisions of the general municipal law relating thereto (Part NN); to amend chapter 308 of the laws of 2012, amending the general municipal law relating to providing local governments greater contract flexibility and cost savings by permitting certain shared purchasing among political subdivisions, in relation to the effectiveness thereof (Part OO); to amend the county law, the correction law, the executive law, the judiciary law, the criminal procedure law and the education law, in relation to authorizing shared county jails (Part PP); and to provide for the administration of certain funds and accounts related to the 2021-2022 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 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 New York state urban development corporation act, in relation to authorizing the dormitory authority of the state of New York and the urban development corporation to enter into line of credit facilities, and in relation to state-supported debt issued during the 2022 fiscal year; to amend the state finance law, in relation to payments of bonds; to amend the state finance law, in relation to the mental health services fund; to amend the public health law, in relation to secured hospital project bonds; to repeal paragraph c of subdivision 5 of section 89-b of the state finance law relating to the dedicated highway and bridge trust fund; to repeal subdivision (j) of section 92-dd of the state finance law relating to the HCRA resources fund; to repeal subdivision 3-a of the public health law relating to eligible secured hospital borrower; and providing for the repeal of certain provisions upon expiration thereof (Part QQ)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state public protection and general govern-
3 ment budget for the 2021-2022 state fiscal year. Each component is whol-
4 ly contained within a Part identified as Parts A through QQ. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection
9 with that particular component, shall be deemed to mean and refer to the
10 corresponding section of the Part in which it is found. Section three of
11 this act sets forth the general effective date of this act.

12 PART A

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
14 correction law relating to the psychological testing of candidates, as
15 amended by section 1 of part A of chapter 55 of the laws of 2020, 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 [2021] 2023.

20 § 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
21 tive law and the criminal procedure law relating to expanding the
22 geographic area of employment of certain police officers, as amended by
23 section 2 of part A of chapter 55 of the laws of 2020, 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, [2021] 2023, 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 A of chapter 55 of the laws of 2020, 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, [2021] 2023.

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 A of chapter 55 of the laws of 2020, 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, [2021] 2023 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 A of chapter 55 of the laws
7 of 2020, 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, [2021] 2023 and be applicable
10 to all persons entering the program on or before August 31, [2021] 2023.

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 A of chapter 55 of
14 the laws of 2020, 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, [2021] 2023, 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

1 state operations budget, as amended by section 7 of part A of chapter 55
2 of the laws of 2020, is amended to read as follows:

3 (c) sections forty-one and forty-two of this act shall expire Septem-
4 ber 1, [2021] 2023; 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 A of chapter 55 of the laws of
10 2020, 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, [2021] 2023, 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

1 law relating to merging the department of correctional services and
2 division of parole into the department of corrections and community
3 supervision, as amended by section 9 of part A of chapter 55 of the laws
4 of 2020, is 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, [2021] 2023, 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 A of chapter 55 of
12 the laws of 2020, 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, [2021] 2023;

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 A of chap-
20 ter 55 of the laws of 2020, 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, [2021] 2023 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 A of chapter 55 of the laws of 2020, 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, [2021] 2023, 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, [2021] 2023 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 A of chapter 55 of the laws of 2020, 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-one]
11 twenty-three.

12 § 14. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
13 cle and traffic law relating to the ignition interlock device program,
14 as amended by section 14 of part A of chapter 55 of the laws of 2020, is
15 amended to read as follows:

16 § 6. This act shall take effect on the first day of April next
17 succeeding the date on which it shall have become a law; provided,
18 however, that effective immediately, the addition, amendment or repeal
19 of any rule or regulation necessary for the implementation of the fore-
20 going sections of this act on their effective date is authorized and
21 directed to be made and completed on or before such effective date and
22 shall remain in full force and effect until the first day of September,
23 [2021] 2023 when upon such date the provisions of this act shall be
24 deemed repealed.

25 § 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
26 laws of 1997, amending the military law and other laws relating to vari-
27 ous provisions, as amended by section 15 of part A of chapter 55 of the
28 laws of 2020, 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, [2021] 2023;

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 A of chap-
6 ter 55 of the laws of 2020, 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, [2021]
9 2023, 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 A of chapter 55 of the
13 laws of 2020, 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, [2021]
17 2023.

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 A of chapter 55 of the laws of 2020, 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, [2021] 2023, 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 A of chapter 55 of the laws of 2020, 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, [2021] 2023;

7 § 20. Section 2 of chapter 689 of the laws of 1993, amending the crim-
8 inal procedure law relating to electronic court appearance in certain
9 counties, as amended by section 20 of part A of chapter 55 of the laws
10 of 2020, 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, [2021] 2023 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 A of chapter 55 of the
19 laws of 2020, 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, [2021] 2023, 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 A of chapter
23 55 of the laws of 2020, 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, [2021] 2023.

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 A of chapter 55 of the laws of 2020, 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 [2021] 2023.

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 A of
11 chapter 55 of the laws of 2020, 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, [2021] 2023, 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 A of
26 chapter 55 of the laws of 2020, 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, [2021] 2023, 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, 2021.

7 PART B

8 Section 1. The article heading of article 21 of the executive law, as
9 added by chapter 463 of the laws of 1992, is amended to read as follows:

10 ARTICLE 21
11 NEW YORK STATE OFFICE [FOR
12 THE PREVENTION OF] TO END
13 DOMESTIC AND GENDER-BASED VIOLENCE

14 § 2. Section 575 of the executive law, as added by chapter 463 of the
15 laws of 1992, paragraph (e) of subdivision 3 as amended and subdivision
16 9 as added by chapter 368 of the laws of 1997, paragraph (l) of subdivi-
17 sion 3 as added by chapter 339 of the laws of 2011, paragraph (m) of
18 subdivision 3 as added, paragraph (n) of subdivision 3 as relettered,
19 and paragraph (b) of subdivision 4 as amended by chapter 204 of the laws
20 of 2020, subdivision 4 as amended by section 1 and subdivision 10 as
21 added by section 3 of part A of chapter 491 of the laws of 2012, subdivi-
22 sions 7 and 8 as added by chapter 396 of the laws of 1994, and para-
23 graph (d) of subdivision 10 as amended by chapter 248 of the laws of
24 2017, is amended to read as follows:

25 § 575. New York state office [for the prevention of] to end domestic
26 and gender-based violence. 1. Establishment of office. There is hereby

1 established within the executive department the "New York state office
2 [for the prevention of] to end domestic and gender-based violence",
3 hereinafter in this section referred to as the "office".

4 2. Duties and responsibilities. The office shall advise the governor
5 and the legislature on the most effective ways for state government to
6 respond to the problem of domestic and gender-based violence. In
7 fulfilling this responsibility, the office shall consult with experts,
8 service providers and representative organizations in the field of
9 domestic and gender-based violence and shall act as an advocate for
10 domestic and gender-based violence victims and survivor-centered
11 programs.

12 3. Definitions. For the purposes of this section the following terms
13 shall have the following meanings:

14 (a) "Domestic violence" means a pattern of behavior used by an indi-
15 vidual to establish and maintain power and control over their intimate
16 partner. Such behavior includes abusive and coercive tactics, threats
17 and actions that may or may not rise to the level of criminal behavior,
18 including, but not limited to, physical, emotional, financial, and sexu-
19 al abuse.

20 (b) "Gender-based violence" means threats to harm, or actual harms
21 committed against a person or persons based on actual or perceived sex,
22 gender, sexual orientation, gender identity or expression or other such
23 sex/gender related characteristics. "Gender-based violence" shall
24 include, but not be limited to, domestic violence; sexual violence;
25 human trafficking; reproductive coercion and violence; stalking; and
26 child-abuse as connected to gender-based violence. "Gender-based
27 violence" shall not include actions taken by a person in self-defense
28 against an act or series of acts of gender-based violence.

1 4. Activities. In addition, the office shall develop and implement
2 policies and programs designed to assist victims of domestic and
3 gender-based violence and their families, and to provide education and
4 prevention, training and technical assistance. Such domestic and
5 gender-based violence-related activities shall include, but not be
6 limited to:

7 (a) Serving as a clearinghouse for information and materials;

8 (b) Developing and coordinating community outreach and public educa-
9 tion throughout the state;

10 (c) Developing and delivering training to professionals, including but
11 not limited to professionals in the fields of:

12 (i) domestic and gender-based violence;

13 (ii) health and mental health;

14 (iii) social and human services;

15 (iv) public education;

16 (v) law enforcement and criminal justice;

17 (vi) alcohol and substance abuse[.];

18 (d) Developing and promoting school-based prevention programs;

19 (e) Providing technical assistance to state and local government
20 bodies and other agencies and to private businesses and not-for-profit
21 corporations, on effective survivor-centered policies and responses to
22 domestic and gender-based violence, including development of [a] model
23 [domestic violence] policies[, pursuant to subdivisions seven, eight and
24 nine of this section];

25 (f) Promoting and facilitating interagency cooperation among state
26 agencies and intergovernmental cooperation between different levels of
27 government in the state in the delivery and/or funding of survivor-cen-
28 tered services;

1 (g) Operating, in collaboration with survivors, state coalitions, and
2 other stakeholders, as an advocate for [domestic violence services and]
3 victims and for survivor-centered domestic and gender-based violence
4 services, including periodic solicitation of input from survivors and
5 service providers regarding successes, challenges, and needs;

6 (h) Undertaking program and services needs assessments on its own
7 initiative or at the request of the governor, the legislature or service
8 providers;

9 (i) Examining the relationship between domestic and gender-based
10 violence and other problems and making recommendations for effective
11 policy response;

12 (j) Collecting data, conducting research, and holding public hearings;

13 (k) Making periodic reports to the governor and the legislature recom-
14 mending policy and program directions and reviewing the activities of
15 the office;

16 (l) [Developing] Working with stakeholders in developing and promoting
17 [senior center based] gender-based violence prevention programs;

18 (m) [promoting best practices for abusive partner intervention] Inves-
19 tigating, establishing and promoting best practices for accountability
20 for those who harm their intimate partners;

21 (n) Administering grant funds appropriated and made available to
22 support compliance with article one hundred twenty-nine-b of the educa-
23 tion law; and undertaking such actions, duties, and responsibilities as
24 may be necessary to serve the purpose of article one hundred twenty-
25 nine-b of the education law;

26 (o) Any other activities including the making of and promulgation of
27 rules and regulations deemed necessary to [facilitate the prevention of]
28 end domestic and gender-based violence within the scope and purview of

1 this article which are not otherwise inconsistent with any other
2 provisions of law.

3 [4.] 5. Advisory council. (a) An advisory council is hereby estab-
4 lished to make recommendations on domestic and gender-based violence
5 related issues and effective strategies [for the prevention of] to end
6 domestic and gender-based violence, to assist in the development of
7 appropriate policies and priorities for effective intervention, public
8 education and advocacy, and to facilitate and assure communication and
9 coordination of efforts among state agencies and between different
10 levels of government, state, federal, and municipal, [for the prevention
11 of] to end domestic and gender-based violence.

12 (b) The advisory council shall consist of nine members and seventeen
13 ex-officio members. Each member shall be appointed to serve for a term
14 of three years and shall continue in office until a successor appointed
15 member is made. A member appointed to fill a vacancy shall be appointed
16 for the unexpired term of the member he or she is to succeed. All of the
17 members shall be individuals with expertise in the area of domestic and
18 gender-based violence. Three members shall be appointed by the governor,
19 two members shall be appointed upon the recommendation of the temporary
20 president of the senate, two members shall be appointed upon the recom-
21 mendation of the speaker of the assembly, one member shall be appointed
22 upon the recommendation of the minority leader of the senate, and one
23 member shall be appointed upon the recommendation of the minority leader
24 of the assembly. The ex-officio members of the advisory board shall
25 consist of the director of the office, who shall chair the council, and
26 the following members or their designees: the commissioner of the office
27 of temporary and disability assistance; the commissioner of the depart-
28 ment of health; the commissioner of the education department; the

1 commissioner of the office of mental health; the commissioner of the
2 office of [alcoholism and substance abuse] addiction services and
3 supports; the commissioner of the division of criminal justice services;
4 the superintendent of the division of state police; the director of the
5 office of probation and correctional alternatives; the commissioner of
6 the office of children and family services; the director of the office
7 of victim services; the chief administrative judge of the office of
8 court administration; the commissioner of the department of labor; the
9 director of the state office for the aging; the commissioner of the
10 department of corrections and community supervision; the commissioner of
11 homes and community renewal; the chief executive officer of the New York
12 state coalition against domestic violence; and the executive director of
13 the New York state coalition against sexual assault.

14 (c) The advisory council shall meet as often as deemed necessary by
15 the chair but in no event less than two times per year.

16 (d) The members of the advisory council shall receive no salary or
17 other compensation for their services but shall be entitled to
18 reimbursement for actual and necessary expenses incurred in the perform-
19 ance of their duties within amounts made available by appropriation
20 therefor subject to the approval of the director of the budget. The
21 ex-officio members of the advisory council shall receive no additional
22 compensation for their services on the advisory council above the salary
23 they receive from the respective departments or divisions that employ
24 them.

25 [5.] 6. Executive director. (a) The governor shall appoint an execu-
26 tive director of the office who shall serve at the pleasure of the
27 governor.

1 (b) The executive director shall receive an annual salary fixed by the
2 governor within the amounts appropriated specifically therefor and shall
3 be entitled to reimbursement for reasonable expenses incurred in
4 connection with the performance of the director's duties.

5 (c) The director of the office, with the approval of the governor, may
6 accept as agent of the state any grant, including federal grants, or any
7 gift or donation for any of the purposes of this article. Any moneys so
8 received may be expended by the office to effectuate any purpose of this
9 article, subject to the applicable provisions of the state finance law.

10 (d) The executive director shall appoint staff and perform such other
11 functions to ensure the efficient operation of the office.

12 [6.] 7. Assistance of other agencies. The office may request and shall
13 receive in a timely manner from any department, division, board, bureau,
14 commission or agency of the state, such information and assistance as
15 shall enable it to properly carry out its powers and duties pursuant to
16 this article.

17 [7. Model domestic violence policy for counties. (a) The office shall
18 convene a task force of county level municipal officials, municipal
19 police and members of the judiciary, or their representatives, and
20 directors of domestic violence programs, including representatives from
21 a statewide advocacy organization for the prevention of domestic
22 violence, to develop a model domestic violence policy for counties. For
23 the purposes of this subdivision, "county" shall have the same meaning
24 as such term is defined in section three of the county law, except that
25 the city of New York shall be deemed to be one county. The office shall
26 give due consideration to the recommendations of the governor, the
27 temporary president of the senate and the speaker of the assembly for

1 participation by any person on the task force, and shall make reasonable
2 efforts to assure regional balance in membership.

3 (b) The purpose of the model policy shall be to provide consistency
4 and coordination by and between county agencies and departments, includ-
5 ing criminal justice agencies and the judiciary, and, as appropriate, by
6 municipalities or other jurisdictions within the county and other
7 governmental agencies and departments, by assuring that best practices,
8 policies, protocols and procedures are used to address the issue of
9 domestic violence, and to secure the safety of the victim including, but
10 not limited to:

11 (i) response, investigation and arrest policies by police agencies;

12 (ii) response by other criminal justice agencies, including disposi-
13 tion of domestic violence complaints, the provision of information and
14 orders of protection;

15 (iii) response by human services and health agencies, including iden-
16 tification, assessment, intervention and referral policies and responses
17 to victims and the perpetrators of domestic violence;

18 (iv) training and appropriate and relevant measures for periodic eval-
19 uation of community efforts; and

20 (v) other issues as shall be appropriate and relevant for the task
21 force to develop such policy.

22 (c) Such model policy shall be reviewed by the task force to assure
23 consistency with existing law and shall be made the subject of public
24 hearings convened by the office throughout the state at places and at
25 times which are convenient for attendance by the public, after which the
26 policy shall be reviewed by the task force and amended as necessary to
27 reflect concerns raised at the hearings. If approved by the task force,
28 such model policy shall be provided as approved with explanation of its

1 provisions to the governor and the legislature not later than two years
2 after the effective date of this subdivision. Notification of the avail-
3 ability of such model domestic violence policy shall be made by the
4 office to every county in the state, and copies of the policy shall be
5 made available to them upon request.

6 (d) The office in consultation with the task force, providers of
7 service, the advisory council and others, including representatives of a
8 statewide advocacy organization for the prevention domestic violence,
9 shall provide technical support, information and encouragement to coun-
10 ties to implement the provisions of the model policy on domestic
11 violence.

12 (e) Nothing contained in this subdivision shall be deemed to prevent
13 the governing body of a county from designating a local advisory commit-
14 tee to investigate the issues, work with providers of domestic violence
15 programs and other interested parties, and to aid in the implementation
16 of the policy required by this subdivision. Such governing body or advi-
17 sory committee may request and shall receive technical assistance from
18 the office for the development of such a policy. Implementation of the
19 model domestic violence policy may take place in a form considered
20 appropriate by the governing body of a county, including guidelines,
21 regulations and local laws.

22 (f) The office shall survey county governments within four years of
23 the effective date of this subdivision to determine the level of compli-
24 ance with the model domestic violence policy, and shall take such steps
25 as shall be necessary to aid county governments in the implementation of
26 such policy.]

27 8. State domestic violence policy. [(a) The office shall survey every
28 state agency to determine any activities, programs, rules, regulations,

1 guidelines or statutory requirements that have a direct or indirect
2 bearing on the state's efforts and abilities to address the issue of
3 domestic violence including, but not limited to, the provision of
4 services to victims and their families. Within two years of the effec-
5 tive date of this subdivision, the office shall compile such information
6 and provide a report, with appropriate comments and recommendations, to
7 the governor and the legislature. For the purposes of this subdivision,
8 "state agency" shall have the same meaning as such term is defined in
9 section two-a of the state finance law.

10 (b) Within three years of the effective date of this subdivision the
11 office shall recommend a state domestic violence policy consistent with
12 statute and best practice, policies, procedures and protocols to the
13 governor and the legislature. The purpose of such model policy shall be
14 to provide consistency and coordination by and between state agencies
15 and departments to address the issue of domestic violence. In developing
16 such model policy, the office shall consult with a statewide advocacy
17 organization for the prevention of domestic violence, and shall assure
18 that the advisory council reviews all data and recommendations and shall
19 not submit such model policy until approved by the advisory council.
20 Such recommendations shall be provided exclusive of any study or report
21 the office is required to undertake pursuant to a chapter of the laws of
22 nineteen hundred ninety-four, entitled "the family protection and domes-
23 tic violence intervention act of 1994".

24 (c) No state agency shall promulgate a rule pursuant to the state
25 administrative procedure act, or adopt a guideline or other procedure,
26 including a request for proposals, directly or indirectly affecting the
27 provision of services to victims of domestic and gender-based violence,
28 or the provision of services by residential or non-residential domestic

1 violence programs, as such terms are defined in section four hundred
2 fifty-nine-a of the social services law, or establish a grant program
3 directly or indirectly affecting such victims of domestic or gender-
4 based violence or providers of service, without first consulting the
5 office, which shall provide all comments in response to such rules,
6 guidelines or procedures in writing directly to the chief executive
7 officer of such agency, to the administrative regulations review commit-
8 tee and to the appropriate committees of the legislature having juris-
9 diction of the subject matter addressed within two weeks of receipt
10 thereof, provided that failure of the office to respond as required
11 herein shall not otherwise impair the ability of such state agency to
12 promulgate a rule. This paragraph shall not apply to an appropriation
13 which finances a contract with a not-for-profit organization which has
14 been identified for a state agency without the use of a request for
15 proposals.

16 9. [Model domestic violence employee awareness and assistance policy.

17 (a) The office shall convene a task force including members of the busi-
18 ness community, employees, employee organizations, representatives from
19 the department of labor and the empire state development corporation,
20 and directors of domestic violence programs, including representatives
21 of statewide advocacy organizations for the prevention of domestic
22 violence, to develop a model domestic violence employee awareness and
23 assistance policy for businesses.

24 The office shall give due consideration to the recommendations of the
25 governor, the temporary president of the senate, and the speaker of the
26 assembly for participation by any person on the task force, and shall
27 make reasonable efforts to assure regional balance in membership.

1 (b) The purpose of the model employee awareness and assistance policy
2 shall be to provide businesses with the best practices, policies, proto-
3 cols and procedures in order that they ascertain domestic violence
4 awareness in the workplace, assist affected employees, and provide a
5 safe and helpful working environment for employees currently or poten-
6 tially experiencing the effects of domestic violence. The model plan
7 shall include but not be limited to:

8 (i) the establishment of a definite corporate policy statement recog-
9 nizing domestic violence as a workplace issue as well as promoting the
10 need to maintain job security for those employees currently involved in
11 domestic violence disputes;

12 (ii) policy and service publication requirements, including posting
13 said policies and service availability pamphlets in break rooms, on
14 bulletin boards, restrooms and other communication methods;

15 (iii) a listing of current domestic violence community resources such
16 as shelters, crisis intervention programs, counseling and case manage-
17 ment programs, legal assistance and advocacy opportunities for affected
18 employees;

19 (iv) measures to ensure workplace safety including, where appropriate,
20 designated parking areas, escort services and other affirmative safe-
21 guards;

22 (v) training programs and protocols designed to educate employees and
23 managers in how to recognize, approach and assist employees experiencing
24 domestic violence, including both victims and batterers; and

25 (vi) other issues as shall be appropriate and relevant for the task
26 force in developing such model policy.

27 (c) Such model policy shall be reviewed by the task force to assure
28 consistency with existing law and shall be made the subject of public

1 hearings convened by the office throughout the state at places and at
2 times which are convenient for attendance by the public, after which the
3 policy shall be reviewed by the task force and amended as necessary to
4 reflect concerns raised at the hearings. If approved by the task force,
5 such model policy shall be provided as approved with explanation of its
6 provisions to the governor and the legislature not later than one year
7 after the effective date of this subdivision. The office shall make
8 every effort to notify businesses of the availability of such model
9 domestic violence employee awareness and assistance policy.

10 (d) The office in consultation with the task force, providers of
11 services, the advisory council, the department of labor, the empire
12 state development corporation, and representatives of statewide advocacy
13 organizations for the prevention of domestic violence, shall provide
14 technical support, information, and encouragement to businesses to
15 implement the provisions of the model domestic violence employee aware-
16 ness and assistance policy.

17 (e) Nothing contained in this subdivision shall be deemed to prevent
18 businesses from adopting their own domestic violence employee awareness
19 and assistance policy.

20 (f) The office shall survey businesses within four years of the effec-
21 tive date of this section to determine the level of model policy
22 adoption amongst businesses and shall take steps necessary to promote
23 the further adoption of such policy.

24 10.] Fatality review team. (a) There shall be established within the
25 office a fatality review team for the purpose of analyzing, in conjunc-
26 tion with local representation, the domestic violence-related death or
27 near death of individuals, with the goal of:

1 (i) examining the trends and patterns of domestic violence-related
2 fatalities in New York state;

3 (ii) educating the public, service providers, and policymakers about
4 domestic violence fatalities and strategies for intervention and
5 prevention; and

6 (iii) recommending policies, practices, procedures, and services to
7 reduce fatalities due to domestic violence.

8 (b) A domestic violence-related death or near death shall mean any
9 death or near death caused by a family or household member as defined in
10 section eight hundred twelve of the family court act or section 530.11
11 of the criminal procedure law, except that there shall be no review of
12 the death or near death of a child for those cases in which the office
13 of children and family services is required to issue a fatality report
14 in accordance with subdivision five of section twenty of the social
15 services law.

16 (c) The team shall review deaths or near deaths in cases that have
17 been adjudicated and have received a final judgment and that are not
18 under investigation.

19 (d) Members of a domestic violence fatality review team shall be
20 appointed by the executive director, [in consultation with the advisory
21 council,] and shall include, but not be limited to, one representative
22 from the office of children and family services, the office of temporary
23 and disability assistance, the division of criminal justice services,
24 the state police, the department of health, the office of court adminis-
25 tration, the office of probation and correctional alternatives, the
26 department of corrections and community supervision, the office of
27 victim services, at least one representative from local law enforcement,
28 a county prosecutor's office, a local social services district, a member

1 of the judiciary, and a domestic violence services program approved by
2 the office of children and family services. A domestic violence fatality
3 review team may also include representatives from sexual assault
4 services programs, public health, mental health and substance abuse
5 agencies, hospitals, clergy, local school districts, local divisions of
6 probation, local offices of the department of corrections and community
7 supervision, the office of the medical examiner or coroner, any local
8 domestic violence task force, coordinating council or other interagency
9 entity that meets regularly to support a coordinated community response
10 to domestic violence, any other program that provides services to domes-
11 tic violence victims, or any other person necessary to the work of the
12 team, including survivors of domestic violence.

13 (e) The team shall identify potential cases and shall select which
14 deaths or near deaths will be reviewed each year. Localities may request
15 that the team conduct a review of a particular death or near death.

16 (f) The team shall work with officials and organizations within the
17 community where the death or near death occurred to conduct each review.

18 (g) Team members shall serve without compensation but are entitled to
19 be reimbursed for travel expenses to the localities where a fatality
20 review will be conducted and members who are full-time salaried officers
21 or employees of the state or of any political subdivision of the state
22 are entitled to their regular compensation.

23 (h) To the extent consistent with federal law, upon request the team
24 shall be provided client-identifiable information and records necessary
25 for the investigation of a domestic violence-related death or near death
26 incident, including, but not limited to:

27 (i) records maintained by a local social services district;

1 (ii) law enforcement records, except where the provision of such
2 records would interfere with an ongoing law enforcement investigation or
3 identify a confidential source or endanger the safety or welfare of an
4 individual;

5 (iii) court records;

6 (iv) probation and parole records;

7 (v) records from domestic violence residential or non-residential
8 programs;

9 (vi) records from any relevant service provider, program or organiza-
10 tion; and

11 (vii) all other relevant records in the possession of state and local
12 officials or agencies provided, however, no official or agency shall be
13 required to provide information or records concerning a person charged,
14 investigated or convicted in such death or near death in violation of
15 such person's attorney-client privilege.

16 (i) Any information or records otherwise sealed, confidential and
17 privileged in accordance with state law which are provided to the team
18 shall remain sealed, confidential, and privileged as otherwise provided
19 by law. All records received, meetings conducted, reports and records
20 made and maintained and all books and papers obtained by the team shall
21 be confidential and shall not be open or made available, except by court
22 order or as set forth in paragraphs (k) and (l) of this subdivision.

23 (j) Any person who releases or permits the release of any information
24 protected under paragraph (i) of this subdivision to persons or agencies
25 not authorized to receive such information shall be guilty of a class A
26 misdemeanor.

27 (k) Team members and persons who present information to the team shall
28 not be questioned in any civil or criminal proceeding regarding any

1 opinions formed as a result of a meeting of the team. Nothing in this
2 section shall be construed to prevent a person from testifying as to
3 information which is obtained independently of the team or information
4 which is public.

5 (l) Team members are not liable for damages or other relief in any
6 action brought by reason of the reasonable and good faith performance of
7 a duty, function, or activity of the team.

8 (m) Consistent with all federal and state confidentiality protections,
9 the team may provide recommendations to any individual or entity for
10 appropriate actions to improve a community's response to domestic
11 violence.

12 (n) The team shall periodically submit a cumulative report to the
13 governor and the legislature incorporating the aggregate data and a
14 summary of the general findings and recommendations resulting from the
15 domestic violence fatality reviews completed pursuant to this subdivi-
16 sion. The cumulative report shall thereafter be made available to the
17 public, consistent with federal and state confidentiality protections.

18 § 3. Subdivision 6 of section 530.11 of the criminal procedure law, as
19 amended by chapter 663 of the laws of 2019, is amended to read as
20 follows:

21 6. Notice. Every police officer, peace officer or district attorney
22 investigating a family offense under this article shall advise the
23 victim of the availability of a shelter or other services in the commu-
24 nity, and shall immediately give the victim written notice of the legal
25 rights and remedies available to a victim of a family offense under the
26 relevant provisions of this chapter and the family court act. Such
27 notice shall be prepared, at minimum, in plain English, Spanish, Chinese
28 and Russian and if necessary, shall be delivered orally, and shall

1 include but not be limited to the information contained in the following
2 statement:

3 "Are you the victim of domestic violence? If you need help now, you
4 can call 911 for the police to come to you. You can also call a domestic
5 violence hotline. You can have a confidential talk with an advocate at
6 the hotline about help you can get in your community including: where
7 you can get treatment for injuries, where you can get shelter, where you
8 can get support, and what you can do to be safe. The New York State
9 24-hour Domestic & Sexual Violence Hotline number is (insert the state-
10 wide multilingual 800 number). They can give you information in many
11 languages. If you are deaf or hard of hearing, call 711.

12 This is what the police can do:

13 They can help you and your children find a safe place such as a family
14 or friend's house or a shelter in your community.

15 You can ask the officer to take you or help you and your children get
16 to a safe place in your community.

17 They can help connect you to a local domestic violence program.

18 They can help you get to a hospital or clinic for medical care.

19 They can help you get your personal belongings.

20 They must complete a report discussing the incident. They will give
21 you a copy of this police report before they leave the scene. It is
22 free.

23 They may, and sometimes must, arrest the person who harmed you if you
24 are the victim of a crime. The person arrested could be released at any
25 time, so it is important to plan for your safety.

26 If you have been abused or threatened, this is what you can ask the
27 police or district attorney to do:

28 File a criminal complaint against the person who harmed you.

1 Ask the criminal court to issue an order of protection for you and
2 your child if the district attorney files a criminal case with the
3 court.

4 Give you information about filing a family offense petition in your
5 local family court.

6 You also have the right to ask the family court for an order of
7 protection for you and your children.

8 This is what you can ask the family court to do:

9 To have your family offense petition filed the same day you go to
10 court.

11 To have your request heard in court the same day you file or the next
12 day court is open.

13 Only a judge can issue an order of protection. The judge does that as
14 part of a criminal or family court case against the person who harmed
15 you. An order of protection in family court or in criminal court can
16 say:

17 That the other person have no contact or communication with you by
18 mail, phone, computer or through other people.

19 That the other person stay away from you and your children, your home,
20 job or school.

21 That the other person not assault, harass, threaten, strangle, or
22 commit another family offense against you or your children.

23 That the other person turn in their firearms and firearms licenses,
24 and not get any more firearms.

25 That you have temporary custody of your children.

26 That the other person pay temporary child support.

27 That the other person not harm your pets or service animals.

1 If the family court is closed because it is night, a weekend, or a
2 holiday, you can go to a criminal court to ask for an order of
3 protection.

4 If you do not speak English or cannot speak it well, you can ask the
5 police, the district attorney, or the criminal or family court to get
6 you an interpreter who speaks your language. The interpreter can help
7 you explain what happened.

8 You can get the forms you need to ask for an order of protection at
9 your local family court (insert addresses and contact information for
10 courts). You can also get them online: www.NYCourts.gov/forms.

11 You do not need a lawyer to ask for an order of protection.

12 You have a right to get a lawyer in the family court. If the family
13 court finds that you cannot afford to pay for a lawyer, it must get you
14 one for free.

15 If you file a complaint or family court petition, you will be asked to
16 swear to its truthfulness because it is a crime to file a legal document
17 that you know is false."

18 The division of criminal justice services in consultation with the
19 state office [for the prevention of] to end domestic and gender-based
20 violence shall prepare the form of such written notice consistent with
21 provisions of this section and distribute copies thereof to the appro-
22 priate law enforcement officials pursuant to subdivision nine of section
23 eight hundred forty-one of the executive law.

24 Additionally, copies of such notice shall be provided to the chief
25 administrator of the courts to be distributed to victims of family
26 offenses through the criminal court at such time as such persons first
27 come before the court and to the state department of health for distrib-
28 ution to all hospitals defined under article twenty-eight of the public

1 health law. No cause of action for damages shall arise in favor of any
2 person by reason of any failure to comply with the provisions of this
3 subdivision except upon a showing of gross negligence or willful miscon-
4 duct.

5 § 4. Subparagraph (i) of paragraph (b) of subdivision 3 of section 15
6 of the domestic relations law, as amended by chapter 35 of the laws of
7 2017, is amended to read as follows:

8 (i) provide notification to each minor party of his or her rights,
9 including but not limited to, rights in relation to termination of the
10 marriage, child and spousal support, domestic violence services and
11 access to public benefits and other services, which notification shall
12 be developed by the office of court administration, in consultation with
13 the office [for the prevention of] to end domestic and gender-based
14 violence;

15 § 5. Section 214-b of the executive law, as amended by chapter 432 of
16 the laws of 2015, is amended to read as follows:

17 § 214-b. Family offense intervention. The superintendent shall, for
18 all members of the state police including new and veteran officers,
19 develop, maintain and disseminate, in consultation with the state office
20 [for the prevention of] to end domestic and gender-based violence, writ-
21 ten policies and procedures consistent with article eight of the family
22 court act and applicable provisions of the criminal procedure and domes-
23 tic relations laws, regarding the investigation of and intervention in
24 incidents of family offenses. Such policies and procedures shall make
25 provision for education and training in the interpretation and enforce-
26 ment of New York's family offense laws, including but not limited to:

27 (a) intake and recording of victim statements, and the prompt trans-
28 lation of such statements if made in a language other than English, in

1 accordance with subdivision (c) of this section, on a standardized
2 "domestic violence incident report form" promulgated by the state divi-
3 sion of criminal justice services in consultation with the superinten-
4 dent and with the state office [for the prevention of] to end domestic
5 and gender-based violence, and the investigation thereof so as to ascer-
6 tain whether a crime has been committed against the victim by a member
7 of the victim's family or household as such terms are defined in section
8 eight hundred twelve of the family court act and section 530.11 of the
9 criminal procedure law;

10 (b) the need for immediate intervention in family offenses including
11 the arrest and detention of alleged offenders, pursuant to subdivision
12 four of section 140.10 of the criminal procedure law, and notifying
13 victims of their rights, in their native language, if identified as
14 other than English, in accordance with subdivision (c) of this section,
15 including but not limited to immediately providing the victim with the
16 written notice provided in subdivision six of section 530.11 of the
17 criminal procedure law and subdivision five of section eight hundred
18 twelve of the family court act.

19 (c) The superintendent, in consultation with the division of criminal
20 justice services and the office [for the prevention of] to end domestic
21 and gender-based violence shall determine the languages in which such
22 translation required by subdivision (a) of this section, and the notifi-
23 cation required pursuant to subdivision (b) of this section, shall be
24 provided. Such determination shall be based on the size of the New York
25 state population that speaks each language and any other relevant
26 factor. Such written notice required pursuant to subdivision (b) of this
27 section shall be made available to all state police officers in the
28 state.

1 § 6. Subdivision 1 of section 221-a of the executive law, as amended
2 by chapter 492 of the laws of 2015, is amended to read as follows:

3 1. The superintendent, in consultation with the division of criminal
4 justice services, office of court administration, and the office [for
5 the prevention of] to end domestic and gender-based violence, shall
6 develop a comprehensive plan for the establishment and maintenance of a
7 statewide computerized registry of all orders of protection issued
8 pursuant to articles four, five, six, eight and ten of the family court
9 act, section 530.12 of the criminal procedure law and, insofar as they
10 involve victims of domestic violence as defined by section four hundred
11 fifty-nine-a of the social services law, section 530.13 of the criminal
12 procedure law and sections two hundred forty and two hundred fifty-two
13 of the domestic relations law, and orders of protection issued by courts
14 of competent jurisdiction in another state, territorial or tribal juris-
15 diction, special orders of conditions issued pursuant to subparagraph
16 (i) or (ii) of paragraph (o) of subdivision one of section 330.20 of the
17 criminal procedure law insofar as they involve a victim or victims of
18 domestic violence as defined by subdivision one of section four hundred
19 fifty-nine-a of the social services law or a designated witness or
20 witnesses to such domestic violence, and all warrants issued pursuant to
21 sections one hundred fifty-three and eight hundred twenty-seven of the
22 family court act, and arrest and bench warrants as defined in subdivi-
23 sions twenty-eight, twenty-nine and thirty of section 1.20 of the crimi-
24 nal procedure law, insofar as such warrants pertain to orders of
25 protection or temporary orders of protection; provided, however, that
26 warrants issued pursuant to section one hundred fifty-three of the fami-
27 ly court act pertaining to articles three and seven of such act and
28 section 530.13 of the criminal procedure law shall not be included in

1 the registry. The superintendent shall establish and maintain such
2 registry for the purposes of ascertaining the existence of orders of
3 protection, temporary orders of protection, warrants and special orders
4 of conditions, and for enforcing the provisions of paragraph (b) of
5 subdivision four of section 140.10 of the criminal procedure law.

6 § 7. The opening paragraph of subdivision 15 of section 837 of the
7 executive law, as amended by chapter 432 of the laws of 2015, is amended
8 to read as follows:

9 Promulgate, in consultation with the superintendent of state police
10 and the state office [for the prevention of] to end domestic and
11 gender-based violence, and in accordance with paragraph (f) of subdivi-
12 sion three of section eight hundred forty of this article, a standard-
13 ized "domestic violence incident report form" for use by state and local
14 law enforcement agencies in the reporting, recording and investigation
15 of all alleged incidents of domestic violence, regardless of whether an
16 arrest is made as a result of such investigation. Such form shall be
17 prepared in multiple parts, one of which shall be immediately provided
18 to the victim, and shall include designated spaces for: the recordation
19 of the results of the investigation by the law enforcement agency and
20 the basis for any action taken; the recordation of a victim's allega-
21 tions of domestic violence; the age and gender of the victim and the
22 alleged offender or offenders; and immediately thereunder a space on
23 which the victim may sign and verify such victim's allegations. Such
24 form shall also include, but not be limited to spaces to identify:

25 § 8. Paragraph (f) of subdivision 3 of section 840 of the executive
26 law, as amended by chapter 432 of the laws of 2015, is amended to read
27 as follows:

1 (f) Develop, maintain and disseminate, in consultation with the state
2 office [for the prevention of] to end domestic and gender-based
3 violence, written policies and procedures consistent with article eight
4 of the family court act and applicable provisions of the criminal proce-
5 dure and domestic relations laws, regarding the investigation of and
6 intervention by new and veteran police officers in incidents of family
7 offenses. Such policies and procedures shall make provisions for educa-
8 tion and training in the interpretation and enforcement of New York's
9 family offense laws, including but not limited to:

10 (1) intake and recording of victim statements, and the prompt trans-
11 lation of such statements if made in a language other than English, in
12 accordance with subparagraph three of this paragraph, on a standardized
13 "domestic violence incident report form" promulgated by the division of
14 criminal justice services in consultation with the superintendent of
15 state police, representatives of local police forces and the state
16 office [for the prevention of] to end domestic and gender-based
17 violence, and the investigation thereof so as to ascertain whether a
18 crime has been committed against the victim by a member of the victim's
19 family or household as such terms are defined in section eight hundred
20 twelve of the family court act and section 530.11 of the criminal proce-
21 dure law; and

22 (2) the need for immediate intervention in family offenses including
23 the arrest and detention of alleged offenders, pursuant to subdivision
24 four of section 140.10 of the criminal procedure law, and notifying
25 victims of their rights, in their native language, if identified as
26 other than English, in accordance with subparagraph three of this para-
27 graph, including but not limited to immediately providing the victim
28 with the written notice required in subdivision six of section 530.11 of

1 the criminal procedure law and subdivision five of section eight hundred
2 twelve of the family court act;

3 (3) determine, in consultation with the superintendent of state police
4 and the office [for the prevention of] to end domestic and gender-based
5 violence, the languages in which such translation required by subpara-
6 graph one of this paragraph, and the notification required by subpara-
7 graph two of this paragraph, shall be provided. Such determination shall
8 be based on the size of the New York state population that speaks each
9 language and any other relevant factor. Such written notice required
10 pursuant to subparagraph two of this paragraph shall be made available
11 to all local law enforcement agencies throughout the state. Nothing in
12 this paragraph shall prevent the council from using the determinations
13 made by the superintendent of state police pursuant to subdivision (c)
14 of section two hundred fourteen-b of this chapter;

15 § 9. The opening paragraph of paragraph 2 of subdivision (b) of
16 section 153-c of the family court act, as added by chapter 367 of the
17 laws of 2015, is amended to read as follows:

18 Development of a pilot program. A plan for a pilot program pursuant to
19 this section shall be developed by the chief administrator of the courts
20 or his or her delegate in consultation with one or more local programs
21 providing assistance to victims of domestic violence, the office [for
22 the prevention of] to end domestic and gender-based violence, and attor-
23 neys who represent family offense petitions. The plan shall include, but
24 is not limited to:

25 § 10. Paragraph 2 of subdivision (a) of section 249-b of the family
26 court act, as added by chapter 476 of the laws of 2009, is amended to
27 read as follows:

1 2. provide for the development of training programs with the input of
2 and in consultation with the state office [for the prevention of] to end
3 domestic and gender-based violence. Such training programs must include
4 the dynamics of domestic violence and its effect on victims and on chil-
5 dren, and the relationship between such dynamics and the issues consid-
6 ered by the court, including, but not limited to, custody, visitation
7 and child support. Such training programs along with the providers of
8 such training must be approved by the office of court administration
9 following consultation with and input from the state office for the
10 prevention of domestic violence; and

11 § 11. The closing paragraph of subdivision 5 of section 812 of the
12 family court act, as amended by chapter 663 of the laws of 2019, is
13 amended to read as follows:

14 The division of criminal justice services in consultation with the
15 state office [for the prevention of] to end domestic and gender-based
16 violence shall prepare the form of such written notice consistent with
17 the provisions of this section and distribute copies thereof to the
18 appropriate law enforcement officials pursuant to subdivision nine of
19 section eight hundred forty-one of the executive law. Additionally,
20 copies of such notice shall be provided to the chief administrator of
21 the courts to be distributed to victims of family offenses through the
22 family court at such time as such persons first come before the court
23 and to the state department of health for distribution to all hospitals
24 defined under article twenty-eight of the public health law. No cause of
25 action for damages shall arise in favor of any person by reason of any
26 failure to comply with the provisions of this subdivision except upon a
27 showing of gross negligence or willful misconduct.

1 § 12. Subdivision 3 of section 403 of the general business law, as
2 amended by chapter 715 of the laws of 2019, is amended to read as
3 follows:

4 3. The advisory committee shall advise the secretary on all matters
5 relating to this article, and on such other matters as the secretary
6 shall request. In advising the secretary on matters concerning profes-
7 sional education or curriculum, inclusive of the maintenance of cultural
8 and ethnic awareness within the prescribed curriculum in regard to hair
9 types, including, but not limited to, curl pattern, hair strand thick-
10 ness, and volume of hair, the advisory committee shall, to the extent
11 practicable, consult with the state education department. The advisory
12 committee is directed, in consultation with the department of state, the
13 New York state office [for the prevention of] to end domestic and
14 gender-based violence and an advocacy group recognized by the federal
15 department of health and human services, which has the ability to coor-
16 dinate statewide and with local communities on programming and educa-
17 tional materials related to the prevention and intervention of domestic
18 violence in New York state, to develop, provide for and integrate aware-
19 ness training on domestic violence and sexual assault for all prospec-
20 tive students seeking to be licensed under this article. Further, on a
21 voluntary basis for those seeking to renew their license as provided for
22 in this article to develop and provide access to educational material
23 for domestic violence and sexual assault awareness.

24 § 13. Section 408-b of the general business law, as amended by chapter
25 71 of the laws of 2020, is amended to read as follows:

26 § 408-b. Domestic violence and sexual assault awareness education. The
27 department shall ensure that domestic violence and sexual assault aware-
28 ness education courses are made available to all licensees and appli-

1 cants for a license or renewal pursuant to this article and that such
2 courses are offered through the department's website. The department, in
3 consultation with the office [for the prevention of] to end domestic and
4 gender-based violence and advocacy groups recognized by the federal
5 department of health and human services or the federal department of
6 justice, which have the ability to coordinate statewide and with local
7 communities on programming and educational materials related to the
8 prevention and intervention of domestic violence or sexual assault in
9 New York state, shall develop and provide access to domestic violence
10 and sexual assault awareness education courses appropriate for those
11 licensed under this article.

12 § 14. Subsections (f) and (g) and paragraph 8 of subsection (h) of
13 section 2612 of the insurance law, subsection (f) as amended by chapter
14 246 of the laws of 2005, subsection (g) as added by chapter 361 of the
15 laws of 2006, and paragraph 8 of subsection (h) as added by section 2 of
16 part E of chapter 491 of the laws of 2012, are amended to read as
17 follows:

18 (f) If any person covered by an insurance policy issued to another
19 person as the policyholder delivers to the insurer that issued the poli-
20 cy, at its home office, a valid order of protection against the policy-
21 holder, issued by a court of competent jurisdiction in this state, the
22 insurer shall be prohibited for the duration of the order from disclos-
23 ing to the policyholder the address and telephone number of the insured,
24 or of any person or entity providing covered services to the insured. If
25 a child is the covered person, the right established by this subsection
26 may be asserted by, and shall also extend to, the parent or guardian of
27 the child. The superintendent, in consultation with the commissioner of
28 health and the office of children and family services and the office

1 [for the prevention of] to end domestic and gender-based violence, shall
2 promulgate rules to guide and enable insurers to guard against the
3 disclosure of the address and location of an insured who is a victim of
4 domestic violence.

5 (g) If any person covered by a group insurance policy delivers to the
6 insurer that issued the policy, at its home office, a valid order of
7 protection against another person covered by the group policy, issued by
8 a court of competent jurisdiction in this state, the insurer shall be
9 prohibited for the duration of the order from disclosing to the person
10 against whom the valid order of protection was issued the address and
11 telephone number of the insured person covered by the order of
12 protection, or of any person or entity providing covered services to the
13 insured person covered by the order of protection. If a child is the
14 covered person, the right established by this subsection may be asserted
15 by, and shall also extend to, the parent or guardian of the child. The
16 superintendent, in consultation with the commissioner of health, the
17 office of children and family services and the office [for the
18 prevention of] to end domestic and gender-based violence, shall promul-
19 gate rules to guide and enable insurers to guard against the disclosure
20 of the address and location of an insured who is a victim of domestic
21 violence.

22 (8) The superintendent, in consultation with the commissioner of
23 health, the office of children and family services and the office [for
24 the prevention of] to end domestic and gender-based violence, shall
25 promulgate rules to guide health insurers in guarding against the
26 disclosure of the information protected pursuant to this subsection.

27 § 15. Section 10-a of the labor law, as added by chapter 527 of the
28 laws of 1995, is amended to read as follows:

1 § 10-a. Domestic violence policy. The commissioner shall study the
2 issue of employees separated from employment due to acts of domestic
3 violence as referred to in and qualified by section four hundred fifty-
4 nine-a of the social services law. The commissioner shall consult with
5 the New York state office [for the prevention of] to end domestic and
6 gender-based violence and its advisory council, the department of social
7 services, the division of women and members of the public in preparing
8 such study. Such study shall include a review of case histories in
9 which unemployment compensation was sought and an analysis of the poli-
10 cies in other states. A copy of such study shall be transmitted to the
11 temporary president of the senate and the speaker of the assembly on or
12 before January fifteenth, nineteen hundred ninety-six and shall contain
13 policy recommendations.

14 § 16. Section 10-b of the labor law, as added by chapter 368 of the
15 laws of 1997, is amended to read as follows:

16 § 10-b. Domestic violence employee awareness and assistance. The
17 commissioner shall assist the office [for the prevention of] to end
18 domestic and gender-based violence in the creation, approval and dissem-
19 ination of the model domestic violence employee awareness and assistance
20 policy as further defined in subdivision nine of section five hundred
21 seventy-five of the executive law. Upon completion and approval of the
22 model plan as outlined in subdivision nine of section five hundred
23 seventy-five of the executive law, the commissioner shall assist in the
24 promotion of the model policy to businesses in New York state.

25 § 17. Section 2137 of the public health law, as added by chapter 163
26 of the laws of 1998, is amended to read as follows:

27 § 2137. Domestic violence recognition. The department shall, in
28 consultation with the office [for the prevention of] to end domestic and

1 gender-based violence and statewide organizations and community based
2 organizations, develop a protocol for the identification and screening
3 of victims of domestic violence who may either be a protected individual
4 or a contact as used in this title.

5 § 18. Subdivision 2 of section 2803-p of the public health law, as
6 added by chapter 271 of the laws of 1997, is amended to read as follows:

7 2. Every hospital having maternity and newborn services shall provide
8 information concerning family violence to parents of newborn infants at
9 any time prior to the discharge of the mother. Such information shall
10 also be provided by every diagnostic and treatment center offering
11 prenatal care services to women upon an initial prenatal care visit.
12 The commissioner shall, in consultation with the state office [for the
13 prevention of] to end domestic and gender-based violence and the depart-
14 ment of social services, prepare, produce and transmit such notice to
15 such facilities in quantities sufficient to comply with the requirements
16 of this section. Such notice shall contain information which shall
17 include but not be limited to the effects of family violence and the
18 services available to women and children experiencing family violence.

19 Such information shall be in clear and concise language readily
20 comprehensible. Nothing in this section shall preclude a facility from
21 providing the notice required by this section as an addendum to, or in
22 connection with, any other information required to be provided by any
23 other provision of law, rule or regulation.

24 § 19. Subdivision 3 of section 2805-z of the public health law, as
25 amended by chapter 37 of the laws of 2020, is amended to read as
26 follows:

27 3. The commissioner shall promulgate such rules and regulations as may
28 be necessary and proper to carry out effectively the provisions of this

1 section. Prior to promulgating such rules and regulations, the commis-
2 sioner shall consult with the office [for the prevention of] to end
3 domestic and gender-based violence and other such persons as the commis-
4 sioner deems necessary to develop a model policy for hospitals to
5 utilize in complying with this section and to identify the domestic
6 violence or victim assistance organizations operating in each hospital's
7 geographic area, a list of which the commissioner shall provide to
8 hospitals with the model policy.

9 § 20. The opening paragraph of subdivision (g) of section 17 of the
10 social services law, as added by chapter 280 of the laws of 2002, is
11 amended to read as follows:

12 require participation of all employees of a child protective service
13 in a training course which has been developed by the office [for the
14 prevention of] to end domestic and gender-based violence in conjunction
15 with the office of children and family services whose purpose is to
16 develop an understanding of the dynamics of domestic violence and its
17 connection to child abuse and neglect. Such course shall:

18 § 21. Subdivision 1 of section 111-v of the social services law, as
19 added by chapter 398 of the laws of 1997, is amended to read as follows:

20 1. The department, in consultation with appropriate agencies including
21 but not limited to the New York state office [for the prevention of] to
22 end domestic and gender-based violence, shall by regulation prescribe
23 and implement safeguards on the confidentiality, integrity, accuracy,
24 access, and the use of all confidential information and other data
25 handled or maintained, including data obtained pursuant to section one
26 hundred eleven-o of this article and including such information and data
27 maintained in the automated child support enforcement system. Such
28 information and data shall be maintained in a confidential manner

1 designed to protect the privacy rights of the parties and shall not be
2 disclosed except for the purpose of, and to the extent necessary to,
3 establish paternity, or establish, modify or enforce an order of
4 support.

5 § 22. Subdivisions 1, 2 and 3 of section 349-a of the social services
6 law, as added by section 36 of part B of chapter 436 of the laws of
7 1997, are amended to read as follows:

8 1. The department, after consultation with the office [for the
9 prevention of] to end domestic and gender-based violence and statewide
10 domestic violence advocacy groups, shall by regulation establish
11 requirements for social services districts to notify all applicants and,
12 upon recertification, recipients, of procedures for protection from
13 domestic violence and the availability of services. Such notice shall
14 inform applicants and recipients that the social services district will
15 make periodic inquiry regarding the existence of domestic violence
16 affecting the individual. Such notice shall also inform individuals
17 that response to these inquiries is voluntary and confidential;
18 provided, however, that information regarding neglect or abuse of chil-
19 dren will be reported to child protective services.

20 2. Such inquiry shall be performed utilizing a universal screening
21 form to be developed by the department after consultation with the
22 office [for the prevention of] to end domestic and gender-based violence
23 and statewide domestic violence advocacy groups. An individual may
24 request such screening at any time, and any individual who at any time
25 self identifies as a victim of domestic violence shall be afforded the
26 opportunity for such screening.

27 3. An individual indicating the presence of domestic violence, as a
28 result of such screening, shall be promptly referred to a domestic

1 violence liaison who meets training requirements established by the
2 department, after consultation with the office [for the prevention of]
3 to end domestic and gender-based violence and statewide domestic
4 violence advocacy groups.

5 § 23. The opening paragraph of subdivision 2 and the opening paragraph
6 of subdivision 3 of section 427-a of the social services law, as added
7 by chapter 452 of the laws of 2007, are amended to read as follows:

8 Any social services district interested in implementing a differential
9 response program shall apply to the office of children and family
10 services for permission to participate. The criteria for a social
11 services district to participate will be determined by the office of
12 children and family services after consultation with the office [for the
13 prevention of] to end domestic and gender-based violence, however the
14 social services district's application must include a plan setting forth
15 the following:

16 The criteria for determining which cases may be placed in the assess-
17 ment track shall be determined by the local department of social
18 services, in conjunction with the office of children and family services
19 and after consultation with the office [for the prevention of] to end
20 domestic and gender-based violence. Provided, however, that reports
21 including any of the following allegations shall not be included in the
22 assessment track of a differential response program:

23 § 24. Subdivision (a) of section 483-cc of the social services law, as
24 amended by chapter 368 of the laws of 2015, is amended to read as
25 follows:

26 (a) As soon as practicable after a first encounter with a person who
27 reasonably appears to a law enforcement agency, district attorney's
28 office, or an established provider of social or legal services desig-

1 nated by the office of temporary and disability assistance, the office
2 [for the prevention of] to end domestic and gender-based violence or the
3 office of victim services to be a human trafficking victim, that law
4 enforcement agency or district attorney's office shall notify the office
5 of temporary and disability assistance and the division of criminal
6 justice services that such person may be eligible for services under
7 this article or, in the case of an established provider of social or
8 legal services, shall notify the office of temporary and disability
9 assistance and the division of criminal justice services if such victim
10 consents to seeking services pursuant to this article.

11 § 25. Subdivision (a) of section 483-ee of the social services law, as
12 amended by chapter 413 of the laws of 2016, is amended to read as
13 follows:

14 (a) There is established an interagency task force on trafficking in
15 persons, which shall consist of the following members or their desig-
16 nees: (1) the commissioner of the division of criminal justice services;
17 (2) the commissioner of the office of temporary and disability assist-
18 ance; (3) the commissioner of health; (4) the commissioner of the office
19 of mental health; (5) the commissioner of labor; (6) the commissioner of
20 the office of children and family services; (7) the commissioner of the
21 office of alcoholism and substance abuse services; (8) the director of
22 the office of victim services; (9) the executive director of the office
23 [for the prevention of] to end domestic and gender-based violence; and
24 (10) the superintendent of the division of state police; and the follow-
25 ing additional members, who shall be promptly appointed by the governor,
26 each for a term of two years, provided that such person's membership
27 shall continue after such two year term until a successor is appointed
28 and provided, further, that a member may be reappointed if again recom-

1 mended in the manner specified in this subdivision: (11) two members,
2 who shall be appointed on the recommendation of the temporary president
3 of the senate; (12) two members, who shall be appointed on the recommen-
4 dation of the speaker of the assembly; (13) two members, who shall be
5 appointed on the recommendation of the not-for-profit organization in
6 New York state that receives the largest share of funds, appropriated by
7 and through the state budget, for providing services to victims of human
8 trafficking, as shall be identified annually in writing by the director
9 of the budget; and (14) one member, who shall be appointed on the recom-
10 mendation of the president of the New York state bar association; and
11 others as may be necessary to carry out the duties and responsibilities
12 under this section. The task force will be co-chaired by the commission-
13 ers of the division of criminal justice services and the office of
14 temporary and disability assistance, or their designees. It shall meet
15 as often as is necessary, but no less than three times per year, and
16 under circumstances as are appropriate to fulfilling its duties under
17 this section. All members shall be provided with written notice reason-
18 ably in advance of each meeting with date, time and location of such
19 meeting.

20 § 26. Subdivision 3 of section 97-yyy of the state finance law, as
21 added by chapter 634 of the laws of 2002, is amended to read as follows:

22 3. Moneys of the fund, following appropriation by the legislature and
23 allocation by the director of the budget, shall be available for the
24 purpose of funding expenses of the office [for the prevention of] to end
25 domestic and gender-based violence for educational and prevention
26 programs undertaken pursuant to article twenty-one of the executive law.

27 § 27. This act shall take effect immediately; provided however that
28 section nineteen of this act shall take effect on the same date and in

1 the same manner as section 2 of chapter 733 of the laws of 2019, as
2 amended, takes effect; and provided further that the amendments to
3 subdivision (a) of section 483-ee of the social services law made by
4 section twenty-five of this act shall not affect the repeal of such
5 subdivision and shall be deemed repealed therewith.

6 PART C

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

9 § 120.65 Domestic violence.

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

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

16 2. commits the crime of assault in the third degree as defined in
17 subdivisions one and two of section 120.00 of this article, or reckless
18 endangerment in the second degree as defined in section 120.20 of this
19 article, or criminal obstruction of breathing or blood circulation as
20 defined in section 121.11 of this article, or forcible touching as
21 defined in section 130.52 of this title, or sexual abuse in the second
22 degree as defined in section 130.60 of this title, or sexual abuse in
23 the third degree as defined in section 130.55 of this title, or unlawful
24 imprisonment in the second degree as defined in section 135.05 of this
25 title and the person against whom the offense is committed is a current
26 or former spouse, parent, or guardian of the person committing the

1 offense; a person with whom the person committing the offense shares a
2 child in common; a person who is cohabiting with or has cohabited with
3 the person committing the offense as a spouse, parent, or guardian, or a
4 person similarly situated to a spouse, parent, or guardian of the
5 victim.

6 Domestic violence is a class A misdemeanor.

7 § 2. Subdivision 17 of section 265.00 of the penal law is amended by
8 adding a new paragraph (d) to read as follows:

9 (d) domestic violence as defined by subdivision one of section 120.65
10 of this chapter.

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

13 PART D

14 Section 1. Paragraph 2 of subdivision (j) and subdivision (k) of
15 section 446 of the family court act, paragraph 2 of subdivision (j) as
16 added and subdivision (k) as amended by chapter 261 of the laws of 2020,
17 are amended to read as follows:

18 2. For purposes of this subdivision, "connected device" shall mean any
19 device, or other physical object that is capable of connecting to the
20 internet, directly or indirectly, and that is assigned an internet
21 protocol address or bluetooth address; [and]

22 (k) to pay the reasonable costs of repairing damages caused by the
23 respondent to a premises owned or occupied by the protected party;

24 (l) to make rent or mortgage payments on the premises owned or occu-
25 pied by the protected party;

1 (m) to pay the reasonable costs of relocation for the protected party,
2 including but not limited to security deposits, utility deposits, moving
3 services and first and last month's rent, provided that this responsi-
4 bility does not entitle the respondent access to the protected party's
5 address or location; and

6 (n) to observe such other conditions as are necessary to further the
7 purposes of protection. The court may also award custody of the child,
8 during the term of the order of protection to either parent, or to an
9 appropriate relative within the second degree. Nothing in this section
10 gives the court power to place or board out any child or to commit a
11 child to an institution or agency. In making orders of protection, the
12 court shall so act as to insure that in the care, protection, discipline
13 and guardianship of the child his religious faith shall be preserved and
14 protected.

15 § 2. Paragraph 2 of subdivision (k) and subdivision (l) of section 551
16 of the family court act, paragraph 2 of subdivision (k) as added and
17 subdivision (l) as amended by chapter 261 of the laws of 2020, are
18 amended to read as follows:

19 2. For purposes of this subdivision, "connected device" shall mean any
20 device, or other physical object that is capable of connecting to the
21 internet, directly or indirectly, and that is assigned an internet
22 protocol address or bluetooth address; [and]

23 (l) to pay the reasonable costs of repairing damages caused by the
24 respondent to a premises owned or occupied by the protected party;

25 (m) to make rent or mortgage payments on the premises owned or occu-
26 ped by the protected party;

27 (n) to pay the reasonable costs of relocation for the protected party,
28 including but not limited to security deposits, utility deposits, moving

1 services and first and last month's rent, provided that this responsi-
2 bility does not entitle the respondent access to the protected party's
3 address or location; and

4 (o) to observe such other conditions as are necessary to further the
5 purposes of protection.

6 § 3. Paragraph 2 of subdivision (k) and subdivision (l) of section 656
7 of the family court act, paragraph 2 of subdivision (k) as added and
8 subdivision (l) as amended by chapter 261 of the laws of 2020, are
9 amended to read as follows:

10 2. For purposes of this subdivision, "connected device" shall mean any
11 device, or other physical object that is capable of connecting to the
12 internet, directly or indirectly, and that is assigned an internet
13 protocol address or bluetooth address; [and]

14 (l) to pay the reasonable costs of repairing damages caused by the
15 respondent to a premises owned or occupied by the protected party;

16 (m) to make rent or mortgage payments on the premises owned or occu-
17 pied by the protected party;

18 (n) to pay the reasonable costs of relocation for the protected party,
19 including but not limited to security deposits, utility deposits, moving
20 services and first and last month's rent, provided that this responsi-
21 bility does not entitle the respondent access to the protected party's
22 address or location; and

23 (o) to observe such other conditions as are necessary to further the
24 purposes of protection.

25 § 4. Paragraph 2 of subdivision (k) and subdivision (l) of section 842
26 of the family court act, paragraph 2 of subdivision (k) as added and
27 subdivision (l) as amended by chapter 261 of the laws of 2020, are
28 amended to read as follows:

1 2. For purposes of this subdivision, "connected device" shall mean any
2 device, or other physical object that is capable of connecting to the
3 internet, directly or indirectly, and that is assigned an internet
4 protocol address or bluetooth address; [and]

5 (l) to pay the reasonable costs of repairing damages caused by the
6 respondent to a premises owned or occupied by the protected party;

7 (m) to make rent or mortgage payments on the premises owned or occu-
8 pied by the protected party;

9 (n) to pay the reasonable costs of relocation for the protected party,
10 including but not limited to security deposits, utility deposits, moving
11 services and first and last month's rent, provided that this responsi-
12 bility does not entitle the respondent access to the protected party's
13 address or location; and

14 (o) to observe such other conditions as are necessary to further the
15 purposes of protection.

16 § 5. Clause (B) of subparagraph 8 of paragraph (a) of subdivision 1 of
17 section 530.12 of the criminal procedure law, as added by chapter 261 of
18 the laws of 2020, is amended and three new subparagraphs 9, 10 and 11
19 are added to read as follows:

20 (B) For purposes of this subparagraph, "connected device" shall mean
21 any device, or other physical object that is capable of connecting to
22 the internet, directly or indirectly, and that is assigned an internet
23 protocol address or bluetooth address[.];

24 (9) to pay the reasonable costs of repairing damages caused by the
25 defendant to a premises owned or occupied by the protected party;

26 (10) to make rent or mortgage payments on the premises owned or occu-
27 pied by the protected party; and

1 (11) to pay the reasonable costs of relocation for the protected
2 party, including but not limited to security deposits, utility deposits,
3 moving services and first and last month's rent, provided that this
4 responsibility does not entitle the respondent access to the protected
5 party's address or location.

6 § 6. Paragraphs (e) and (f) of subdivision 5 of section 530.12 of the
7 criminal procedure law, paragraph (e) as amended and paragraph (f) as
8 added by chapter 261 of the laws of 2020, are amended and three new
9 paragraphs (g), (h) and (i) are added to read as follows:

10 (e) to permit a designated party to enter the residence during a spec-
11 ified period of time in order to remove personal belongings not in issue
12 in this proceeding or in any other proceeding or action under this chap-
13 ter, the family court act or the domestic relations law; [or]

14 (f) (i) to refrain from remotely controlling any connected devices
15 affecting the home, vehicle or property of the person protected by the
16 order.

17 (ii) For purposes of this paragraph, "connected device" shall mean any
18 device, or other physical object that is capable of connecting to the
19 internet, directly or indirectly, and that is assigned an internet
20 protocol address or bluetooth address[.];

21 (g) to pay the reasonable costs of repairing damages caused by the
22 respondent to a premises owned or occupied by the protected party;

23 (h) to make rent or mortgage payments on the premises owned or occu-
24 ped by the protected party; or

25 (i) to pay the reasonable costs of relocation for the protected party,
26 including but not limited to security deposits, utility deposits, moving
27 services and first and last month's rent, provided that this responsi-

1 bility does not entitle the respondent access to the protected party's
2 address or location;

3 § 7. Subdivision 1 of section 530.13 of the criminal procedure law is
4 amended by adding three new paragraphs (e), (f) and (g) to read as
5 follows:

6 (e) to pay the reasonable costs of repairing damages caused by the
7 respondent to a premises owned or occupied by the protected party;

8 (f) to make rent or mortgage payments on the premises owned or occu-
9 ped by the protected party; or

10 (g) to pay the reasonable costs of relocation for the protected party,
11 including but not limited to security deposits, utility deposits, moving
12 services and first and last month's rent, provided that this responsi-
13 bility does not entitle the respondent access to the protected party's
14 address or location;

15 § 8. Subparagraph 2 of paragraph (d) of subdivision 4 of section
16 530.13 of the criminal procedure law, as added by chapter 261 of the
17 laws of 2020, is amended and three new paragraphs (e), (f) and (g) are
18 added to read as follows:

19 2. For purposes of this paragraph, "connected device" shall mean any
20 device, or other physical object that is capable of connecting to the
21 internet, directly or indirectly, and that is assigned an internet
22 protocol address or bluetooth address[.];

23 (e) to pay the reasonable costs of repairing damages caused by the
24 defendant to a premises owned or occupied by the protected party;

25 (f) to make rent or mortgage payments on the premises owned or occu-
26 ped by the protected party; and

27 (g) to pay the reasonable costs of relocation for the protected party,
28 including but not limited to security deposits, utility deposits, moving

1 services and first and last month's rent, provided that this responsi-
2 bility does not entitle the respondent access to the protected party's
3 address or location.

4 § 9. Clause (ii) of subparagraph 9 and subparagraph 10 of paragraph a
5 of subdivision 3 of section 240 of the domestic relations law, as
6 amended by chapter 261 of the laws of 2020, are amended to read as
7 follows:

8 (ii) For purposes of this subparagraph, "connected device" shall mean
9 any device, or other physical object that is capable of connecting to
10 the internet, directly or indirectly, and that is assigned an internet
11 protocol address or bluetooth address; [and]

12 (10) to pay the reasonable costs of repairing damages caused by the
13 respondent to a premises owned or occupied by the protected party;

14 (11) to make rent or mortgage payments on the premises owned or occu-
15 pled by the protected party;

16 (12) to pay the reasonable costs of relocation for the protected
17 party, including but not limited to security deposits, utility deposits,
18 moving services and first and last month's rent, provided that this
19 responsibility does not entitle the respondent access to the protected
20 party's address or location; and

21 (13) to observe such other conditions as are necessary to further the
22 purposes of protection.

23 § 10. Subparagraph 2 of paragraph (i) and paragraph (j) of subdivision
24 1 of section 252 of the domestic relations law, as amended by chapter
25 261 of the laws of 2020, are amended to read as follows:

26 (2) For purposes of this paragraph, "connected device" shall mean any
27 device, or other physical object that is capable of connecting to the

1 internet, directly or indirectly, and that is assigned an internet
2 protocol address or bluetooth address; [and]

3 (j) to pay the reasonable costs of repairing damages caused by the
4 respondent to a premises owned or occupied by the protected party; and

5 (k) to make rent or mortgage payments on the premises owned or occu-
6 pied by the protected party;

7 (l) to pay the reasonable costs of relocation for the protected party,
8 including but not limited to security deposits, utility deposits, moving
9 services and first and last month's rent, provided that this responsi-
10 bility does not entitle the respondent access to the protected party's
11 address or location; and

12 (m) to observe such other conditions as are necessary to further the
13 purposes of protection.

14 § 11. This act shall take effect immediately.

15 PART E

16 Section 1. Subdivision 5 of section 216 of the judiciary law, as added
17 by section 5 of part UU of chapter 56 of the laws of 2020, is amended to
18 read as follows:

19 5. The chief administrator of the courts, in conjunction with the
20 division of criminal justice services, shall collect data and report
21 every six months regarding pretrial release and detention. Such data and
22 report shall contain information categorized by gender, racial and
23 ethnic background; regarding the nature of the criminal offenses,
24 including the top charge of each case; whether an order of protection
25 was issued for a family offense; the number and type of charges in each
26 defendant's criminal record; the number of individuals released on

1 recognizance; the number of individuals released on non-monetary condi-
2 tions, including the conditions imposed; the number of individuals
3 committed to the custody of a sheriff prior to trial; the rates of fail-
4 ure to appear and rearrest; the outcome of such cases or dispositions;
5 the length of the pretrial detention stay and any other such information
6 as the chief administrator and the division of criminal justice services
7 may find necessary and appropriate. Such report shall aggregate the data
8 collected by county; court, including city, town and village courts; and
9 judge. The data shall be disaggregated in order to protect the identity
10 of individual defendants. The report shall be released publicly and
11 published on the websites of the office of court administration and the
12 division of criminal justice services. The first report shall be
13 published twelve months after this subdivision shall have become a law,
14 and shall include data from the first six months following the enactment
15 of this section. Reports for subsequent periods shall be published every
16 six months thereafter.

17 § 2. Section 216 of the judiciary law is amended by adding a new
18 subdivision 6 to read as follows:

19 6. The chief administrator of the courts shall prepare a report each
20 month related to persons charged with a felony or misdemeanor offense
21 where the defendant and the person alleged to be the victim of such
22 crime were members of the same family or household as defined in subdi-
23 vision one of section 530.11 of the criminal procedure law. Such report
24 shall contain information on the number of cases within each county,
25 categorized by felony and misdemeanor, in which the court issued an
26 order of protection for a family offense. The reports shall be provided
27 each month to the division of criminal justice services and the office
28 for the prevention of domestic violence.

1 § 3. Section 837-u of the executive law, as added by section 6 of part
2 UU of chapter 56 of the laws of 2020, is amended to read as follows:

3 § 837-u. The division of criminal justice services, in conjunction
4 with the chief administrator of the courts, shall collect data and
5 report annually regarding pretrial release and detention. Such data and
6 report shall contain information categorized by gender, racial and
7 ethnic background; regarding the nature of the criminal offenses,
8 including the top charge of each case; whether an order of protection
9 was issued for a family offense; the number and type of charges in each
10 defendant's criminal record; the number of individuals released on
11 recognizance; the number of individuals released on non-monetary condi-
12 tions, including the conditions imposed; the number of individuals
13 committed to the custody of a sheriff prior to trial; the rates of fail-
14 ure to appear and rearrest; the outcome of such cases or dispositions;
15 whether the defendant was represented by counsel at every court appear-
16 ance regarding the defendant's securing order; the length of the
17 pretrial detention stay and any other such information as the chief
18 administrator and the division of criminal justice services may find
19 necessary and appropriate. Such annual report shall aggregate the data
20 collected by county; court, including city, town and village courts; and
21 judge. The data shall be disaggregated in order to protect the identity
22 of individual defendants. The report shall be released publicly and
23 published on the websites of the office of court administration and the
24 division of criminal justice services. The first report shall be
25 published eighteen months after this section shall have become a law,
26 and shall include data from the first twelve months following the enact-
27 ment of this section. Reports for subsequent years shall be published
28 annually on or before that date thereafter.

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

3 PART F

4 Section 1. Subdivision 1 of section 240 of the domestic relations law
5 is amended by adding a new paragraph (k) to read as follows:

6 (k) In determining the best interests of the child, the court shall
7 not: (1) consider the sex, sexual orientation, gender identity or gender
8 expression of the parties; or (2) prohibit a party from undergoing
9 gender reassignment.

10 § 2. This act shall take effect immediately.

11 PART G

12 Section 1. The repeal of section 240.37 of the penal law, as effected
13 by section two of this act, is hereby declared to be ameliorative, and
14 it is the intent of the legislature that no prosecution under such
15 section be commenced, continued, or refiled.

16 § 2. Section 240.37 of the penal law is REPEALED.

17 § 3. Section 230.01 of the penal law, as amended by chapter 189 of the
18 laws of 2018, is amended to read as follows:

19 § 230.01 Prostitution; affirmative defense.

20 In any prosecution under section 230.00, section 230.03, section
21 230.19, section 230.20, subdivision 2 of section 230.25, subdivision 2
22 of section 230.30[,], or section 230.34-a [or subdivision two of section
23 240.37] of this [part] article, it is an affirmative defense that the
24 defendant's participation in the offense was a result of having been a

1 victim of compelling prostitution under section 230.33 of this article,
2 a victim of sex trafficking under section 230.34 of this article, a
3 victim of sex trafficking of a child under section 230.34-a of this
4 article or a victim of trafficking in persons under the trafficking
5 victims protection act (United States Code, Title 22, Chapter 78).

6 § 4. Section 60.47 of the criminal procedure law, as added by section
7 2 of part I of chapter 57 of the laws of 2015, is amended to read as
8 follows:

9 § 60.47 Possession of condoms; receipt into evidence.

10 Evidence that a person was in possession of one or more condoms may
11 not be admitted at any trial, hearing, or other proceeding in a prose-
12 cution for section 230.00 [or section 240.37] of the penal law for the
13 purpose of establishing probable cause for an arrest or proving any
14 person's commission or attempted commission of such offense.

15 § 5. Paragraphs (c) and (d) of subdivision 1 of section 160.10 of the
16 criminal procedure law, paragraph (c) as amended by chapter 762 of the
17 laws of 1971 and paragraph (d) as amended by chapter 232 of the laws of
18 2010, are amended to read as follows:

19 (c) A misdemeanor defined outside the penal law which would constitute
20 a felony if such person had a previous judgment of conviction for a
21 crime[; or

22 (d) Loitering for the purpose of engaging in a prostitution offense as
23 defined in subdivision two of section 240.37 of the penal law].

24 § 6. Subdivision 4 of section 170.30 of the criminal procedure law, as
25 added by chapter 402 of the laws of 2014, is amended to read as follows:

26 4. After arraignment upon an information, a simplified information, a
27 prosecutor's information or misdemeanor complaint on a charge of prosti-
28 tution pursuant to section 230.00 of the penal law [or loitering for the

1 purposes of prostitution pursuant to subdivision two of section 240.37
2 of the penal law, provided that the person does not stand charged with
3 loitering for the purpose of patronizing a prostitute, where such
4 offense allegedly occurred when the person was sixteen or seventeen
5 years of age,] the local criminal court may dismiss such charge in its
6 discretion in the interest of justice on the ground that a defendant
7 participated in services provided to him or her.

8 § 7. The opening paragraph of subdivision 1 of section 170.80 of the
9 criminal procedure law, as amended by chapter 402 of the laws of 2014,
10 is amended to read as follows:

11 Notwithstanding any other provision of law, at any time at or after
12 arraignment on a charge of prostitution pursuant to section 230.00 of
13 the penal law [or loitering for the purposes of prostitution pursuant to
14 subdivision two of section 240.37 of the penal law, provided that the
15 person does not stand charged with loitering for the purpose of patron-
16 izing a prostitute, where such offense allegedly occurred when the
17 person was sixteen or seventeen years of age except where], after
18 consultation with counsel, a knowing and voluntary plea of guilty has
19 been entered to such charge, any judge or justice hearing any stage of
20 such case may, upon consent of the defendant after consultation with
21 counsel:

22 § 8. Subdivision 2 of section 420.35 of the criminal procedure law, as
23 amended by chapter 144 of the laws of 2020, is amended to read as
24 follows:

25 2. Except as provided in this subdivision or subdivision two-a of this
26 section, under no circumstances shall the mandatory surcharge, sex
27 offender registration fee, DNA databank fee or the crime victim assist-
28 ance fee be waived. A court shall waive any mandatory surcharge, DNA

1 databank fee and crime victim assistance fee when: (i) [the defendant is
2 convicted of loitering for the purpose of engaging in prostitution under
3 section 240.37 of the penal law (provided that the defendant was not
4 convicted of loitering for the purpose of patronizing a person for pros-
5 titution); (ii)] the defendant is convicted of prostitution under
6 section 230.00 of the penal law; [(iii)] (ii) the defendant is convicted
7 of a violation in the event such conviction is in lieu of a plea to or
8 conviction for [loitering for the purpose of engaging in prostitution
9 under section 240.37 of the penal law (provided that the defendant was
10 not alleged to be loitering for the purpose of patronizing a person for
11 prostitution) or] prostitution under section 230.00 of the penal law;
12 [or (iv)] (iii) the court finds that a defendant is a victim of sex
13 trafficking under section 230.34 of the penal law or a victim of traf-
14 ficking in persons under the trafficking victims protection act (United
15 States Code, Title 22, Chapter 78); or [(v)] (iv) the court finds that
16 the defendant is a victim of sex trafficking of a child under section
17 230.34-a of the penal law.

18 § 9. Subdivision 4 of section 720.15 of the criminal procedure law, as
19 added by chapter 402 of the laws of 2014, is amended to read as follows:

20 4. Notwithstanding any provision in this article, a person charged
21 with prostitution as defined in section 230.00 of the penal law [or
22 loitering for the purposes of prostitution as defined in subdivision two
23 of section 240.37 of the penal law, provided that the person does not
24 stand charged with loitering for the purpose of patronizing a prosti-
25 tute, and such person is aged sixteen or seventeen when such offense
26 occurred,] regardless of whether such person (i) had prior to commence-
27 ment of trial or entry of a plea of guilty been convicted of a crime or
28 found a youthful offender, or (ii) subsequent to such conviction for

1 prostitution [or loitering for prostitution] is convicted of a crime or
2 found a youthful offender, the provisions of subdivisions one and two of
3 this section requiring or authorizing the accusatory instrument filed
4 against a youth to be sealed, and the arraignment and all proceedings in
5 the action to be conducted in private shall apply.

6 § 10. Subdivision 1 of section 720.35 of the criminal procedure law,
7 as amended by chapter 402 of the laws of 2014, is amended to read as
8 follows:

9 1. A youthful offender adjudication is not a judgment of conviction
10 for a crime or any other offense, and does not operate as a disquali-
11 fication of any person so adjudged to hold public office or public
12 employment or to receive any license granted by public authority but
13 shall be deemed a conviction only for the purposes of transfer of super-
14 vision and custody pursuant to section two hundred fifty-nine-m of the
15 executive law. A defendant for whom a youthful offender adjudication was
16 substituted, who was originally charged with prostitution as defined in
17 section 230.00 of the penal law [or loitering for the purposes of pros-
18 titution as defined in subdivision two of section 240.37 of the penal
19 law provided that the person does not stand charged with loitering for
20 the purpose of patronizing a prostitute, for an offense allegedly
21 committed when he or she was sixteen or seventeen years of age], shall
22 be deemed a "sexually exploited child" as defined in subdivision one of
23 section four hundred forty-seven-a of the social services law and there-
24 fore shall not be considered an adult for purposes related to the charg-
25 es in the youthful offender proceeding or a proceeding under section
26 170.80 of this chapter.

1 § 11. Paragraph (d) of subdivision 1 of section 447-a of the social
2 services law, as amended by chapter 189 of the laws of 2018, is amended
3 to read as follows:

4 (d) engages in acts or conduct described in article two hundred
5 sixty-three [or section 240.37] of the penal law.

6 § 12. The third undesignated paragraph of subdivision a of section
7 3-118 of the administrative code of the city of New York, as amended by
8 chapter 189 of the laws of 2018, is amended to read as follows:

9 Sexually exploited youth. The term "sexually exploited youth" means
10 persons under the age of 18 who have been subject to sexual exploitation
11 because they (a) are the victim of the crime of sex trafficking as
12 defined in section 230.34 of the penal law; (b) engage in any act as
13 defined in section 230.00 of the penal law; (c) are a victim of the
14 crime of compelling prostitution as defined in section 230.33 of the
15 penal law; (d) are a victim of the crime of sex trafficking of a child
16 as defined in section 230.34-a of the penal law; or (e) engage in acts
17 or conduct described in article [263 or section 240.37] two hundred
18 sixty-three of the penal law. The term shall also mean persons under
19 the age of 18 who have been subject to incest in the third degree,
20 second degree or first degree, as defined in sections 255.25, 255.26,
21 and 255.27 of the penal law, respectively, or any of the sex offenses
22 enumerated in article [130] one hundred thirty of the penal law.

23 § 13. This act shall take effect immediately.

1 Section 1. Subdivisions (a) and (c) of section 712 of the family court
2 act, as amended by section 1 of part K of chapter 56 of the laws of
3 2019, are amended to read as follows:

4 (a) "Person in need of supervision". A person less than eighteen years
5 of age: (i) who does not attend school in accordance with the provisions
6 of part one of article sixty-five of the education law; (ii) who is
7 [incorrigible,] ungovernable or habitually disobedient and beyond the
8 lawful control of a parent or other person legally responsible for such
9 child's care, or other lawful authority; (iii) who violates the
10 provisions of: (1) section 221.05; or (2) 230.00 of the penal law; (iv)
11 or who appears to be a sexually exploited child as defined in paragraph
12 (a), (c) or (d) of subdivision one of section four hundred forty-seven-a
13 of the social services law, but only if the child consents to the filing
14 of a petition under this article.

15 (c) "Fact-finding hearing". A hearing to determine whether the
16 respondent did the acts alleged to show that he or she violated a law or
17 is [incorrigible,] ungovernable or habitually disobedient and beyond the
18 control of his or her parents, guardian or legal custodian.

19 § 2. Paragraph (i) of subdivision (a) of section 732 of the family
20 court act, as amended by section 9 of part G of chapter 58 of the laws
21 of 2010, is amended to read as follows:

22 (i) the respondent is an habitual truant or is [incorrigible,] ungo-
23 vernable, or habitually disobedient and beyond the lawful control of his
24 or her parents, guardian or lawful custodian, or has been the victim of
25 sexual exploitation as defined in subdivision one of section four
26 hundred forty-seven-a of the social services law, and specifying the
27 acts on which the allegations are based and the time and place they
28 allegedly occurred. Where habitual truancy is alleged or the petitioner

1 is a school district or local educational agency, the petition shall
2 also include the steps taken by the responsible school district or local
3 educational agency to improve the school attendance and/or conduct of
4 the respondent;

5 § 3. Section 773 of the family court act, as amended by chapter 920 of
6 the laws of 1982, is amended to read as follows:

7 § 773. Petition for transfer [for incorrigibility]. Any institution,
8 society or agency in which a person was placed under section seven
9 hundred fifty-six of this article may petition to the court which made
10 the order of placement for transfer of that person to a society or agen-
11 cy, governed or controlled by persons of the same religious faith or
12 persuasion as that of the child, where practicable, or, if not practica-
13 ble, to some other suitable institution, or to some other suitable
14 institution on the ground that [such person]

15 (a) [is incorrigible and that his or her] the presence of such person
16 is seriously detrimental to the welfare of the applicant institution,
17 society, agency or other persons in its care, or

18 (b) after placement by the court, such person was released on parole
19 or probation from such institution, society or agency and a term or
20 condition of the release was willfully violated. The petition shall be
21 verified by an officer of the applicant institution, society or agency
22 and shall specify the act or acts bringing the person within this
23 section.

24 § 4. Subdivision (h) of section 1012 of the family court act, as added
25 by chapter 1015 of the laws of 1972, is amended to read as follows:

26 (h) "Impairment of emotional health" and "impairment of mental or
27 emotional condition" includes a state of substantially diminished
28 psychological or intellectual functioning in relation to, but not limit-

1 ed to, such factors as failure to thrive, control of aggressive or self-
2 destructive impulses, ability to think and reason, or acting out or
3 misbehavior, [including incorrigibility,] ungovernability or habitual
4 truancy; provided, however, that such impairment must be clearly attrib-
5 utable to the unwillingness or inability of the respondent to exercise a
6 minimum degree of care toward the child.

7 § 5. Section 4111 of the education law is amended to read as follows:

8 § 4111. Arrest of truants. Any attendance officer may arrest without
9 warrant anywhere within the state any Indian child between six and
10 sixteen years of age, found away from his home and who is then a truant
11 from instruction upon which he is lawfully required to attend within the
12 districts of which such attendance officer has jurisdiction. He shall
13 forthwith deliver a child so arrested either to the person in parental
14 relation to the child, or to the teacher of the school from which said
15 child is then a truant, or in case of habitual [or incorrigible]
16 truants, shall bring them before a magistrate for commitment to a school
17 for delinquents, as provided in section forty-one hundred twelve of this
18 article.

19 § 6. Section 4707 of the education law is amended to read as follows:

20 § 4707. Children admitted to such school. Children not more than
21 eighteen nor less than eight years of age may be admitted to or received
22 in such school, either (1) upon the application of the parents or guard-
23 ians having the legal custody or control of such children, accompanied
24 by the written consent of such parents or guardians, or (2) upon commit-
25 ment thereto as truants [or incorrigible pupils as provided in section
26 thirty-two hundred fourteen of this chapter,] or (3) upon commitment
27 thereto as juvenile delinquents as provided by law, provided that chil-
28 dren convicted of crime shall not be committed to such school. Children

1 who have no homes or who are without proper parental control or who are
2 under improper guardianship may be sent to and received in such school,
3 in the same manner and under the same authority as in case of other
4 children who are improperly provided for at home.

5 § 7. Subdivision 2 of section 4807 of the education law is amended to
6 read as follows:

7 2. Truants[, incorrigible pupils] or children coming within any of the
8 descriptions mentioned in section thirty-two hundred fourteen of this
9 chapter upon commitment thereto either by the school authorities or by a
10 court having jurisdiction thereof.

11 § 8. Section 4809 of the education law, as amended by chapter 550 of
12 the laws of 1978, is amended to read as follows:

13 § 4809. Transfer of pupils. The board of managers shall have full
14 power to transfer to other institutions any child [committed by a court
15 found to be incorrigible, not amenable to proper discipline and training
16 of the school, or mentally retarded, in the manner and by the methods
17 prescribed and set forth in the penal law] if a court grants a petition
18 for transfer pursuant to section seven hundred seventy-three of the
19 family court act.

20 § 9. This act shall take effect immediately.

21 PART I

22 Section 1. Subdivision 1 of section 5-508 of the election law is
23 amended by adding two new paragraphs (c) and (d) to read as follows:

24 (c) "Judge" means the same as such term is defined in section twenty-
25 six of the general construction law, provided further that it shall
26 include individuals who have retired from such position.

1 (d) "Immediate family of judge" means the persons legally married to a
2 judge, persons formerly married to a judge regardless of whether they
3 still reside in the same household, the parent, child, sibling of a
4 judge, and any other person who regularly resides or has regularly
5 resided in the same household as a judge.

6 § 2. Subdivision 2 of section 5-508 of the election law, as amended by
7 chapter 396 of the laws of 2017, is amended to read as follows:

8 2. Upon application made to the supreme court, county court, or family
9 court, in the county wherein a victim of domestic violence, judge, or
10 the immediate family of a judge, is registered pursuant to this article,
11 the court may issue an order requiring that any registration record kept
12 or maintained in accordance with this article and any other records with
13 respect to such an individual be kept separate and apart from other such
14 records and not be made available for inspection or copying by the
15 public or any other person, except election officials acting within the
16 course and scope of their official duties and only as pertinent and
17 necessary in connection therewith.

18 § 3. Section 5-508 of the election law is amended by adding a new
19 subdivision 3 to read as follows:

20 3. Any person who qualifies for confidentiality of registration
21 records pursuant to the provisions of this section may also omit their
22 home address from public display where it is otherwise required by the
23 provisions of this chapter by writing "OMITTED" in its place and, where
24 required, notifying the county board of elections.

25 § 4. This act shall take effect on the ninetieth day after it shall
26 have become a law.

1 Section 1. Subdivision 1 of section 182.20 of the criminal procedure
2 law, as amended by chapter 332 of the laws of 2009, is amended to read
3 as follows:

4 1. Notwithstanding any other provision of law and except as provided
5 in section 182.30 of this article, the court, in its discretion, may
6 dispense with the personal appearance of the defendant, except an
7 appearance at a hearing or trial, and conduct an electronic appearance
8 in connection with a criminal action pending in [Albany, Bronx, Broome,
9 Erie, Kings, New York, Niagara, Oneida, Onondaga, Ontario, Orange,
10 Putnam, Queens, Richmond, St. Lawrence, Tompkins, Chautauqua, Cattarau-
11 gus, Clinton, Essex, Montgomery, Rensselaer, Warren, Westchester,
12 Suffolk, Herkimer or Franklin] any county, provided that the chief
13 administrator of the courts has authorized the use of electronic appear-
14 ance and the defendant, after consultation with counsel, consents on the
15 record. Such consent shall be required at the commencement of each elec-
16 tronic appearance to such electronic appearance.

17 § 2. This act shall take effect immediately, provided, however, that
18 the amendments to subdivision 1 of section 182.20 of the criminal proce-
19 dure law made by section one of this act shall not affect the repeal of
20 such section and shall be deemed repealed therewith.

21

PART K

22 Section 1. Short title. This act shall be known and may be cited as
23 the "New York state professional policing act of 2021".

24 § 2. Legislative findings and declaration. It is hereby declared to
25 be the policy of this state to promote professional police services and
26 to ensure that persons appointed to the position of police officer are

1 held to standards that will ensure that their interactions with all
2 individuals are appropriate and ensure that the rights of all parties
3 are respected. Law enforcement agencies and the police officers they
4 employ interact with many persons, including individuals who are not
5 residents of their jurisdiction. Ensuring that all New York law enforce-
6 ment agencies and police officers are held to a similar professional
7 standard is a matter of substantial state concern.

8 § 3. Subdivision 1-a of section 53 of the executive law, as added by
9 chapter 104 of the laws of 2020, is amended to read as follows:

10 1-a. receive and investigate complaints from any source, or upon his
11 or her own initiative, concerning allegations of corruption, fraud, use
12 of excessive force, criminal activity, conflicts of interest or abuse by
13 any police officer in a covered agency and promptly inform the division
14 of criminal justice services, in the form and manner as prescribed by
15 the division, of such allegations and the progress of investigations
16 related thereto. Nothing in this subdivision shall require the division
17 of criminal justice services to take action or prevent the division of
18 criminal justice from taking action authorized pursuant to subdivision
19 four of section eight hundred forty-five of this chapter in the time and
20 manner determined by the commissioner of the division of criminal
21 justice services.

22 § 4. Subdivision 3 of section 75 of the executive law is amended by
23 adding a new paragraph (b-1) to read as follows:

24 (b-1) promptly inform the division of criminal justice services, in
25 the form and manner prescribed by the division, of such allegations and
26 the progress of investigations related thereto. Nothing in this para-
27 graph shall require the division of criminal justice services to take
28 action or prevent the division of criminal justice from taking action

1 authorized pursuant to subdivision four of section eight hundred forty-
2 five of this chapter in the time and manner determined by the commis-
3 sioner of the division of criminal justice services;

4 § 5. Paragraph (c) of subdivision 5 of section 75 of the executive
5 law, as added by chapter 104 of the laws of 2020, is amended to read as
6 follows:

7 (c) The head of any covered agency shall advise the governor, the
8 temporary president of the senate, the speaker of the assembly, the
9 minority leader of the senate [and], the minority leader of the assembly
10 and the division of criminal justice services within ninety days of the
11 issuance of a report by the law enforcement misconduct investigative
12 office as to the remedial action that the agency has taken in response
13 to any recommendation for such action contained in such report.

14 § 6. Subdivision 4 of section 837 of the executive law is amended by
15 adding a new paragraph (e-1) to read as follows:

16 (e-1) Collect demographic data with respect to persons appointed as a
17 police officer, including but not limited to racial and gender charac-
18 teristics; and

19 § 7. Subdivisions 1 and 5 of section 839 of the executive law, subdivi-
20 sion 1 as added by chapter 399 of the laws of 1972, subdivision 5 as
21 amended by chapter 459 of the laws of 1975 and such section as renum-
22 bered by chapter 603 of the laws of 1973, are amended to read as
23 follows:

24 1. There is hereby created within the division a municipal police
25 training council composed of [eight] ten members, who shall be selected
26 as follows:

1 (a) [three] one shall be appointed by the governor who shall be a
2 full-time faculty member of a college or university who teaches in the
3 area of criminal justice or police science;

4 (b) [two] one shall be appointed by the governor from a list of at
5 least [six] three nominees submitted by the New York state sheriffs'
6 association, who shall be incumbent sheriffs in the state having at
7 least two years of service on the law enforcement training committee of
8 such association or having other specialized experience in connection
9 with police training which, in the opinion of the chairman of such law
10 enforcement training committee, provides the sheriff with at least an
11 equivalent background in the field of police training; and

12 (c) [two] one shall be appointed by the governor from a list of at
13 least [six] three nominees submitted by the New York state association
14 of chiefs of police, who shall be incumbent chiefs of police or commis-
15 sioners of police of a municipality in the state having at least two
16 years of service on the police training committee of such association or
17 having other specialized experience in connection with police training
18 which, in the opinion of the chairman of such training committee,
19 provides the chief of police or commissioner of police with at least an
20 equivalent background in the field of police training; and

21 (d) one shall be the commissioner of police of the city of New York or
22 a member of his department, designated by such commissioner and approved
23 by the governor[.]; and

24 (e) one shall be the superintendent of the state police; and

25 (f) one shall be appointed by the governor who shall be an incumbent
26 chief of police or commissioner of police from a municipality in the
27 state with a police department consisting of more than one hundred offi-
28 cers; and

1 (g) one shall be appointed by the governor who shall be an incumbent
2 sheriff in the state from an agency with more than one hundred deputy
3 sheriffs; and

4 (h) one shall be appointed by the governor who shall be a represen-
5 tative of victims of crime; and

6 (i) one shall be appointed by the governor who shall be a represen-
7 tative from a community with high numbers of police and community inter-
8 actions; and

9 (j) one shall be appointed by the governor who shall be an incumbent
10 executive from a peace officer employing agency or municipality.

11 5. The council shall meet at least four times in each year. Special
12 meetings may be called by the chairman and shall be called by him at the
13 request of the governor or upon the written request of [five] six
14 members of the council. The council may establish its own requirements
15 as to quorum and its own procedures with respect to the conduct of its
16 meetings and other affairs; provided, however, that all recommendations
17 made by the council to the governor pursuant to subdivision one of
18 section eight hundred forty of this chapter shall require the affirma-
19 tive vote of [five] six members of the council.

20 § 8. Paragraph (h) of subdivision 1 of section 840 of the executive
21 law is REPEALED.

22 § 9. Subdivision 2 of section 840 of the executive law, as amended by
23 chapter 66 of the laws of 1973, is amended to read as follows:

24 2. The council shall promulgate, and may from time to time amend, such
25 rules and regulations prescribing height, weight [and], physical fitness
26 and psychological requirements for eligibility of persons for provi-
27 sional or permanent appointment in the competitive class of the civil
28 service as police officers of any county, city, town, village or police

1 district as it deems necessary and proper for the efficient performance
2 of police duties.

3 § 10. Section 840 of the executive law is amended by adding a new
4 subdivision 2-b to read as follows:

5 2-b. The council shall promulgate, and may from time to time amend,
6 such rules and regulations prescribing background investigations for
7 eligibility of persons for provisional or permanent appointment in the
8 competitive class of the civil service as police officers of any county,
9 city, town, village or police district as it deems necessary and proper
10 for the efficient performance of police duties, which requirements shall
11 be incorporated by the law enforcement accreditation council as part of
12 the mandatory accreditation pursuant to this chapter.

13 § 11. Subdivision 4 of section 845 of the executive law, as added by
14 chapter 491 of the laws of 2010, is amended to read as follows:

15 4. Upon the failure or refusal to comply with the requirements of
16 subdivision two of this section, [the commissioner may apply to the
17 supreme court for an order directed to the person responsible requiring
18 compliance. Upon such application the court may issue such order as may
19 be just, and a failure to comply with the order of the court shall be a
20 contempt of court and punishable as such] or upon information indicating
21 that a report made pursuant to subdivision two of this section does not
22 accurately reflect the circumstances pertaining to an officer who has
23 ceased to serve, the commissioner may update the central registry of
24 police and peace officers to accurately reflect the information required
25 by subdivision two of this section. The commissioner may consider reli-
26 able hearsay evidence in making a determination to update the central
27 registry of police and peace officers. An agency responsible for compli-
28 ance with subdivision two of this section or an individual affected by

1 such reporting, may apply to a court, pursuant to the provisions of
2 article seventy-eight of the civil practice law and rules, upon a
3 dispute concerning the accuracy of the information maintained on the
4 central registry of police and peace officers.

5 § 12. Paragraph (c) of subdivision 1 of section 846-h of the executive
6 law, as added by chapter 521 of the laws of 1988, is amended and new
7 paragraph (d) is added to read as follows:

8 (c) The council shall recommend rules and regulations establishing
9 [an] a voluntary accreditation process that encourages and provides law
10 enforcement agencies with a voluntary opportunity to demonstrate that
11 they meet the model standards developed by the council. The accredi-
12 tation process shall provide that applications for accreditation shall
13 be submitted by the chief law enforcement officer of the agency so
14 applying only upon the approval of the chief elected officer, or if
15 there is no chief elected officer, by the local governing body. Such
16 model standards and rules and regulations shall be transmitted to the
17 temporary president of the senate, the speaker of the assembly, every
18 law enforcement agency, mayor and appropriate town and county official
19 in the state on or before April first, nineteen hundred eighty-nine. The
20 rules and regulations in final form shall be transmitted to the governor
21 on or after June first, nineteen hundred eighty-nine and shall be effec-
22 tive following their approval by the governor. Accreditation of hiring
23 practices only shall, however, be mandatory for agencies employing
24 police officers defined in paragraphs (b), (c), (d), (e), (f), (j), (k),
25 (l), (o), (p), (s) and (u) of subdivision thirty-four of section 1.20 of
26 the criminal procedure law only after the council promulgates rules and
27 regulations solely for the purpose of ensuring hiring practices protect
28 the integrity of the department which may promulgate requirements

1 related to hiring, background checks, verification of good moral charac-
2 ter and the reporting of misconduct to the division.

3 (d) The council may revoke, or withhold the granting of, the accredi-
4 tation status of an agency for failure to adhere to mandatory accredi-
5 tation standards listed in paragraph (c) of this subdivision, or for any
6 agency that has voluntarily adopted additional accreditation standards,
7 such accreditation may be revoked as to such agency for such standards.

8 § 13. Subdivisions 2, 4 and 5 of section 846-h of the executive law,
9 as added by chapter 521 of the laws of 1988, are amended to read as
10 follows:

11 2. (a) The law enforcement agency accreditation council shall consist
12 of:

- 13 (i) [~~Three~~] Two incumbent sheriffs of the state;
- 14 (ii) [~~Three~~] Two incumbent chiefs of police;
- 15 (iii) One incumbent deputy sheriff;
- 16 (iv) One incumbent police officer;
- 17 (v) The superintendent of state police;
- 18 (vi) The commissioner of police of the city of New York;
- 19 (vii) One incumbent chief executive officer of a county of the state;
- 20 (viii) One incumbent mayor of a city or village of the state;
- 21 (ix) One incumbent chief executive officer of a town of the state;
- 22 (x) One member of a statewide labor organization representing police
23 officers as that term is defined in subdivision thirty-four of section
24 1.20 of the criminal procedure law;
- 25 (xi) One full-time faculty member of a college or university who
26 teaches in the area of criminal justice or police science; [and]
- 27 (xii) Two members appointed pursuant to subparagraph (ix) of paragraph
28 (c) of this subdivision.

1 (xiii) One incumbent chief of police or commissioner of police from a
2 municipality in the state with a police department consisting of more
3 than one hundred officers;

4 (xiv) One incumbent sheriff in the state from an agency with more than
5 one hundred deputy sheriffs;

6 (xv) One representative of victims of crime; and

7 (xvi) One representative from a community with high numbers of police
8 an community interactions.

9 (b) With the exception of the superintendent of state police and the
10 commissioner of police of the city of New York, each member of the coun-
11 cil shall be appointed by the governor to serve a [two year] two-year
12 term. Any member appointed by the governor may be reappointed for addi-
13 tional terms.

14 (c) The governor shall make appointments to the council as follows:

15 (i) Each member who is an incumbent sheriff of the state shall be
16 chosen from a list of two eligible persons submitted by the New York
17 state sheriffs' association;

18 (ii) Each member who is an incumbent chief of police shall be chosen
19 from a list of two eligible persons submitted by the New York state
20 association of chiefs of police;

21 (iii) The member who is an incumbent deputy sheriff shall be chosen
22 from a list of two eligible persons submitted jointly by the New York
23 state sheriffs' association and the New York state deputy sheriffs'
24 association, inc.;

25 (iv) The member who is an incumbent police officer shall be chosen
26 from a list of two eligible persons submitted jointly by the New York
27 state association of chiefs of police and a statewide labor organization

1 representing police officers as that term is defined in subdivision
2 thirty-four of section 1.20 of the criminal procedure law;

3 (v) The member who is an incumbent chief executive officer of a county
4 of the state shall be chosen from a list of two eligible persons submit-
5 ted by the New York state association of counties;

6 (vi) The member who is an incumbent mayor of a city or village of the
7 state shall be chosen from a list of two eligible persons submitted by
8 the New York state conference of mayors;

9 (vii) The member who is an incumbent chief executive officer of a town
10 of the state shall be chosen from a list of two eligible persons submit-
11 ted by the association of towns of the state of New York;

12 (viii) The governor may appoint any eligible person to be a member who
13 is an active member of a statewide labor organization representing
14 police officers; and

15 (ix) The temporary president of the senate and the speaker of the
16 assembly shall each nominate one member as provided in subparagraph
17 (xii) of paragraph (a) of this subdivision.

18 (d) In making such appointments, the governor shall select individuals
19 from municipalities that are representative, to the extent possible, of
20 the varying sizes of communities and law enforcement agencies in the
21 state.

22 (e) Any member chosen to fill a vacancy, including a vacancy in the
23 chairperson, created otherwise than by expiration of term shall be
24 appointed by the governor for the unexpired term of the member he is to
25 succeed. Any such vacancy shall be filled in the same manner as the
26 original appointment.

27 (f) Any member who shall cease to hold the position which qualified
28 him for such appointment shall cease to be a member of the council.

1 4. The governor shall designate from among the members of the council
2 a chairperson who shall serve at the pleasure of the governor. During a
3 vacancy of the chairperson the commissioner of the division of criminal
4 justice services shall serve as the temporary chairperson.

5 5. The law enforcement agency accreditation council shall meet at
6 least four times in a year. Special meetings may be called by the chair-
7 person and shall be called by him at the request of the governor or upon
8 the written request of [nine] ten members of the council. The council
9 may establish its own quorum rules and procedures with respect to the
10 conduct of its meetings and other affairs not inconsistent with law;
11 provided, however, that all recommendations made by the council to the
12 governor as provided in paragraph (c) of subdivision one of this section
13 shall require the affirmative vote of ten members of the council.

14 § 14. Paragraphs (b), (c), (d), (e), (f), (j), (k), (l), (o), (p), (s)
15 and (u) of subdivision 34 of section 1.20 of the criminal procedure law,
16 paragraph (e) as amended by chapter 662 of the laws of 1972, paragraph
17 (f) as amended by chapter 22 of the laws of 1974, paragraph (j) as
18 amended by chapter 858 of the laws of 1972, paragraph (k) as separately
19 amended by chapters 282 and 877 of the laws of 1974, paragraph (l) as
20 added by chapter 282 of the laws of 1974, paragraph (o) as amended by
21 chapter 599 of the laws of 2000, paragraph (p) as amended by chapter 476
22 of the laws of 2018, paragraph (s) as added by chapter 424 of the laws
23 of 1998 and paragraph (u) as added by chapter 558 of the laws of 2005,
24 are amended to read as follows:

25 (b) Sheriffs, under-sheriffs and deputy sheriffs of counties outside
26 of New York City where such department meets the mandatory accreditation
27 requirements pursuant to section eight hundred forty-six-h of the execu-
28 tive law;

1 (c) A sworn officer of an authorized county or county parkway police
2 department where such department meets the mandatory accreditation
3 requirements pursuant to section eight hundred forty-six-h of the execu-
4 tive law;

5 (d) A sworn officer of an authorized police department or force of a
6 city, town, village or police district where such department or force
7 meets the mandatory accreditation requirements pursuant to section eight
8 hundred forty-six-h of the executive law;

9 (e) A sworn officer of an authorized police department of an authority
10 or a sworn officer of the state regional park police in the office of
11 parks and recreation where such department or force meets the mandatory
12 accreditation requirements pursuant to section eight hundred forty-six-h
13 of the executive law;

14 (f) A sworn officer of the capital police force of the office of
15 general services where such force meets the mandatory accreditation
16 requirements pursuant to section eight hundred forty-six-h of the execu-
17 tive law;

18 (j) A sworn officer of the division of law enforcement in the depart-
19 ment of environmental conservation where such division meets the manda-
20 tory accreditation requirements pursuant to section eight hundred
21 forty-six-h of the executive law;

22 (k) A sworn officer of a police force of a public authority created by
23 an interstate compact where such force meets the mandatory accreditation
24 requirements pursuant to section eight hundred forty-six-h of the execu-
25 tive law;

26 (l) Long Island railroad police[.] where such department or force
27 meets the mandatory accreditation requirements pursuant to section eight
28 hundred forty-six-h of the executive law;

1 (o) A sworn officer of the water-supply police employed by the city of
2 New York, appointed to protect the sources, works, and transmission of
3 water supplied to the city of New York, and to protect persons on or in
4 the vicinity of such water sources, works, and transmission[.] where
5 such department or force meets the mandatory accreditation requirements
6 pursuant to section eight hundred forty-six-h of the executive law;

7 (p) Persons appointed as railroad police officers pursuant to section
8 eighty-eight of the railroad law[.] where such department or force meets
9 the mandatory accreditation requirements pursuant to section eight
10 hundred forty-six-h of the executive law;

11 (s) A university police officer appointed by the state university
12 pursuant to paragraph 1 of subdivision two of section three hundred
13 fifty-five of the education law[.] where such department or force meets
14 the mandatory accreditation requirements pursuant to section eight
15 hundred forty-six-h of the executive law;

16 (u) Persons appointed as Indian police officers pursuant to section
17 one hundred fourteen of the Indian law[.] where such department or force
18 meets the mandatory accreditation requirements pursuant to section eight
19 hundred forty-six-h of the executive law;

20 § 15. The opening paragraph of paragraph (b) and paragraph (c) of
21 subdivision 1 and paragraph a of subdivision 2 of section 209-q of the
22 general municipal law, the opening paragraph of paragraph (b) and para-
23 graph (c) of subdivision 1 as amended by chapter 551 of the laws of 2001
24 and paragraph a of subdivision 2 as amended by chapter 435 of the laws
25 of 1997, are amended to read as follows:

26 [A] Unless otherwise determined by the commissioner of the division of
27 criminal justice services, a certificate attesting to satisfactory
28 completion of an approved municipal police basic training program

1 awarded by the executive director of the municipal police training coun-
2 cil pursuant to this subdivision shall remain valid:

3 (c) As used in this subdivision, the term "interruption" shall mean a
4 period of separation from employment as a police officer or peace offi-
5 cer who has an equivalency certificate for police officer training or an
6 approved course for state university of New York public safety officers
7 issued in accordance with subdivision three of section eight hundred
8 forty-one of the executive law, by reason of such officer's leave of
9 absence, resignation or removal, other than removal for cause where the
10 certificate is permanently invalid.

11 a. The term "police officer", as used in this section, shall mean a
12 [member of a police force or other organization of a municipality or a
13 detective or rackets investigator employed by the office of the district
14 attorney in any county located in a city of one million or more persons
15 who is responsible for the prevention or detection of crime and the
16 enforcement of the general criminal laws of the state, but shall not
17 include any person serving as such solely by virtue of his occupying any
18 other office or position, nor shall such term include a sheriff or
19 under-sheriff, the sheriff or deputy sheriff of the city of New York,
20 commissioner of police, deputy or assistant commissioner of police,
21 chief of police, deputy or assistant chief of police or any person
22 having an equivalent title who is appointed or employed by a county,
23 city, town, village or police district to exercise equivalent superviso-
24 ry authority] person defined as a police officer pursuant to subdivision
25 thirty-four of section 1.20 of the criminal procedure law who is
26 appointed or employed by a county, city, town, village or police
27 district.

1 § 16. Paragraph (a-1) of subdivision 4 of section 1279 of the public
2 authorities law, as added by chapter 104 of the laws of 2020, is amended
3 to read as follows:

4 (a-1) to receive and investigate complaints from any source, or upon
5 his or her own initiative, concerning allegations of corruption, fraud,
6 use of excessive force, criminal activity, conflicts of interest or
7 abuse by any police officer under the jurisdiction of the office of the
8 metropolitan transportation authority and promptly inform the division
9 of criminal justice services, in the form and manner as prescribed by
10 the division, of such allegations and the progress of investigations
11 related thereto. Nothing in this paragraph shall require the division of
12 criminal justice services to take action or prevent the division of
13 criminal justice services from taking action authorized pursuant to
14 subdivision four of section eight hundred forty-five of the executive
15 law in the time and manner determined by the commissioner of the divi-
16 sion of criminal justice services.

17 § 17. Paragraphs (c) and (d) of subdivision 1 of section 58 of the
18 civil service law, as amended by chapter 244 of the laws of 2013, are
19 amended to read as follows:

20 (c) he or she satisfies the height, weight [and], physical and psycho-
21 logical fitness requirements prescribed by the municipal police training
22 council pursuant to the provisions of section eight hundred forty of the
23 executive law; and

24 (d) he or she is of good moral character as determined by a background
25 investigation standard promulgated by the municipal police training
26 council pursuant to the provisions of section eight hundred forty of the
27 executive law or pursuant to the mandatory accreditation standards
28 pursuant to section eight hundred forty-six-h of the executive law.

1 § 18. Subdivision 5 of section 58 of the civil service law is REPEALED
2 and subdivision 6 is renumbered subdivision 5.

3 § 19. This act shall take effect on the one hundred eightieth day
4 after it shall have become a law; provided however the amendments to
5 paragraph (c) of subdivision 1 of section 846-h of the executive law
6 made by section twelve of this act and the amendments to subdivision 34
7 of section 1.20 of the criminal procedure law made by section fourteen
8 of this act pertaining to the required accreditation of police agencies
9 shall take effect three years after such effective date; and provided
10 further that if chapter 104 of the laws of 2020 shall not have taken
11 effect on or before such date then sections three, four, five and
12 sixteen of this act shall take effect on the same date and in the same
13 manner as such chapter of the laws of 2020, takes effect.

14 PART L

15 Section 1. Section 63 of the executive law is amended by adding a new
16 subdivision 17 to read as follows:

17 17. (a) Any local government entity which has a police agency operat-
18 ing with police officers as defined under section 1.20 of the criminal
19 procedure law that fails to transmit to the director of the division of
20 the budget the certification required by executive order number two
21 hundred three issued on June twelfth, two thousand twenty and titled
22 "New York State Police Reform and Reinvention Collaborative" on or
23 before April first, two thousand twenty-one shall, upon request of the
24 governor or the director of the division of the budget, be required to
25 install a monitor, to oversee operations of such police agency, until
26 such time that the required certification is submitted to the director

1 of the division of the budget. Such monitor shall be appointed by the
2 attorney general, in consultation with the governor, at the expense of
3 the police agency or responsible local government. The certification
4 filed with the director of the division of the budget must affirm that
5 such local government has complied with the process set forth in execu-
6 tive order number two hundred three by adopting a local law or resol-
7 ution that includes its plan to adopt and implement the recommendations
8 resulting from its review and consultation with the community to improve
9 such police force deployments, strategies, policies, procedures, and
10 practices for the purposes of addressing the particular needs of the
11 communities served by such police agency and promote community engage-
12 ment to foster trust, fairness, and legitimacy, and to address any
13 racial bias and disproportionate policing of communities of color.

14 (b) The appointment of a monitor, pursuant to paragraph (a) of this
15 subdivision, shall be imposed in addition to any withholding of appro-
16 priated state funds by the director of the division of the budget in
17 accordance with the authority granted in any appropriations bill enacted
18 for such fiscal years in which such withholding of funds occurs, as
19 directed by executive order number two hundred three.

20 § 2. This act shall take effect immediately.

21 PART M

22 Section 1. Notwithstanding the provisions of sections 79-a and 79-b of
23 the correction law, the governor is authorized to close correctional
24 facilities of the department of corrections and community supervision,
25 as he determines to be necessary for the cost-effective and efficient
26 operation of the correctional system, provided that the governor

1 provides at least 90 days' notice prior to any such closures to the
2 temporary president of the senate and the speaker of the assembly.

3 § 2. This act shall take effect immediately and shall be deemed to
4 have been in full force and effect on and after April 1, 2021 and shall
5 expire and be deemed repealed March 31, 2023.

6 PART N

7 Section 1. Section 265.17 of the penal law, as amended by chapter 1
8 of the laws of 2013, is amended to read as follows:

9 § 265.17 Criminal purchase or disposal of a weapon.

10 A person is guilty of criminal purchase or disposal of a weapon when:

11 1. Knowing that he or she is prohibited by law from possessing a
12 firearm, rifle or shotgun because of a prior conviction or because of
13 some other disability which would render him or her ineligible to
14 lawfully possess a firearm, rifle or shotgun in this state, or he or she
15 being the subject of an outstanding warrant of arrest issued upon the
16 alleged commission of a felony or serious offense, such person purchases
17 or otherwise acquires a firearm, rifle or shotgun from another person;
18 or

19 2. Knowing that it would be unlawful for another person to possess a
20 firearm, rifle or shotgun, or knowing that another person is the subject
21 of an outstanding warrant of arrest issued upon the alleged commission
22 of a felony or serious offense, he or she purchases or otherwise
23 acquires a firearm, rifle or shotgun for, on behalf of, or for the use
24 of such other person; or

25 3. Knowing that another person is prohibited by law from possessing a
26 firearm, rifle or shotgun because of a prior conviction or because of

1 some other disability which would render him or her ineligible to
2 lawfully possess a firearm, rifle or shotgun in this state, or knowing
3 that another person is the subject of an outstanding warrant of arrest
4 issued upon the alleged commission of a felony or serious offense, a
5 person disposes of a firearm, rifle or shotgun to such other person.

6 Criminal purchase or disposal of a weapon is a class D felony.

7 § 2. This act shall take effect July 1, 2021.

8 PART O

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

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

1 recovers a gun that was unlawfully possessed, recovered from a crime
2 scene, or is reasonably believed to have been used in or associated with
3 the commission of a crime, or is otherwise recovered by such agency as
4 an abandoned or discarded gun, such agency shall report such seized or
5 recovered gun to the criminal gun clearinghouse as soon as practicable,
6 but in no case more than twenty-four hours after such agency has taken
7 possession of such gun. Every report made to the criminal gun clearing-
8 house shall result in the submission of a request to the national trac-
9 ing center of the bureau of alcohol, tobacco, firearms and explosives to
10 initiate a trace of such gun and the bureau of alcohol, tobacco,
11 firearms and explosives shall be directed to provide the gun trace
12 results to the superintendent of the division of state police and to the
13 law enforcement agency that submitted the clearinghouse report.

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

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

14 (b) Whenever a state or local law enforcement agency seizes or recov-
15 ers any ammunition cartridge case from the scene of a crime that is of a
16 type that is eligible for national integrated ballistic information
17 network data entry and correlation, or otherwise has reason to believe
18 that any seized or recovered ammunition cartridge case that is of a type
19 that is eligible for national integrated ballistic information network
20 data entry and correlation is related to or associated with the commis-
21 sion of a crime or the unlawful discharge of a gun, such agency shall,
22 as 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, such agency shall promptly enter the make, model, caliber, and
26 serial number of such gun into the national crime information center
27 system to determine whether such 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 July 1, 2021.

4 PART P

5 Section 1. Section 5 of chapter 268 of the laws of 1996, amending the
6 education law and the state finance law relating to providing a recruit-
7 ment incentive and retention program for certain active members of the
8 New York army national guard, New York air national guard, and New York
9 naval militia, as amended by section 1 of part E of chapter 57 of the
10 laws of 2016, is amended to read as follows:

11 § 5. This act shall take effect January 1, 1997 and shall expire and
12 be deemed repealed September 1, [2021] 2026; provided that any person
13 who has begun to receive the benefits of this act prior to its expira-
14 tion and repeal shall be entitled to continue to receive the benefits of
15 this act after its expiration and repeal until completion of a baccalau-
16 reate degree or cessation of status as an active member, whichever
17 occurs first.

18 § 2. This act shall take effect immediately.

19 PART Q

20 Section 1. Paragraph (d) of subdivision 2 of section 8-400 of the
21 election law, as separately amended by chapters 97 and 104 of the laws
22 of 2010, is amended to read as follows:

23 (d) The board of elections shall mail an absentee ballot to every
24 qualified voter otherwise eligible for such a ballot, who requests such
25 an absentee ballot from such board of elections in writing in a letter,

1 telefax indicating the address, phone number and the telefax number from
2 which the writing is sent or other written instrument, which is signed
3 by the voter and received by the board of elections not earlier than the
4 [thirtieth] forty-fifth day nor later than the seventh day before the
5 election for which the ballot is first requested and which states the
6 address where the voter is registered and the address to which the
7 ballot is to be mailed; provided, however, a military voter may request
8 a military ballot or voter registration application or an absentee
9 ballot application in a letter as provided in subdivision three of
10 section 10-106 of this chapter; and provided further, a special federal
11 voter may request a special federal ballot or voter registration appli-
12 cation or an absentee ballot application in a letter as provided in
13 paragraph d of subdivision one of section 11-202 of this chapter. The
14 board of elections shall enclose with such ballot a form of application
15 for absentee ballot if the applicant is registered with such board of
16 elections.

17 § 2. This act shall take effect immediately.

18 PART R

19 Section 1. Section 8-406 of the election law, as amended by chapter
20 296 of the laws of 1988, is amended to read as follows:

21 § 8-406. Absentee ballots, delivery of. If the board shall find that
22 the applicant is a qualified voter of the election district containing
23 [his] the applicant's residence as stated in [his] the applicant's
24 statement and that [his] the applicant's statement is sufficient, it
25 shall, as soon as practicable after it shall have determined [his] the
26 applicant's right thereto, and within four business days of receiving

1 the application, or, where the application was received between the
2 tenth day and not later than the seventh day before the election, within
3 twenty-four hours, mail to [him] the applicant at an address designated
4 by [him] the applicant, or deliver to [him] the applicant, or to any
5 person designated for such purpose in writing by [him] the applicant, at
6 the office of the board, such an absentee voter's ballot or set of
7 ballots and an envelope therefor. If the ballot or ballots are to be
8 sent outside of the United States to a country other than Canada or
9 Mexico, such ballot or ballots shall be sent by air mail. However, if an
10 applicant who is eligible for an absentee ballot is a resident of a
11 facility operated or licensed by, or under the jurisdiction of, the
12 department of mental hygiene, or a resident of a facility defined as a
13 nursing home or residential health care facility pursuant to subdivi-
14 sions two and three of section two thousand eight hundred one of the
15 public health law, or a resident of a hospital or other facility oper-
16 ated by the Veteran's Administration of the United States, such absentee
17 ballot need not be so mailed or delivered to any such applicant but, may
18 be delivered to the voter in the manner prescribed by section 8-407 of
19 this [chapter] title if such facility is located in the county or city
20 in which such voter is eligible to vote.

21 § 2. This act shall take effect immediately.

22 PART S

23 Section 1. Paragraphs (a), (b) and (c) of subdivision 4 of section
24 8-600 of the election law, as added by chapter 6 of the laws of 2019,
25 are amended to read as follows:

1 (a) Polls shall be open for early voting for at least eight hours
2 between seven o'clock in the morning and [eight] nine o'clock in the
3 evening each week day during the early voting period.

4 (b) At least one polling place for early voting shall remain open
5 until [eight] nine o'clock in the evening on at least [two] three week
6 days in each calendar week during the early voting period. If polling
7 places for early voting are limited to voters from certain areas pursu-
8 ant to subdivision three of this section, polling places that remain
9 open until [eight] nine o'clock shall be designated such that any person
10 entitled to vote early may vote until [eight] nine o'clock in the even-
11 ing on at least [two] three week days during the early voting period.

12 (c) Polls shall be open for early voting for at least [five] ten hours
13 between nine o'clock in the morning and [six] nine o'clock in the even-
14 ing on each Saturday, Sunday and legal holiday during the early voting
15 period.

16 § 2. This act shall take effect immediately.

17 PART T

18 Section 1. Subdivision 1 of section 9-209 of the election law, as
19 amended by chapter 104 of the laws of 2010, is amended to read as
20 follows:

21 1. (a) The board of elections shall designate itself or such of its
22 employees as it shall deem appropriate as a set of poll clerks to exam-
23 ine, cast and canvass such ballots, and fix a time and place for their
24 meeting for such [purpose, provided that such meeting shall be no more
25 than fourteen days after a general or special election and no more than
26 eight days after a primary election at which such ballots are voted.]

1 purposes. Starting forty days prior to the day of the election, such
2 poll clerks shall examine and determine the validity of absentee ballot
3 envelopes as they are received by the board of elections. Such examina-
4 tion shall occur every business day prior to the day of the election,
5 or, upon bipartisan agreement, on such other schedule as determined by
6 the board, provided that the board post when such examinations shall
7 occur on its website.

8 (b) Beginning four hours before the close of polls on the election
9 day, board of elections employees shall begin to prepare and canvass
10 valid absentee ballots received prior to such date for canvassing by
11 hand or central scanner. Such preparation shall include, but not be
12 limited to, reviewing the voter history record for each voter who
13 submitted an absentee ballot to reflect any instance of early voting by
14 such voters, opening absentee ballot affirmation envelopes, removing
15 ballots from absentee ballot affirmation envelopes, stacking absentee
16 ballots, and inserting ballots into a central scanner or other vote
17 counting device. Any ballots prepared and canvassed during this period
18 shall be secured in the same manner as voted ballots cast during early
19 voting or on election day. All absentee ballots not set aside to be
20 cured by the voter pursuant to this section and received prior to
21 election day shall be canvassed on election day.

22 (c) No unofficial tabulations of election results shall be printed or
23 viewed in any manner until after the close of polls on election day at
24 which time such tabulations shall be added into the election night
25 canvass totals.

26 (d) Board of elections employees shall follow all relevant provisions
27 of this article for canvassing, processing, recording, and announcing
28 results of voting and securing ballots, scanners, and other election

1 materials. Such canvass may occur at the offices of the board of
2 elections, or such other location designated by the board of elections.

3 (e) In canvassing such ballots, the board shall take all measures
4 necessary to ensure the privacy of voters and non-public release of
5 election results prior to the close of polls on election day.

6 (f) The board may designate additional sets of poll clerks and if it
7 designates more than one such set shall apportion among all such sets
8 the election districts from which such ballots have been received,
9 provided that all such ballots from a single election district shall be
10 assigned to a single set of clerks, and that each such set shall be
11 divided equally between representatives of the two major political
12 parties. Each such set of clerks shall be deemed a central board of
13 inspectors for purposes of this section.

14 [(b)] (g) At least five days prior to the time fixed for [such] a
15 meeting to examine or cast and canvass absentee ballots subsequent to
16 the day of the election, the board shall send notice by first class mail
17 to each candidate, political party, and independent body entitled to
18 have had watchers present at the polls in any election district in the
19 board's jurisdiction. Such notice shall state the time and place fixed
20 by the board for such canvass.

21 [(c)] (h) Each such candidate, political party, and independent body
22 shall be entitled to appoint such number of watchers to attend upon each
23 central board of inspectors as such candidate, political party, or inde-
24 pendent body was entitled to appoint at such election in any one
25 election district for which such central board of inspectors is desig-
26 nated to act.

27 § 2. Section 9-209 of the election law is amended by adding three new
28 subdivisions 4, 5 and 6 to read as follows:

1 4. If the board of elections manually canvasses ballots, it shall
2 review the ballot to determine its validity consistent with section
3 9-112 of this article. In cases where the express intent of the voter
4 is unambiguous, any stray marks or writing shall not be a basis for
5 voiding an absentee ballot. If the absentee ballots are tabulated by an
6 optical scan voting system, then a review of the absentee ballot shall
7 not occur.

8 5. If an affidavit ballot was cast by a voter on the day of election
9 and it is determined he or she also submitted an absentee ballot, such
10 affidavit shall be left aside, unopened.

11 6. The state board of elections shall promulgate rules or regulations
12 necessary for the implementation of these provisions including, but not
13 be limited to, (i) ensuring that voters who submitted an absentee ballot
14 and thereafter voted in person during the early voting period do not
15 have their absentee ballot canvassed in the election; (ii) ballots shall
16 be subject to the requirements of voter privacy; and (iii) any individ-
17 ual who has previously requested an absentee ballot shall be required to
18 vote on an affidavit ballot to ensure that duplicate votes are not
19 recorded.

20 § 3. Clause (A) of subparagraph (i) of paragraph (a) of subdivision 2
21 of section 9-209 of the election law, as amended by chapter 308 of the
22 laws of 2011, is amended to read as follows:

23 (A) If a person whose name is on an envelope as a voter has already
24 voted in person at such election, or if his or her name and residence as
25 stated on the envelope are not on a registration poll record, or the
26 computer generated list of registered voters or the list of special
27 presidential voters, or if there is no name on the envelope, or if the
28 envelope is not sealed, such envelope shall be laid aside unopened;

1 provided, however, that if the envelope is not sealed, such voter shall
2 receive notice pursuant to paragraph (a) of subdivision three of this
3 section.

4 § 4. Paragraph c of subdivision 3 of section 5-506 of the election
5 law, as amended by section 6 of part XX of chapter 55 of the laws of
6 2019, is amended to read as follows:

7 c. The computer generated registration list prepared for each election
8 in each election district shall be prepared in a manner which meets or
9 exceeds standards for clarity and speed of production established by the
10 state board of elections, shall be in a form approved by such board,
11 shall include the names of all voters eligible to vote in such election
12 and shall be in alphabetical order, except that, at a primary election,
13 the names of the voters enrolled in each political party may be placed
14 in a separate part of the list or in a separate list, as the board of
15 elections in its discretion, may determine. Such list shall contain,
16 adjacent to each voter's name, or in a space so designated, at least the
17 following: street address, date of birth, party enrollment, year of
18 registration, a computer reproduced facsimile of the voter's signature
19 or an indication that the voter is unable to sign his or her name, a
20 place for the voter to sign his or her name at such election and a place
21 for the inspectors to mark the voting machine number, the public counter
22 number if any, or the number of any paper ballots given the voter. Such
23 list shall also include a notation indicating if such voter was provided
24 an absentee ballot for the applicable election. The format for such
25 notation shall be promulgated by the state board of elections and used
26 uniformly in computer generated registration lists.

1 § 5. Subdivision 1 of section 4-128 of the election law, as amended by
2 section 2 of part XX of chapter 55 of the laws of 2019, is amended to
3 read as follows:

4 1. The board of elections of each county shall provide the requisite
5 number of official and facsimile ballots, two cards of instruction to
6 voters in the form prescribed by the state board of elections, at least
7 one copy of the instruction booklet for inspectors, a sufficient number
8 of maps, street finders or other descriptions of all of the polling
9 places and election districts within the political subdivision in which
10 the polling place is located to enable the election inspectors and poll
11 clerks to determine the correct election district and polling place for
12 each street address within the political subdivision in which the poll-
13 ing place is located, distance markers, tally sheets and return blanks,
14 pens, pencils, or other appropriate marking devices, envelopes for the
15 ballots of voters whose registration poll records are not in the ledger
16 or whose names are not in the computer generated registration list,
17 envelopes for the absentee ballots of voters who have elected to vote by
18 machine to be voided, envelopes for returns, identification buttons,
19 badges or emblems for the inspectors and clerks in the form prescribed
20 by the state board of elections and such other articles of stationery as
21 may be necessary for the proper conduct of elections, except that when a
22 town, city or village holds an election not conducted by the board of
23 elections, the clerk of such town, city or village, shall provide such
24 official and facsimile ballots and the necessary blanks, supplies and
25 stationery for such election.

26 § 6. Section 8-302 of the election law is amended by adding two new
27 subdivisions 2-b and 3-d to read as follows:

1 2-b. If on election day or during early voting a voter's name appears
2 in the ledger or computer generated registration list with a notation
3 indicating that the voter was provided an absentee ballot, such voter
4 shall be permitted to cast his or her vote on the voting machine if the
5 voter surrenders his or her absentee ballot and affirmation oath envel-
6 ope to the inspector and such absentee ballot is marked "VOTED IN
7 PERSON" and placed by the inspector in an envelope designated for this
8 purpose.

9 3-d. If on election day or during early voting a voter's name appears
10 in the ledger or computer generated registration list with a notation
11 indicating that the voter was provided an absentee ballot and such voter
12 is unable to surrender his or her ballot and affirmation oath envelope
13 pursuant to subdivision two-b of this section, such voter shall only be
14 entitled to vote by affidavit ballot.

15 § 7. Section 16-106 of the election law is amended by adding a new
16 subdivision 4-a to read as follows:

17 4-a. In order to obtain any order for temporary or preliminary injunc-
18 tive relief or an impound order halting or altering the canvassing of
19 absentee or affidavit ballots as provided for in section 9-209 of this
20 chapter, in addition to the criteria in article sixty-three of the civil
21 practice law and rules, the petitioner must show, by clear and convinc-
22 ing evidence, that, because of procedural irregularities or other facts
23 arising during the election, the petitioner will be irreparably harmed
24 absent such relief. For purposes of this section, allegations that
25 opinion polls or testimonial evidence that an election will be within
26 the margin of the recount as specified in paragraph (a) of subdivision
27 four of section 9-208 of this chapter are insufficient to show irrepara-
28 ble harm to a petitioner by clear and convincing evidence.

1 § 8. Subdivision 20 of section 17-130 of the election law is amended
2 to read as follows:

3 20. Intentionally opens an absentee voter's envelope or examines the
4 contents thereof after the receipt of the envelope by the board of
5 elections and before the close of the polls at the election except as
6 provided for in section 9-209 of this chapter; or,

7 § 9. This act shall take effect on the ninetieth day after it shall
8 have become a law.

9 PART U

10 Section 1. Paragraphs (a), (b) and (c) of subdivision 4 of section
11 9-208 of the election law, as added by section 1 of part JJ of chapter
12 55 of the laws of 2020, are amended to read as follows:

13 (a) [The] Based on the results of the canvass three days following the
14 deadline for receipt of absentee ballots, the board of elections or a
15 bipartisan committee appointed by the board shall conduct a full manual
16 recount of all ballots for a particular contest:

- 17 i. Where the margin of victory is twenty votes or less; or
18 ii. Where the margin of victory is 0.5% or less; or
19 iii. In a contest where one million or more ballots have been cast and
20 the margin of victory is less than 5,000 votes.

21 (b) For the purposes of this section, the term margin of victory shall
22 mean the margin between all votes cast in the entire contest [following
23 the recanvass of votes] based on the current results of the canvass
24 three days following the deadline for receipt of absentee ballots.

25 (c) Where the contest involves portions of two or more counties, the
26 margin of victory shall be determined by the state board of elections

1 based on the [most recent recanvass results] current results of the
2 canvass three days following the deadline for the receipt of absentee
3 ballots for the contest submitted by the boards of elections of the
4 counties involved.

5 § 2. Subdivision 4 of section 9-208 of the election law is amended by
6 adding a new paragraph (e) to read as follows:

7 (e) Any manual recount shall begin by two days after the date required
8 by law and be completed within five days.

9 § 3. This act shall take effect immediately.

10 PART V

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

13 1-a. a. The purposes of the state insurance fund are hereby enlarged
14 to permit it to enter agreements with insurers licensed to write work-
15 ers' compensation insurance in states outside New York to issue policies
16 to state insurance fund policyholders covering those policyholders'
17 obligations to secure the payment of workers' compensation benefits
18 under the laws of states other than New York. The state insurance fund
19 shall also be authorized to receive premiums into its workers' compen-
20 sation fund for policies written under such agreements and to pay from
21 such fund: (i) reimbursement of all losses and loss adjustment expenses
22 under such policies; and (ii) fees and other costs, including but not
23 limited to those for claims services, relating to such agreements. An
24 agreement under this subdivision shall not include the provision of
25 claims services for any claim under this chapter.

1 b. For a policyholder to be eligible for insurance in states other
2 than New York provided through agreements entered into under this subdi-
3 vision, either: (i) the policyholder's workers' compensation premiums
4 with the state insurance fund covering its employees under this chapter
5 must be greater than the premiums charged to cover the policyholder's
6 obligations to pay workers' compensation benefits in all states, in the
7 aggregate, other than New York when covered under such agreements; or
8 (ii) the payroll for the policyholder's operations in New York must be
9 greater than the policyholder's payroll in all states, in the aggregate,
10 other than New York when covered under such agreements for the prior
11 policy period. For determining eligibility, "premiums" mean estimated
12 premiums as determined by the state insurance fund at the beginning of
13 the policy period. In addition, for a policyholder to be eligible for
14 insurance in states other than New York through the state insurance
15 fund, the policyholder must meet the state insurance fund's underwriting
16 criteria for other states coverage as specified by rules of the commis-
17 sioners.

18 § 2. This act shall take effect immediately.

19 PART W

20 Section 1. The section heading and subdivisions 1, 2, 3 and 7 of
21 section 87 of the workers' compensation law, the section heading and
22 subdivision 1 as amended and subdivisions 2, 3 and 7 as added by section
23 20 of part GG of chapter 57 of the laws of 2013, are amended to read as
24 follows:

25 [Investment of surplus or reserve] Investments. 1. Any of the reserve
26 funds belonging to the state insurance fund, by order of the commission-

1 ers, approved by the superintendent of financial services, may be
2 invested in the types of [securities] investments described in [subdivi-
3 sions one, two, three, four, five, six, eleven, twelve, twelve-a, thir-
4 teen, fourteen, fifteen, nineteen, twenty, twenty-one, twenty-one-a,
5 twenty-four, twenty-four-a, twenty-four-b, twenty-four-c and twenty-five
6 of section two hundred thirty-five of the banking law or in paragraph]
7 paragraphs one, two, three and four of subsection (b) of section one
8 thousand four hundred two of the insurance law and paragraphs one, two,
9 three, four, five, six, seven, and eleven of subsection (a) of section
10 one thousand four hundred four of the insurance law with the qualitative
11 standards or quantitative limitations which are set forth in such para-
12 graphs except that [up to] a minimum of five percent of such reserve
13 funds [may] shall be invested in the types of securities [of any solvent
14 American institution as] described in [such paragraph irrespective of
15 the rating of such institution's obligations or other similar qualita-
16 tive standards described therein] paragraphs one, two, three and four of
17 subsection (b) of section one thousand four hundred two of the insurance
18 law.

19 2. Any [of the surplus] funds belonging to the state insurance fund
20 exceeding seventy percent of the aggregate of loss reserves, loss
21 expense reserves and fifty percent of unearned premium reserves, by
22 order of the commissioners, approved by the superintendent of financial
23 services, may be invested in the types of [securities described in
24 subdivisions one, two, three, four, five, six, eleven, twelve, twelve-a,
25 thirteen, fourteen, fifteen, nineteen, twenty, twenty-one, twenty-one-a,
26 twenty-four, twenty-four-a, twenty-four-b, twenty-four-c and twenty-five
27 of section two hundred thirty-five of the banking law or, up to fifty
28 percent of surplus funds, in the types of securities or] investments

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

27 3. Any [of the surplus or reserve] funds belonging to the state insur-
28 ance fund, upon like approval of the superintendent of financial

1 services, may be loaned on the pledge of any such securities. The
2 commissioners, upon like approval of the superintendent of financial
3 services, may also sell any of such securities or investments.

4 7. Notwithstanding any provision in this section, the [surplus and
5 reserve] funds of the state insurance fund shall not be invested in any
6 investment that has been found by the superintendent of financial
7 services to be against public policy or in any investment prohibited by
8 the provisions of [paragraph six of subsection (a) of section one thou-
9 sand four hundred four of the insurance law or by the provisions of]
10 paragraph one, two, three, four, six, seven, eight, nine or ten of
11 subsection (a) of section one thousand four hundred seven of the insur-
12 ance law or in excess of any limitation provided under section one thou-
13 sand four hundred nine of the insurance law.

14 § 2. Subsection (c) of section 1108 of the insurance law, as amended
15 by section 38 of part SS of chapter 54 of the laws of 2016, is amended
16 to read as follows:

17 (c) The state insurance fund of this state, except as to the
18 provisions of section one thousand four hundred ten, subsection (d) of
19 section two thousand three hundred thirty-nine, section three thousand
20 one hundred ten, subsection (a), paragraph one of subsection (b), para-
21 graph three of subsection (c) and subsection (d) of section three thou-
22 sand two hundred one, sections three thousand two hundred two, three
23 thousand two hundred four, subsections (a) through (d) of section three
24 thousand two hundred twenty-one, subsections (b) and (c) of section four
25 thousand two hundred twenty-four, section four thousand two hundred
26 twenty-six and subsections (a) and (b), (g) through (j), and (n) of
27 section four thousand two hundred thirty-five of this chapter and except
28 as otherwise specifically provided by the laws of this state.

1 § 3. Subsection (a) of section 1410 of the insurance law, as added by
2 chapter 650 of the laws of 1998, is amended to read as follows:

3 (a) For purposes of this section, except subsection (k) of this
4 section, an insurer shall mean a domestic life insurer, a domestic
5 property/casualty insurer, a domestic reciprocal insurer, a domestic
6 mortgage guaranty insurer, a domestic co-operative property/casualty
7 insurance corporation [or], a domestic financial guaranty insurer, or
8 the state insurance fund of this state.

9 § 4. This act shall take effect immediately.

10 PART X

11 Section 1. Subdivision 5 of section 27 of the workers' compensation
12 law, as amended by chapter 6 of the laws of 2007, is amended to read as
13 follows:

14 5. All computations made or directed by the board shall be upon the
15 basis of (i) the survivorship annuitants table of mortality, the remar-
16 riage tables of the Dutch Royal Insurance Institution applicable to
17 claims for accidents occurring on or before December thirty-first, two
18 thousand twenty-one, and (ii) beginning January first, two thousand
19 twenty-two, and on January first of each tenth year thereafter, the
20 United States life table for the total population published by the
21 department of health and human services and the remarriage table
22 published by the United States railroad retirement board applicable to
23 claims for accidents occurring on or after January first of the year
24 following the adoption of any revision of such tables as provided in
25 this subdivision and interest at three and one-half per centum per annum
26 on claims based on accidents occurring up to and including June thirti-

1 eth, nineteen hundred thirty-nine, at three per centum per annum on
2 claims based on accidents occurring from July first, nineteen hundred
3 thirty-nine up to and including August thirty-first, nineteen hundred
4 eighty-three, at six per centum per annum on claims based on accidents
5 occurring from September first, nineteen hundred eighty-three up to and
6 including December thirty-first, two thousand and at the industry stand-
7 ard rate on claims based on accidents occurring thereafter, except (a)
8 that computations of present values of death benefits required to be
9 paid into the aggregate trust fund by an insurance carrier which is a
10 stock corporation or a mutual association shall be based, in the case of
11 a dependent parent, grandparent, blind or physically disabled child or
12 spouse, upon said table of mortality disregarding possible change in or
13 termination of dependency, with interest at three and one-half per
14 centum per annum on claims based on accidents occurring up to and
15 including June thirtieth, nineteen hundred thirty-nine, at three per
16 centum per annum on claims based on accidents occurring from July first,
17 nineteen hundred thirty-nine up to and including August thirty-first,
18 nineteen hundred eighty-three, at six per centum per annum on claims
19 based on accidents occurring from September first, nineteen hundred
20 eighty-three up to and including December thirty-first, two thousand and
21 at the industry standard rate on claims based on accidents occurring
22 thereafter and (b) that computations of present values of permanent
23 partial disability benefits awarded for a definite number of weeks shall
24 be on the basis of annuities certain with interest at three and one-half
25 per centum per annum on claims based on accidents occurring up to and
26 including June thirtieth, nineteen hundred thirty-nine, at three per
27 centum per annum on claims based on accidents occurring from July first,
28 nineteen hundred thirty-nine up to and including August thirty-first,

1 nineteen hundred eighty-three, at six per centum per annum on claims
2 based on accidents occurring from September first, nineteen hundred
3 eighty-three up to and including December thirty-first, two thousand and
4 at the industry standard rate on claims based on accidents occurring
5 thereafter.

6 § 2. The closing paragraph of subdivision 7 of section 27 of the work-
7 ers' compensation law, as amended by chapter 6 of the laws of 2007 and
8 as further amended by section 104 of part A of chapter 62 of the laws of
9 2011, is amended to read as follows:

10 Such additional payments shall be required until the surplus of the
11 fund equals or exceeds one per centum of the total outstanding loss
12 reserves as shown by three successive annual reports of the fund to the
13 superintendent of financial services and such additional payment shall
14 be required as a payment upon each award based on an accident occurring
15 prior to July first next succeeding the third such annual report, but
16 not as a payment upon any award based on an accident occurring on or
17 after said July first; provided, however, that if and when the surplus
18 of the fund as shown by any annual report thereafter shall be less than
19 one per centum of the total outstanding loss reserves, then the addi-
20 tional payments as provided in paragraphs (a), (b), (c) and (d) of this
21 subdivision shall be resumed and shall be payable upon any award based
22 on an accident occurring on or after July first next succeeding the
23 close of the year for which such annual report is made. Thereafter, the
24 suspension or resumption of additional payments as required by this
25 subdivision shall be governed by the foregoing provisions. Such loss
26 reserves shall be computed based upon the tables specified in subdivi-
27 sion five of this section applicable to the calculation of the deposit
28 for the claim on which such deposit is based and interest at a standard

1 to be determined by the superintendent of financial services by regu-
2 lation.

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

6 § 86. Catastrophe surplus and reserves for workers' compensation. Ten
7 per centum of the premiums collected from employers insured in the fund
8 for workers' compensation shall be set aside for the creation of a
9 surplus until such surplus shall amount to the sum of one hundred thou-
10 sand dollars, and thereafter five per centum of such premiums, until
11 such time as in the judgment of the commissioners such surplus shall be
12 sufficiently large to cover the catastrophe hazard. Thereafter the
13 contribution to such surplus may be reduced or discontinued conditional
14 upon constant maintenance of a sufficient surplus to cover the catastro-
15 phe hazard. Reserves shall be set up and maintained adequate to meet
16 anticipated losses and carry all claims and policies to maturity, which
17 reserves shall be computed [to reflect the present values, at five
18 percent interest per annum, of the determined and estimated unpaid loss-
19 es, and other requirements computed in accordance with such rules as
20 shall be approved by the superintendent of financial services] pursuant
21 to subsections (d) and (e) of section four thousand one hundred seven-
22 teen of the insurance law.

23 § 4. Subsection (c) of section 1108 of the insurance law, as amended
24 by section 38 of part SS of chapter 54 of the laws of 2016, is amended
25 to read as follows:

26 (c) The state insurance fund of this state, except as to the
27 provisions of subsection (d) of section two thousand three hundred thir-
28 ty-nine, section three thousand one hundred ten, subsection (a), para-

1 graph one of subsection (b), paragraph three of subsection (c) and
2 subsection (d) of section three thousand two hundred one, sections three
3 thousand two hundred two, three thousand two hundred four, subsections
4 (a) through (d) of section three thousand two hundred twenty-one,
5 subsections (d) and (e) of section four thousand one hundred seventeen,
6 subsections (b) and (c) of section four thousand two hundred twenty-
7 four, section four thousand two hundred twenty-six and subsections (a)
8 and (b), (g) through (j), and (n) of section four thousand two hundred
9 thirty-five of this chapter and except as otherwise specifically
10 provided by the laws of this state.

11 § 5. Subsection (e) of section 4117 of the insurance law, as amended
12 by chapter 11 of the laws of 1986, is amended to read as follows:

13 (e) Whenever in the judgment of the superintendent, the loss and loss
14 expense reserves of any property/casualty insurance company doing busi-
15 ness in this state or of the state insurance fund of this state calcu-
16 lated in accordance with the foregoing provisions are inadequate or
17 excessive, [he] the superintendent may prescribe any other basis [which]
18 that will produce adequate and reasonable reserves.

19 § 6. This act shall take effect January 1, 2022.

20 PART Y

21 Section 1. Section 76-b of the alcoholic beverage control law is
22 REPEALED.

23 § 2. Subdivision 1-b of section 83 of the alcoholic beverage control
24 law is REPEALED.

1 § 3. Paragraph (b) of subdivision 1 of section 97-a of the alcoholic
2 beverage control law, as added by chapter 396 of the laws of 2010, is
3 amended to read as follows:

4 (b) to the applicant for a new retail license [where the prospective
5 licensed premises is located in a municipality with a population of less
6 than one million] during the period that the application is pending.

7 § 4. Paragraphs (b) and (c) of subdivision 5 of section 97-a of the
8 alcoholic beverage control law, as added by chapter 396 of the laws of
9 2010, are amended and a new paragraph (d) is added to read as follows:

10 (b) in the case of all other retail applications, to purchase and sell
11 such alcoholic beverages as would be permitted to be purchased and sold
12 under the privileges of the license applied for; [and]

13 (c) to sell such alcoholic beverages to consumers only and not for
14 resale[.]; and

15 (d) in the case of a permit granted under paragraph (b) of subdivision
16 one of this section where the prospective licensed premises are located
17 in a municipality with a population of more than one million, to operate
18 the premises only under the following conditions: the premises shall
19 close no later than twelve o'clock antemeridian each day, shall have
20 recorded background music only, with no live music, DJ's, karaoke, or
21 similar forms of music, and shall have no dancing.

22 § 5. The alcoholic beverage control law is amended by adding a new
23 section 97-c to read as follows:

24 § 97-c. Temporary manufacturing permit. 1. Any person may apply to the
25 liquor authority for a temporary permit to operate any alcoholic bever-
26 age manufacturing facility as may be licensed under this chapter. Such
27 application shall be in writing and verified and shall contain informa-
28 tion as the liquor authority shall require. Such application shall be

1 accompanied by a check or draft in the amount of one hundred twenty-five
2 dollars for such permit.

3 2. Upon application, the liquor authority may issue such temporary
4 permit when:

5 (a) the applicant has a manufacturing license application at the same
6 premises pending before the liquor authority, together with all required
7 filing and license fees; and

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

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

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

14 (a) issuance of the permit will not inordinately hinder the operation
15 or effective administration of this chapter; and

16 (b) the applicant would in all likelihood be able to ultimately obtain
17 the manufacturing license being applied for; and

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

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

23 5. A temporary permit shall authorize the permittee to operate a manu-
24 facturing facility for the manufacture and sale of alcoholic beverages
25 according to the laws applicable to the type of manufacturing license
26 being applied for.

27 6. Such temporary permit shall remain in effect for six months or
28 until the manufacturing license being applied for is approved and the

1 license granted, whichever is shorter. Such permit may be extended at
2 the discretion of the liquor authority for additional three-month peri-
3 ods of time upon payment of an additional fee of fifty dollars for each
4 such extension.

5 7. Notwithstanding any provision of law to the contrary, a temporary
6 permit may be summarily cancelled or suspended at any time if the liquor
7 authority determines that good cause for cancellation or suspension
8 exists. The liquor authority shall promptly notify the permittee in
9 writing of such cancellation or suspension and shall set forth the
10 reasons for such action.

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

16 § 6. Section 5 of chapter 396 of the laws of 2010, amending the alco-
17 holic beverage control law, relating to liquidator's permits and tempo-
18 rary retail permits, as amended by section 1 of item AAA of subpart B of
19 part XXX of chapter 58 of the laws of 2020, is amended to read as
20 follows:

21 § 5. This act shall take effect on the sixtieth day after it shall
22 have become a law[, provided that paragraph (b) of subdivision 1 of
23 section 97-a of the alcoholic beverage control law as added by section
24 two of this act shall expire and be deemed repealed October 12, 2021].

25 § 7. This act shall take effect on the ninetieth day after it shall
26 have become a law; provided, however, that upon effect, any valid permit
27 issued under section 76-b of the alcoholic beverage control law shall
28 remain in effect according to the terms of section 76-b of the alcoholic

1 beverage control law as if such section had not been repealed, and
2 provided further, any application duly submitted prior to the effective
3 date of this act and not yet acted upon shall be processed as if such
4 section had not been repealed, and if such application is approved, any
5 permit issued shall remain in effect according to the terms of section
6 76-b of the alcoholic beverage control law as if such section had not
7 been repealed.

8 PART Z

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

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

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

16 (b) allow the purchase of only one alcoholic beverage per transaction;
17 and

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

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

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

1 6. No special on-premises license shall be granted except for premises
2 in which the principal business shall be (a) the sale of food or bever-
3 ages at retail for consumption on the premises or (b) the operation of a
4 legitimate theatre, including a motion picture theatre that is a build-
5 ing or facility which is regularly used and kept open primarily for the
6 exhibition of motion pictures for at least five out of seven days a
7 week, or on a regular seasonal basis of no less than six contiguous
8 weeks, to the general public where all auditorium seating is permanently
9 affixed to the floor and at least sixty-five percent of the motion
10 picture theatre's annual gross revenues is the combined result of admis-
11 sion revenue for the showing of motion pictures and the sale of food and
12 non-alcoholic beverages, or such other lawful adult entertainment or
13 recreational facility as the liquor authority, giving due regard to the
14 convenience of the public and the strict avoidance of sales prohibited
15 by this chapter, shall by regulation classify for eligibility. [Nothing
16 contained in this subdivision shall be deemed to authorize the issuance
17 of a license to a motion picture theatre, except those meeting the defi-
18 nition of restaurant and meals, and where all seating is at tables where
19 meals are served.]

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

23 8. Every special on-premises licensee shall regularly keep food avail-
24 able for sale to its customers for consumption on the premises. The
25 availability of sandwiches, soups or other foods, whether fresh, proc-
26 essed, pre-cooked or frozen, shall be deemed compliance with this
27 requirement. For motion picture theatres licensed under paragraph (b) of
28 subdivision six of this section, food that is typically found in a

1 motion picture theatre, including but not limited to: popcorn, candy,
2 and light snacks, shall be deemed to be in compliance with this require-
3 ment. The licensed premises shall comply at all times with all the regu-
4 lations of the local department of health. Nothing contained in this
5 subdivision, however, shall be construed to require that any food be
6 sold or purchased with any liquor, nor shall any rule, regulation or
7 standard be promulgated or enforced requiring that the sale of food be
8 substantial or that the receipts of the business other than from the
9 sale of liquor equal any set percentage of total receipts from sales
10 made therein.

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

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

20 § 5. This act shall take effect immediately.

21 PART AA

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

25 § 5004. Rate of interest. [Interest shall be at the rate of nine per
26 centum per annum, except where otherwise provided by statute.] Notwith-
27 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, 2021.

1 Section 1. Short title. This act shall be known and may be cited as
2 the "New York Medical Supplies Act".

3 § 2. The state finance law is amended by adding a new section 148 to
4 read as follows:

5 § 148. Certain contracts involving personal protective equipment and
6 medical supplies. 1. Notwithstanding any other provisions of law, all
7 contracts over fifty thousand dollars in value made and awarded by any
8 department or agency of the state for the purchase of personal protec-
9 tive equipment or medical supplies shall require that the personal
10 protective equipment or medical supply items be produced or made in
11 whole or substantial part in the United States.

12 2. For purposes of this section:

13 (a) "personal protective equipment" means all equipment worn to mini-
14 mize exposure to medical hazards, including gloves, masks, face shields,
15 eye protection, respirators, medical hair and shoe coverings, and
16 disposable gowns and aprons.

17 (b) "medical supplies" means materials necessary to respond to health
18 emergencies or pandemics, including and without limitation ventilators,
19 medical test kits, and vaccines.

20 (c) "United States" means the United States, its territories, or
21 possessions.

22 3. The provisions of this section shall not apply if the head of the
23 department or agency purchasing the personal protective equipment or
24 medical supplies, in his or her sole discretion, determines that such
25 provisions would not be in the public interest; that obtaining such
26 personal protective equipment or medical supplies in the United States
27 would increase the cost of the contract by an unreasonable amount; that
28 such personal protective equipment or medical supplies cannot be

1 produced or made in the United States in sufficient and reasonably
2 available quantities and of satisfactory quality or design to meet the
3 department's or agency's requirements; or that purchasing personal
4 protective equipment or medical supplies manufactured outside of the
5 United States is necessary to avoid a delay in the delivery of critical
6 services that could compromise the public welfare.

7 4. Nothing in this section is intended to contravene any existing
8 treaties, laws, trade agreements, or regulations of the United States or
9 subsequent trade agreements entered into between any foreign countries
10 and the state or the United States.

11 5. Subject to the provisions of this section, the department of
12 economic development, in consultation with the office of general
13 services and the division of the budget, shall be authorized to estab-
14 lish rules and regulations for the effective administration of this
15 section.

16 § 3. The public authorities law is amended by adding a new section
17 2878-c to read as follows:

18 § 2878-c. Certain contracts involving personal protective equipment
19 and medical supplies. 1. Notwithstanding any other provisions of law,
20 all contracts over fifty thousand dollars in value made and awarded by
21 any state authority for the purchase of personal protective equipment or
22 medical supplies shall require that the personal protective equipment or
23 medical supply items be produced or made in whole or substantial part in
24 the United States.

25 2. For purposes of this section:

26 (a) "personal protective equipment" means all equipment worn to mini-
27 mize exposure to medical hazards, including gloves, masks, face shields,

1 eye protection, respirators, medical hair and shoe coverings, and
2 disposable gowns and aprons.

3 (b) "medical supplies" means materials necessary to respond to health
4 emergencies or pandemics, including and without limitation ventilators,
5 medical test kits, and vaccines.

6 (c) "United States" means the United States, its territories, or
7 possessions.

8 3. The provisions of this section shall not apply if the head of the
9 state authority purchasing the personal protective equipment or medical
10 supplies, in his or her sole discretion, determines that such provisions
11 would not be in the public interest; that obtaining such personal
12 protective equipment or medical supplies in the United States would
13 increase the cost of the contract by an unreasonable amount; that such
14 personal protective equipment or medical supplies cannot be produced or
15 made in the United States in sufficient and reasonably available quanti-
16 ties and of satisfactory quality or design to meet the state authority's
17 requirements; or that purchasing personal protective equipment or
18 medical supplies manufactured outside of the United States is necessary
19 to avoid a delay in the delivery of critical services that could compro-
20 mise the public welfare.

21 4. Nothing in this section is intended to contravene any existing
22 treaties, laws, trade agreements, or regulations of the United States or
23 subsequent trade agreements entered into between any foreign countries
24 and the state or the United States.

25 5. Subject to the provisions of this section, the department of
26 economic development, in consultation with the office of general
27 services and the division of the budget, shall be authorized to estab-

1 lish rules and regulations for the effective administration of this
2 section.

3 § 4. This act shall take effect April 1, 2021 and shall apply to any
4 state contracting opportunities advertised on or after such date and
5 shall exclude contracts for which an invitation for bid, request for
6 proposal, or similar solicitation has been issued prior to April 1,
7 2021.

8 PART CC

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

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

1 retired employee; or where appropriate in the case of a retired employee
2 receiving a retirement allowance, such standard medicare premium amount
3 may be included with payments of his or her retirement allowance. All
4 state employer, employee, retired employee and dependent contributions
5 to the health insurance fund, including contributions from public
6 authorities, public benefit corporations or other quasi-public organiza-
7 tions of the state eligible for participation in the health benefit plan
8 as authorized by subdivision two of section one hundred sixty-three of
9 this article, shall be adjusted as necessary to cover the cost of reim-
10 bursing federal old-age, survivors and disability insurance program
11 premium charges under this section. This cost shall be included in the
12 calculation of premium or subscription charges for health coverage
13 provided to employees and retired employees of the state, public author-
14 ities, public benefit corporations or other quasi-public organizations
15 of the state; provided, however, the state, public authorities, public
16 benefit corporations or other quasi-public organizations of the state
17 shall remain obligated to pay no less than its share of such increased
18 cost consistent with its share of premium or subscription charges
19 provided for by this article. All other employer contributions to the
20 health insurance fund shall be adjusted as necessary to provide for such
21 payments.

22 § 2. This act shall take effect immediately and shall apply on January
23 1, 2021 for the income related monthly adjustment amount for amounts,
24 premiums, incurred on or after January 1, 2021.

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

3 10. Notwithstanding any inconsistent provision of law, the state's
4 contribution for the cost of premium or subscription charges for the
5 coverage of retired state employees who are enrolled in the statewide
6 and the supplementary health benefit plans established pursuant to this
7 article and who are hired on or after October first, two thousand twen-
8 ty-one shall be as set forth in this subdivision.

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

24 (b) For state employees who retire from a position at or equated to
25 grade nine or lower with at least ten but less than twenty years of
26 service, the state shall pay fifty-four percent of the cost of premium
27 or subscription charges for the individual coverage of such retired
28 state employees. Such contributions shall increase by two percent of the

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

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

27 (d) For state employees who retire from a position at or equated to
28 grade nine or lower with at least ten but less than twenty years of

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

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

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

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

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

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

1 (g) For the purposes of determining the cost of premium or
2 subscription charges to be paid by the state on behalf of retired state
3 employees enrolled in the New York state health insurance program who
4 are hired on or after October first, two thousand twenty-one, the state
5 shall consider all years of service that a retired state employee has
6 accrued in a public retirement system of the state or an optional
7 retirement program established pursuant to article three, eight-B, or
8 one hundred twenty-five-A of the education law. The provisions of this
9 paragraph may not be used to grant eligibility for retiree state health
10 insurance coverage to a retiree who is not otherwise eligible to enroll
11 in the New York state health insurance program as a retiree.

12 § 2. This act shall take effect October 1, 2021.

13 PART EE

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

17 § 167-a. Reimbursement for medicare premium charges. Upon exclusion
18 from the coverage of the health benefit plan of supplementary medical
19 insurance benefits for which an active or retired employee or a depend-
20 ent covered by the health benefit plan is or would be eligible under the
21 federal old-age, survivors and disability insurance program, an amount
22 equal to the standard medicare premium charge for such supplementary
23 medical insurance benefits for such active or retired employee and his
24 or her dependents, if any, shall be paid monthly or at other intervals
25 to such active or retired employee from the health insurance fund;
26 provided, however, such payment for the standard medicare premium charge

1 shall not exceed one hundred forty-eight dollars and fifty cents per
2 month. Where appropriate, such standard medicare premium amount may be
3 deducted from contributions payable by the employee or retired employee;
4 or where appropriate in the case of a retired employee receiving a
5 retirement allowance, such standard medicare premium amount may be
6 included with payments of his or her retirement allowance. All state
7 employer, employee, retired employee and dependent contributions to the
8 health insurance fund, including contributions from public authorities,
9 public benefit corporations or other quasi-public organizations of the
10 state eligible for participation in the health benefit plan as author-
11 ized by subdivision two of section one hundred sixty-three of this arti-
12 cle, shall be adjusted as necessary to cover the cost of reimbursing
13 federal old-age, survivors and disability insurance program premium
14 charges under this section. This cost shall be included in the calcu-
15 lation of premium or subscription charges for health coverage provided
16 to employees and retired employees of the state, public authorities,
17 public benefit corporations or other quasi-public organizations of the
18 state; provided, however, the state, public authorities, public benefit
19 corporations or other quasi-public organizations of the state shall
20 remain obligated to pay no less than its share of such increased cost
21 consistent with its share of premium or subscription charges provided
22 for by this article. All other employer contributions to the health
23 insurance fund shall be adjusted as necessary to provide for such
24 payments.

25 § 2. This act shall take effect immediately and shall apply to the
26 standard medicare premium amount on and after April 1, 2021.

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

3 22. To issue procurements for technology, as defined in section one
4 hundred one of this article, in the manner as prescribed in this subdi-
5 vision. (a) Notwithstanding section one hundred sixty-three of the
6 state finance law, or any other provision of law to the contrary, the
7 office may issue solicitations for comprehensive technology service
8 contracts pursuant to this section and may award comprehensive technolo-
9 gy service contracts for technology as prescribed in this subdivision. A
10 comprehensive technology service contract shall mean any contract for
11 both the design and build of any technology, which may allow for the
12 approval of work at the discretion of the office which is not pre-deter-
13 mined in the contract, subject to conditions deemed appropriate by the
14 director, by a single entity or multiple entities acting as one, which
15 may include any and all technology as defined in this article and shall
16 only be used for those contracts which result in a complete and operable
17 system delivered to the state.

18 (b) For all procurements conducted pursuant to this section, the
19 office shall advertise in the New York state contract reporter and on
20 the website of the office for no less than fifteen business days, a
21 request for proposals which shall include a detailed description of the
22 work to be performed, any minimum and mandatory qualifications, a brief
23 description of how the proposals will be scored, and any other criteria
24 that the office deems necessary and appropriate. Scoring criteria shall
25 be drafted and sealed by the office prior to the opening of any bids.
26 Such scoring criteria shall be objective to the extent practicable and
27 shall include cost as determined by the office. If the winning proposal
28 scores less than five percent higher than the second highest scoring

1 proposal, the office shall be empowered to request such two bidders to
2 re-submit their proposals in a manner prescribed by the office, consist-
3 ent with this article, which the office shall then evaluate based on the
4 original sealed scoring criteria for final award.

5 (c) All terms used in this section shall have the same meaning other-
6 wise prescribed in this chapter or in articles nine and eleven of the
7 state finance law, except for those terms specifically defined in this
8 section.

9 (d) The office shall keep a procurement record as defined in section
10 one hundred sixty-three of the state finance law, which shall be
11 furnished to the office of the state comptroller upon request pursuant
12 to section one hundred twelve of the state finance law.

13 § 2. Subdivisions 3 and 4 of section 163-a of the state finance law,
14 subdivision 3 as added by chapter 430 of the laws of 1997 and subdivi-
15 sion 4 as amended by section 10 of part 0 of chapter 55 of the laws of
16 2012, are amended and a new subdivision 5 is added to read as follows:

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

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

27 5. For the office of information technology services, the restrictions
28 contained within this section shall not apply to procurements issued

1 pursuant to subdivision twenty-two of section one hundred three of the
2 state technology law.

3 § 3. This act shall take effect immediately.

4 PART GG

5 Section 1. Section 110 of the state finance law is amended by adding a
6 new subdivision 1-a to read as follows:

7 1-a. Each department that maintains a public website shall publicly
8 post and maintain a webpage on that website showing the current list of
9 the names of the individuals who the department has authorized to
10 execute contracts on behalf of the department, which the department has
11 filed with the comptroller pursuant to subdivision one of this section.
12 Such posting shall provide clear notice to the public of those individ-
13 uals who are authorized to execute contracts to which the department or
14 the state is a party.

15 § 2. The state finance law is amended by adding a new section 139-m to
16 read as follows:

17 § 139-m. Terms and conditions in contracts that shall be void. The
18 following terms or conditions in any contract entered into by the state
19 or any department thereof shall be void and unenforceable:

20 1. Any term or condition that requires the state or the department to
21 indemnify or hold harmless another person, except as otherwise author-
22 ized by law;

23 2. Any term or condition by which the state or the department agrees
24 to binding arbitration or any other binding extra-judicial dispute
25 resolution process in which the final resolution is not determined by
26 the state;

1 3. Any term or condition which purports to reserve a right to the
2 contractor to unilaterally amend, revise, or add to the terms and condi-
3 tions without the consent of the state or the department;

4 4. Any term or condition by which the state or the department agrees
5 to limit the liability of another person for bodily injury, death, or
6 damage to tangible property caused by the negligence or willful miscon-
7 duct of such person or such person's employees or agents; and

8 5. Any term or condition that designates the law of a jurisdiction
9 other than the state of New York as the law governing the contract.
10 Notwithstanding the foregoing, any contract containing such term or
11 condition shall otherwise be enforceable as if the contract did not
12 contain such term or condition.

13 § 3. This act shall take effect immediately.

14 PART HH

15 Section 1. Section 96 of the public officers law is amended by adding
16 a new subdivision 3 to read as follows:

17 (3) For purposes of this section, the exchange of any record or
18 personal information between and among agencies of the state shall not
19 constitute disclosure of any record or personal information under subdi-
20 vision one of this section and is not subject to the requirements there-
21 in. The exchange of such records between agencies shall be presumptively
22 permissible, unless such disclosure is otherwise prohibited by law.

23 § 2. This act shall take effect immediately.

24 PART II

1 Section 1. Short Title. This act shall be known and may be cited as
2 the "New York data accountability and transparency act".

3 § 2. The general business law is amended by adding a new section 899-
4 cc to read as follows:

5 § 899-cc. New York data accountability and transparency act. 1. Defi-
6 initions. For the purposes of this section, the following terms shall
7 have the following meanings, unless otherwise specified:

8 (a) "Affiliate" shall mean a legal entity that controls, is controlled
9 by, or is under common control with, another legal entity, where the
10 entity holds itself out as affiliated or under common ownership such
11 that a consumer acting reasonably under the circumstances would antic-
12 ipate their personal information being provided to an affiliate.

13 (b) "Consumer" shall mean an identified or identifiable natural person
14 who is a New York resident.

15 (c) "Covered entities" shall mean legal entities, including any affil-
16 iates, that conduct business in New York state or produce products or
17 services that are intentionally targeted to residents of New York state,
18 and that satisfy one or more of the following thresholds:

19 (i) Controls or processes personal information of one hundred thousand
20 consumers or more; or

21 (ii) Derives over fifty percent of gross revenue from the sale,
22 control, or processing of personal information.

23 (d) "De-identified data" means:

24 (i) Data that cannot be linked to a known natural person without addi-
25 tional information not available to the covered entity; or

26 (ii) Data that: has been modified to a degree that the risk of re-i-
27 dentification is small as determined by a person with appropriate know-
28 ledge of and experience with generally accepted statistical and scien-

1 tific principles and methods for de-identifying data; is subject to a
2 public commitment by the controller not to attempt to re-identify the
3 data; and, to which one or more enforceable controls to prevent re-iden-
4 tification has been applied. Enforceable controls to prevent re-identi-
5 fication may include legal, administrative, technical, or contractual
6 controls.

7 (e) "Direct relationship" shall mean that the consumer is a past or
8 present:

9 (i) customer, client, subscriber or user of the business's goods or
10 services;

11 (ii) investor in the business; or

12 (iii) donor to the business.

13 (f) "Identified or identifiable natural person" shall mean a person
14 who can be identified, directly or indirectly, in particular by refer-
15 ence to specific information including, but not limited to, a name, an
16 identification number, specific geolocation data, or an online identifi-
17 er.

18 (g) "Personal information" shall mean data relating to an identified
19 or identifiable natural person provided further that:

20 (i) personal Information shall include but is not limited to:

21 (A) an identifier such as a real name, alias, signature, date of
22 birth, gender identity, sexual orientation, marital status, physical
23 characteristic or description, postal address, telephone number, unique
24 personal identifier, military identification number, online identifier,
25 Internet Protocol address, email address, account name, mother's maiden
26 name, social security number, driver's license number, passport number,
27 or other similar identifier;

1 (B) information such as employment, employment history, bank account
2 number, credit card number, debit card number, insurance policy number,
3 or any other financial information, medical information, mental health
4 information, or health insurance information;

5 (C) commercial information, including a record of personal property,
6 income, assets, leases, rentals, products or services purchased,
7 obtained, or considered, or other purchasing or consuming history;

8 (D) biometric information, including a retina or iris scan, finger-
9 print, voiceprint, or scan of hand or face geometry;

10 (E) internet or other electronic network activity information, includ-
11 ing browsing history, search history, content, including text, photo-
12 graphs, audio or video recordings, or other user-generated content,
13 non-public communications, and information regarding an individual's
14 interaction with an internet website, mobile application, or advertise-
15 ment;

16 (F) historical or real-time geolocation data;

17 (G) audio, visual, thermal, olfactory, or similar information;

18 (H) education records, as defined in section thirty-three hundred two
19 of the education law;

20 (I) political information or information on criminal convictions or
21 arrests;

22 (J) any required security code, access code, password, or username
23 necessary to permit access to the account of an individual;

24 (K) traits or characteristics of an individual protected under the
25 human rights law; or

26 (L) an inference drawn from any of the information described in this
27 paragraph to create a profile about an individual reflecting the indi-
28 vidual's preferences, characteristics, psychological trends, prefer-

1 ences, predispositions, behavior, attitudes, intelligence, abilities, or
2 aptitudes.

3 (ii) Personal information shall not include:

4 (A) De-identified data;

5 (B) Personal information that is collected by a business about a
6 natural person in the course of the natural person acting as a job
7 applicant to, an employee of, owner of, director of, officer of, medical
8 staff member of, or contractor of that business to the extent that the
9 natural person's personal information is collected and used by the busi-
10 ness solely within the context of the natural person's role or former
11 role as a job applicant to, an employee of, owner of, director of, offi-
12 cer of, medical staff member of, or a contractor of that business;

13 (C) Personal information that is collected by a business that is emer-
14 gency contact information of the natural person acting as a job appli-
15 cant to, an employee of, owner of, director of, officer of, medical
16 staff member of, or contractor of that business to the extent that the
17 personal information is collected and used solely within the context of
18 having an emergency contact on file; or

19 (D) Personal information that is necessary for the business to retain
20 to administer benefits for another natural person relating to the
21 natural person acting as a job applicant to, an employee of, owner of,
22 director of, officer of, medical staff member of, or contractor of that
23 business to the extent that the personal information is collected and
24 used solely within the context of administering those benefits.

25 (h) "Publicly available information" is that which a covered entity
26 has a reasonable basis to believe is lawfully made available to the
27 general public from: federal, state or local government records; widely

1 distributed media; or disclosures to the general public that are
2 required to be made by federal, state or local law.

3 (i) "Verifiable consumer request" means a request that is made by a
4 consumer, by a consumer on behalf of the consumer's minor child, or by a
5 natural person or a person registered with the secretary of state,
6 authorized by the consumer to act on the consumer's behalf, and that the
7 covered entity can reasonably verify to be the consumer about whom the
8 business has collected personal information. A covered entity is not
9 obligated to perform any action related to paragraph (g) of subdivision
10 three of this section if the covered entity cannot verify that the
11 consumer making the request is the consumer about whom the covered enti-
12 ty has collected information or is a person authorized by the consumer
13 to act on such consumer's behalf.

14 2. Exceptions. This section shall not apply to:

15 (a) State and local government entities, including agencies, boards,
16 commissions, and authorities;

17 (b) Personal Information that is:

18 (i) Collected, stored, or otherwise utilized in accordance with the
19 Federal Health Insurance Portability and Accountability Act of 1996, the
20 Health Information Technology for Economic and Clinical Health Act, the
21 Gramm-Leach-Bliley Act, or the Driver's Privacy Protection Act;

22 (ii) Maintained for employment records purposes, to the extent that
23 such data sets are required to be maintained by an entity to meet its
24 legal requirements;

25 (iii) Collected, stored, or otherwise utilized in accordance with the
26 Fair Credit Reporting Act;

27 (iv) Publicly available information; or

28 (v) De-identified data.

1 3. Requirements of covered entities. A covered entity shall:

2 (a) Limit the collection of personal information to personal informa-
3 tion obtained by lawful means and in accordance with subdivision five of
4 this section.

5 (b) Only collect personal information relevant to the purposes for
6 which they are intended to be used and only to the extent necessary for
7 those purposes.

8 (c) At or before the point of collection, inform the consumer as to
9 the type of personal information to be collected and the purposes for
10 which such personal information shall be used. A covered entity shall
11 not collect additional categories of personal information or use
12 personal information collected for additional purposes without providing
13 the consumer with notice of such collection and the option to limit such
14 collection pursuant to subdivision five of this section.

15 (d) Not use or disclose personal information for purposes other than
16 those specified, except:

17 (i) when the consumer has the option to limit the use or disclosure in
18 accordance with subdivision five of this section; or

19 (ii) as otherwise required by law.

20 (e) Protect personal information by implementing security safeguards
21 to protect against risks such as loss, unauthorized access, destruction,
22 use, modification, or unauthorized disclosure of such data.

23 (f) Clearly state the identity and location of any data processors,
24 affiliates, or controllers.

25 (g) Upon receipt of a verifiable consumer request, provide a consumer
26 with the ability:

27 (i) to obtain confirmation of whether or not the covered entity
28 possesses personal information about the consumer;

1 (ii) to have personal information collected about the consumer in the
2 last twelve months communicated to the consumer, within a reasonable
3 time, at no charge, in a reasonable manner, and in a form that is readi-
4 ly intelligible to the consumer, provided that a covered entity may, but
5 shall not be required to provide personal information to a consumer more
6 than twice in a twelve month period;

7 (iii) the reasons for and the ability to challenge a denial of a
8 request under subparagraphs (iv) and (v) of this paragraph denied and to
9 be able to challenge such denial;

10 (iv) to challenge data relating to the consumer and, if the challenge
11 is successful, to have the data returned, destroyed, rectified,
12 completed or amended; and

13 (v) destroy or return personal information without undue delay, and
14 direct all affiliates to do the same, in the following circumstances:

15 (A) the personal information is no longer necessary for the purposes
16 for which it was collected or otherwise processed;

17 (B) the consumer affirmatively requests the covered entity stops the
18 collection, storage, or processing of personal information;

19 (C) the personal information has been unlawfully collected or proc-
20 essed; or

21 (D) upon a request pursuant to paragraph (c) of subdivision four of
22 this section.

23 4. Consumers' rights. The department of state, in consultation with
24 the department of financial services, shall create a consumer data
25 privacy bill of rights, which shall include, at a minimum the rights
26 delineated in this subdivision and information on how a consumer may
27 enforce such rights, as well as any other information deemed necessary
28 to inform consumers of their rights regarding data privacy in accordance

1 with this section or any other relevant provision of law. The rights
2 afforded under this subdivision shall be in addition to any other rights
3 afforded under any other provision of state or federal law. Consumers
4 shall have the following rights:

5 (a) The right to protection of their personal information by covered
6 entities.

7 (b) The right to exercise control over what personal information
8 covered entities collect from them and how it is used.

9 (c) The right to request that a covered entity return, destroy, amend
10 or otherwise alter the personal information collected about the consumer
11 in accordance with paragraph (g) of subdivision three of this section.
12 Provided however, this right shall not apply to the extent that the
13 possession, and processing of such data:

14 (i) is exercising the right of freedom of speech or other legal right
15 by the covered entity or another party;

16 (ii) is necessary for compliance with a legal obligation;

17 (iii) is maintained for reasons of public interest in the area of
18 public health;

19 (iv) is solely used for archiving purposes in the public interest, for
20 scientific or historical research purposes or statistical purposes in so
21 far as the right to erasure is likely to render impossible or seriously
22 impair the achievement of the objectives of that collection or process-
23 ing;

24 (v) is used for the establishment, exercise or defense of legal
25 claims; or

26 (vi) is used to complete the transaction for which the personal infor-
27 mation was collected, fulfill the terms of a written warranty or product
28 recall conducted in accordance with federal law, provide a good or

1 service requested by the consumer, or reasonably anticipated within the
2 context of a business' ongoing business relationship with the consumer,
3 or otherwise perform a contract between the business and the consumer.

4 (d) The right to easily understandable and accessible information
5 about the privacy and security practices of a covered entity.

6 (e) The right to secure and responsible handling of personal informa-
7 tion.

8 (f) The right to access and correct personal information in a form and
9 manner that can be accessed by the consumer, and that is appropriate to
10 ensure the data remains protected.

11 (g) The right to opt-out of the sale of personal information, as
12 follows:

13 (i) A consumer shall have the right, at any time, to direct a covered
14 entity that sells or shares personal information about the consumer to
15 third parties not to sell or share the consumer's personal information.
16 This right may be referred to as the right to opt-out of sale or shar-
17 ing;

18 (ii) A covered entity that sells consumers' personal information to,
19 or shares it with, third parties shall provide notice to consumers in a
20 clear and unambiguous manner that this information may be sold or shared
21 and that consumers have the "right to opt-out" of the sale or sharing of
22 their personal information pursuant to subdivision five of this section;

23 (iii) Notwithstanding paragraph (a) of this subdivision, a business
24 shall not sell or share the personal information of consumers if the
25 business has actual knowledge that the consumer is less than eighteen
26 years of age, unless the consumer's parent or guardian has affirmatively
27 authorized the sale or sharing of the consumer's personal information. A

1 business that willfully disregards the consumer's age shall be deemed to
2 have had actual knowledge of the consumer's age;

3 (iv) A business that has received direction from a consumer not to
4 sell or share the consumer's personal information or, in the case of a
5 minor consumer's personal information has not received consent to sell
6 or share the minor consumer's personal information, shall be prohibited
7 from selling or sharing the consumer's personal information after its
8 receipt of the consumer's direction, unless the consumer subsequently
9 opts-in to the sale or sharing of the consumer's personal information;
10 or

11 (v) Right to equal services after exercising of any rights.

12 (h) (i) Except as otherwise permitted in this paragraph, a covered
13 entity shall not discriminate against a consumer because the consumer
14 exercised any of the consumer's rights under this section, including,
15 but not limited to, by:

16 (A) Denying goods or services to the consumer;

17 (B) Charging different prices or rates for goods or services, includ-
18 ing through the use of discounts or other benefits or imposing penal-
19 ties; or

20 (C) Providing a different level or quality of goods or services to the
21 consumer.

22 (ii) Nothing in this section shall prohibit a covered entity from
23 charging a consumer a different price or rate, or from providing a
24 different level or quality of goods or services to the consumer, if that
25 difference is reasonably related to the value provided to the business
26 by the consumer's personal information.

1 (iii) This paragraph does not prohibit a covered entity from offering
2 loyalty, rewards, premium features, discounts, or club card programs
3 otherwise consistent with this section.

4 (iv) A covered entity may offer financial incentives, including
5 payments to consumers as compensation, for the collection, sale, shar-
6 ing, or retention of a consumer's personal information. A covered entity
7 that offers any financial incentives pursuant to this subdivision, shall
8 clearly and conspicuously notify consumers of such financial incentives.

9 (v) A covered entity may enroll a consumer into a financial incentive
10 program only if the consumer gives the covered entity prior opt-in
11 consent that clearly describes the material terms of the financial
12 incentive program, and which may be revoked by the consumer at any time.
13 If a consumer declines to provide opt-in consent, then the covered enti-
14 ty shall wait at least twelve months before making a subsequent request
15 that the consumer provide opt-in consent. Provided however, nothing
16 shall preclude a covered entity from enrolling a consumer into such a
17 financial incentive program, prior to such twelve month period upon the
18 receipt of a verifiable consumer request to opt-in to such program.

19 (vi) A covered entity shall not use financial incentive practices that
20 are unjust, unreasonable, coercive, or usurious in nature.

21 5. Methods of limiting sale, sharing, collection and use of personal
22 information. (a) A covered entity that sells or shares consumers'
23 personal information shall, in a form that is reasonably accessible to
24 consumers:

25 (i) Provide a clear and conspicuous link on the covered entity's
26 internet homepages, titled "Do Not Sell or Share My Personal Informa-
27 tion", to an internet web page that enables a consumer, or a person

1 authorized by the consumer, to opt-out of the sale or sharing of the
2 consumer's personal information;

3 (ii) Provide a clear and conspicuous link on the covered entity's
4 internet homepages, titled "Limit the Use and Collection of My Personal
5 Information", that enables a consumer, or a person authorized by the
6 consumer, to limit the collection, use or disclosure of the consumer's
7 personal information to those uses authorized by subdivision three of
8 this section;

9 (iii) At the covered entity's discretion, utilize a single, clearly
10 labeled link on the covered entity's internet homepages, in lieu of
11 complying with subparagraphs (i) and (ii) of this paragraph, if that
12 link easily allows a consumer to opt-out of the sale or sharing of the
13 consumer's personal information and to limit the use, collection or
14 disclosure of the consumer's personal information; and

15 (iv) In the event that a covered entity responds to opt-out requests
16 received pursuant to subparagraph (i), (ii), or (iii) of this paragraph
17 by informing the consumer of a charge for the use of any product or
18 service, present the terms of any financial incentive offered in accord-
19 ance with paragraph (i) of subdivision four of this section for the
20 retention, use, sale, or sharing of the consumer's personal information.

21 (b) A covered entity that receives a request pursuant to paragraph
22 (a) of this subdivision must comply with the request as soon as tech-
23 nically feasible, but in no instance longer than thirty days from the
24 receipt of the request.

25 6. Outreach and education. The department of state consumer protection
26 division (the "division") shall, in conjunction with the department of
27 financial services, develop, establish, and implement a public education
28 awareness program advising consumers about:

1 (a) The existence of the consumer data privacy bill of rights and
2 where such bill of rights can be accessed and downloaded;

3 (b) The significance each individual consumer personal private data
4 point holds in the marketplace;

5 (c) Affirmative steps consumers can take to prevent unauthorized use
6 of personal private data and the dangers inherent in not protecting such
7 data;

8 (d) The program shall include a dedicated webpage on the division's
9 website, brochures, consumer guides, posters or any combination thereof;
10 and

11 (e) The program shall be made available to the public by any means
12 deemed appropriate by the division, and may include internet, radio, and
13 print advertising. The program may also identify and recruit individuals
14 to serve as visible, public ambassadors to promote critical consumer
15 personal information privacy messages.

16 7. Consumer data privacy advisory board. (a) The consumer data privacy
17 advisory board shall consist of the following members, or their desig-
18 nees:

19 (i) The attorney general;

20 (ii) The secretary of state;

21 (iii) The superintendent of financial services;

22 (iv) The chief information security officer;

23 (v) The chief data officer; and

24 (vi) Two members appointed by the governor upon the recommendation of
25 the attorney general, one of which must be an officer or employee of a
26 covered entity, and one of which must be an officer or employee of a
27 data privacy public interest or advocacy group. These two members shall
28 serve for three year terms.

1 (b) The members of the board shall serve without compensation, except
2 that each of them shall be allowed the necessary and actual expenses
3 incurred in the performance of any of their duties hereunder.

4 (c) The board may conduct any business authorized herein when a quorum
5 of the members are represented in session.

6 (d) The board shall meet at least once per year and shall provide
7 guidance and recommendations related to this section, any regulations
8 promulgated hereunder, and other matters related to consumer data priva-
9 cy.

10 8. Recordkeeping requirements. Covered entities shall maintain
11 records, in a form and manner as prescribed by the secretary of state,
12 pertaining to their business practices demonstrating compliance with the
13 provisions of this section and any other information as requested by the
14 secretary of state. Such information shall be made available for
15 inspection upon the request of the secretary of state.

16 9. Enforcement. The secretary of state shall have the power to enforce
17 the provisions of this section, and upon complaint of any person, or on
18 his or her own initiative, to investigate any violation thereof, if in
19 the opinion of the secretary of state such investigation is warranted.
20 Upon a finding of a violation of any provision of this section, the
21 secretary of state may assess a civil penalty of up to seven thousand
22 five hundred dollars for each such violation, which may be imposed on a
23 per day basis for any continuing violation.

24 10. Regulations. The department of state shall have the authority to
25 issue rules and regulations pursuant to this section to effectuate this
26 section.

27 § 3. This act shall take effect two years after it shall have become a
28 law.

1 PART JJ

2 Section 1. The general business law is amended by adding a new article
3 32-A to read as follows:

4 ARTICLE 32-A

5 VOICE RECOGNITION FEATURES IN PRODUCTS

6 Section 676. Disclosures for the use of voice recognition features in
7 products.

8 § 676. Disclosures for the use of voice recognition features in
9 products. 1. Definitions. For purposes of this section, the following
10 definitions shall apply:

11 (a) "Cloud computing storage service" shall have the same definition
12 as such term is defined by the National Institute of Standards and Tech-
13 nology Special Publication 800-145, or a successor publication, and
14 includes the service and deployment models referenced therein.

15 (b) "Connected device" shall mean a television, video game console as
16 defined in section three hundred ninety-six-kk of this chapter, computer
17 as defined in section three hundred ninety-two-a of this chapter,
18 computer accessory as defined in section three hundred ninety-two-a of
19 this chapter, internet-capable device as defined in section five hundred
20 thirty-eight-b of this chapter, or a toy as defined in paragraph (f) of
21 this subdivision.

22 (c) "De-identified data" shall mean:

23 (i) Data that cannot be linked to a known natural person without addi-
24 tional information not available to the covered entity; or

25 (ii) Data that: has been modified to a degree that the risk of re-i-
26 dentification is small as determined by a person with appropriate know-
27 ledge of and experience with generally accepted statistical and scien-

1 tific principles and methods for de-identifying data; is subject to a
2 public commitment by the controller not to attempt to re-identify the
3 data; and to which one or more enforceable controls to prevent re-iden-
4 tification has been applied. Enforceable controls to prevent re-identi-
5 fication may include legal, administrative, technical, or contractual
6 controls.

7 (d) "Personal information" shall mean data relating to an identified
8 or identifiable natural person provided further that:

9 (i) Personal information shall include but is not limited to:

10 (A) an identifier such as a real name, alias, signature, date of
11 birth, gender identity, sexual orientation, marital status, physical
12 characteristic or description, postal address, telephone number, unique
13 personal identifier, military identification number, online identifier,
14 Internet Protocol address, email address, account name, mother's maiden
15 name, social security number, driver's license number, passport number,
16 or other similar identifier;

17 (B) information such as employment, employment history, bank account
18 number, credit card number, debit card number, insurance policy number,
19 or any other financial information, medical information, mental health
20 information, or health insurance information;

21 (C) commercial information, including a record of personal property,
22 income, assets, leases, rentals, products or services purchased,
23 obtained, or considered, or other purchasing or consuming history;

24 (D) biometric information, including a retina or iris scan, finger-
25 print, voiceprint, or scan of hand or face geometry;

26 (E) internet or other electronic network activity information, includ-
27 ing browsing history, search history, content, including text, photo-
28 graphs, audio or video recordings, or other user-generated content, non-

1 public communications, and information regarding an individual's inter-
2 action with an internet website, mobile application, or advertisement;
3 (F) historical or real-time geolocation data;
4 (G) audio, visual, thermal, olfactory, or similar information;
5 (H) education records, as defined in section thirty-three hundred two
6 of the education law;
7 (I) political information or information on criminal convictions or
8 arrests;
9 (J) any required security code, access code, password, or username
10 necessary to permit access to the account of an individual;
11 (K) characteristics of protected classes under the human rights law,
12 including race, color, national origin, religion, sex, age, or disabili-
13 ty; or
14 (L) an inference drawn from any of the information described in this
15 paragraph to create a profile about an individual reflecting the indi-
16 vidual's preferences, characteristics, psychological trends, prefer-
17 ences, predispositions, behavior, attitudes, intelligence, abilities, or
18 aptitudes.

19 (ii) Personal information shall not include de-identified data.

20 (e) "Retained" shall mean the saving or storing, or both saving and
21 storing, of voice recorded data longer than the minimum time necessary
22 to complete a requested command by the user.

23 (f) "Toy" shall mean any product designed or intended by the manufac-
24 turer to be used by children or adults for amusement or play.

25 (g) "User" shall mean a person who originally purchases, leases, or
26 takes ownership of a connected device or another person designated by
27 the user to perform the initial setup or installation of the connected

1 device, but such term shall not include a person who is incidentally
2 recorded when a voice recognition feature is activated by a user.

3 (h) "Voice recognition feature" shall mean the function of a connected
4 device with a voice recognition feature that allows the collection,
5 recording, storage, analysis, transmission, interpretation, or other use
6 of spoken words or other sounds, except that this term shall not include
7 spoken words or other sounds that are not recorded, retained, or trans-
8 mitted beyond the connected device.

9 (i) "Voice recorded data" shall mean audio recordings or tran-
10 scriptions of those recordings collected through the operation of a
11 voice recognition feature by the manufacturer of a connected device.

12 2. Disclosures on use of voice recognition. (a) A person or entity
13 shall not sell or otherwise provide a connected device or toy containing
14 a voice recognition feature within this state without prominently
15 informing purchasers both prior to the sale on its packaging and during
16 the initial setup or installation that, at a minimum, the device may be
17 recording the user. During the initial setup or installation such device
18 must disclose: the categories of personal information collected, the
19 purposes for which this personal information is collected, and that if
20 the person or entity is retaining such voice recorded data, for how
21 long, and whether a natural person may listen to such audio.

22 (b) Nothing in this section shall be construed to authorize the
23 disclosure of any recordings retained by the manufacturer, any affil-
24 iates of the same, or any third parties with a contractual relationship
25 with the manufacturer, to any individual or entity, including a law
26 enforcement agency, or any officer, employee, or agent of such agency,
27 unless otherwise authorized by law or pursuant to a judicial order.

1 (c) A manufacturer shall not be liable for functionality provided by
2 applications that the user chooses to use in a cloud computing storage
3 service or are downloaded and installed by a user, unless the manufac-
4 turer collects, controls, or has access to any personal information
5 collected or elicited by the applications.

6 (d) This section shall not apply to a product or service used only to
7 record information by a covered entity, a health care provider, a busi-
8 ness associate, a health care service plan, a contractor, an employee or
9 another person that is subject to the Health Insurance Portability and
10 Accountability Act of 1996 or regulations promulgated under such act,
11 with respect to any action that such act regulates.

12 (e) This section shall not apply to any connected device regulated by
13 the United States Food and Drug Administration under 21 C.F.R. parts 800
14 to 1299 or other requirements, regulations, and guidance the United
15 States Food and Drug Administration promulgates with respect to medical
16 devices, including software as a medical device.

17 3. Enforcement. The secretary of state shall have the power to enforce
18 the provisions of this section, and upon complaint of any person, or on
19 his or her own initiative, to investigate any violation thereof, if in
20 the opinion of the secretary of state such investigation is warranted.
21 Upon a finding of a violation of any provision of this section, the
22 secretary of state may assess a civil penalty of up to two thousand five
23 hundred dollars for each such violation.

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

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

6 § 54-1. State assistance to eligible cities [and eligible municipi-
7 palities] in which a video lottery gaming facility is located. 1. Defi-
8 nitions. When used in this section, unless otherwise expressly stated:

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

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

19 2. [a.] Within the amount appropriated therefor, an eligible city
20 shall receive an amount equal to ninety-five percent of the state aid
21 payment received in the state fiscal year commencing April first, two
22 thousand [eight] twenty from an appropriation for aid to municipalities
23 with video lottery gaming facilities.

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

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

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

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

15 [5. The town and county in which the facility defined in paragraph
16 five of subdivision a of section sixteen hundred seventeen-a of the tax
17 law is located shall receive assistance payments made pursuant to this
18 section at the same dollar level realized by the village of Monticello,
19 Sullivan county, the town of Thompson, Sullivan county, and Sullivan
20 county. Each village in which the facility defined in paragraph five of
21 subdivision a of section sixteen hundred seventeen-a of the tax law is
22 located shall receive assistance payments made pursuant to this section
23 at the rate of fifty percent of the dollar level realized by the village
24 of Monticello. Any payments made pursuant to this subdivision shall not
25 commence until the facility defined in paragraph five of subdivision a
26 of section sixteen hundred seventeen-a of the tax law has realized
27 revenue for a period of twelve consecutive months.]

28 § 2. This act shall take effect immediately.

1

PART LL

2 Section 1. Subparagraph (i) of paragraph a of subdivision 10 of
3 section 54 of the state finance law, as added by section 1 of part F of
4 chapter 56 of the laws of 2007, is amended to read as follows:

5 (i) "Municipality" means a city with a population less than one
6 million[, town or village].

7 § 2. Subparagraph (v) of paragraph b of subdivision 10 of section 54
8 of the state finance law, as added by section 1 of part PPP of chapter
9 59 of the laws of 2019, is amended and a new subparagraph (vi) is added
10 to read as follows:

11 (v) Notwithstanding subparagraph (i) of this paragraph, within amounts
12 appropriated in the state fiscal year commencing April first, two thou-
13 sand nineteen, [and annually thereafter,] there shall be apportioned and
14 paid to each municipality [which is a city] a base level grant in an
15 amount equal to the prior year aid received by such city, and there
16 shall be apportioned and paid to each [municipality which is a] town or
17 village a base level grant in accordance with clause two of this subpar-
18 agraph.

19 (1) When used in this subparagraph, unless otherwise expressly stated:

20 (A) "two thousand eighteen--two thousand nineteen AIM funding" shall
21 mean the sum of the base level grant paid in the state fiscal year that
22 began April first, two thousand eighteen pursuant to this paragraph.

23 (B) "two thousand seventeen total expenditures" shall mean all funds
24 and total expenditures for a town or a village as reported to the state
25 comptroller for local fiscal years ended in two thousand seventeen.

26 (C) "AIM Reliance" shall mean two thousand eighteen-two thousand nine-
27 teen AIM funding calculated as a percentage of two thousand seventeen

1 total expenditures, provided that, for a village which dissolved during
2 the state fiscal year that began April first, two thousand eighteen, the
3 village's two thousand eighteen--two thousand nineteen AIM funding shall
4 be added to the existing two thousand eighteen--two thousand nineteen
5 AIM funding of the town into which the village dissolved for purposes of
6 this calculation.

7 (2) A base level grant equal to a town or village's prior year aid
8 only if such town or village's AIM reliance equals two percent or great-
9 er as reported to and published by the state comptroller as of January
10 tenth, two thousand nineteen.

11 (vi) Notwithstanding subparagraph (i) of this paragraph, within
12 amounts appropriated in the state fiscal year commencing April first,
13 two thousand twenty-one, and annually thereafter, there shall be appor-
14 tioned and paid to each municipality a base level grant in accordance
15 with clause two of this subparagraph:

16 (1) When used in this subparagraph, unless otherwise expressly stated:

17 (A) "two thousand nineteen-two thousand twenty AIM funding" shall mean
18 the sum of the base level grant paid in the state fiscal year that began
19 April first, two thousand nineteen pursuant to this paragraph.

20 (B) "two thousand nineteen expenditures" shall mean general fund
21 expenditures for a municipality as reported to and published by the
22 state comptroller for local fiscal years ended in two thousand nineteen.

23 (C) "AIM Reliance" shall mean two thousand nineteen-two thousand twen-
24 ty AIM funding calculated as a percentage of two thousand nineteen
25 expenditures.

26 (2) A base level grant equal to:

1 (A) eighty percent of a municipality's two thousand nineteen-two thou-
2 sand twenty AIM funding if such municipality's AIM Reliance was equal
3 to or less than 8.1500 percent; or

4 (B) eighty-five percent of a municipality's two thousand nineteen-two
5 thousand twenty AIM funding if such municipality's AIM Reliance was
6 higher than 8.1500 percent but less than or equal to 11.3436 percent; or

7 (C) ninety percent of a municipality's two thousand nineteen-two thou-
8 sand twenty AIM funding if such municipality's AIM Reliance was higher
9 than 11.3436 percent but less than or equal to 14.1522 percent; or

10 (D) ninety-seven and one-half percent of a municipality's two thousand
11 nineteen-two thousand twenty AIM funding if such municipality's AIM
12 Reliance was higher than 14.1522 percent; or

13 (E) eighty percent of a municipality's two thousand nineteen-two thou-
14 sand twenty AIM funding if such municipality has not, by May fifteenth,
15 two thousand twenty-one, reported the information to the state comp-
16 troller necessary to establish its two thousand nineteen expenditures.

17 § 3. Paragraph 5-a of subdivision (c) of section 1261 of the tax law,
18 as amended by section 2 of part NN of chapter 55 of the laws of 2020, is
19 amended to read as follows:

20 (5-a) However, after the comptroller has made the payments to the
21 Nassau county interim finance authority, the Buffalo fiscal stability
22 authority, and the Erie county fiscal stability authority required by
23 paragraph three of this subdivision, for each municipality that received
24 a base level grant in state fiscal year two thousand eighteen-two thou-
25 sand nineteen [but not in state fiscal year two thousand nineteen-two
26 thousand twenty] under the aid and incentives for municipalities program
27 pursuant to subdivision ten of section fifty-four of the state finance
28 law, the comptroller shall annually withhold from each county except

1 Nassau and Erie from the remaining taxes, penalties and interest imposed
2 by the county in which a majority of the population of such municipality
3 resides, and on behalf of Nassau and Erie counties the comptroller shall
4 annually receive from the Nassau county interim finance authority, the
5 Buffalo fiscal stability authority, and the Erie county fiscal stability
6 authority, an amount equal to eighty percent of the base level grant
7 received by such municipality in state fiscal year two thousand eigh-
8 teen-two thousand nineteen and shall annually distribute, by December
9 fifteenth, two thousand [nineteen] twenty-one and by such date annually
10 thereafter, such amount directly to such municipality, unless such muni-
11 cipality has a fiscal year ending May thirty-first, then such annual
12 distribution shall be made by May fifteenth, two thousand [twenty] twen-
13 ty-two and by such date annually thereafter. No county shall have any
14 right, title or interest in or to the taxes, penalties and interest
15 required to be withheld or distributed pursuant to this paragraph.

16 § 4. This act shall take effect immediately, provided, however, that
17 the amendments made to paragraph 5-a of subdivision (c) of section 1261
18 of the tax law made by section three of the act shall not take effect
19 until July 1, 2021.

20 PART MM

21 Section 1. The opening paragraph of subparagraph 2 of paragraph a and
22 subparagraph 2 of paragraph b of subdivision 3 of section 11 of the
23 general municipal law, the opening paragraph of subparagraph 2 of para-
24 graph a as amended by section 1 of part W of chapter 406 of the laws of
25 1999 and subparagraph 2 of paragraph b as amended by chapter 130 of the
26 laws of 1998, are amended to read as follows:

1 notwithstanding any other provision of general, special or local law,
2 any city having a population of one million or more and any county may
3 also make investments in the following:

4 (2) Such obligations, unless registered or inscribed in the name of
5 the local government, shall be purchased through, delivered to and held
6 in the custody of a bank or trust company or, with respect to the city
7 of New York and counties, a reputable dealer in such obligations as
8 shall be designated by the state comptroller, in this state. Such obli-
9 gations shall be purchased, sold or presented for redemption or payment
10 by such bank or trust company or dealer in obligations only in accord-
11 ance with prior written authorization from the officer authorized to
12 make the investment. All such transactions shall be confirmed in writing
13 to the local government by the bank or trust company. All obligations
14 held in the custody of a bank or trust company pursuant to this para-
15 graph shall be held by such bank or trust company pursuant to a written
16 custodial agreement as set forth in paragraph a of subdivision three of
17 section ten of this article.

18 § 2. Paragraph b of subdivision 3 of section 11 of the general municipi-
19 pal law, as amended by chapter 548 of the laws of 1997, is amended to
20 read as follows:

21 b. Such obligations, unless registered or inscribed in the name of the
22 local government, shall be purchased through, delivered to and held in
23 the custody of a bank or trust company or, with respect to the city of
24 New York and counties, a reputable dealer in such obligations as shall
25 be designated by the state comptroller, in this state. Such obligations
26 shall be purchased, sold or presented for redemption or payment by such
27 bank or trust company or dealer in obligations only in accordance with
28 prior written authorization from the officer authorized to make the

1 investment. All such transactions shall be confirmed in writing to the
2 local government by the bank or trust company. All obligations held in
3 the custody of a bank or trust company pursuant to this paragraph shall
4 be held by such bank or trust company pursuant to a written custodial
5 agreement as set forth in paragraph a of subdivision three of section
6 ten of this article.

7 § 3. This act shall take effect immediately, provided however the
8 amendments to subdivision 3 of section 11 of the general municipal law
9 made by section one of this act shall be subject to the expiration and
10 reversion of such subdivision pursuant to section 2 of chapter 130 of
11 the laws of 1998, as amended, when upon such date the provisions of
12 section two of this act shall take effect.

13

PART NN

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

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

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

21 § 2. Subdivision 11 of section 239-bb of the general municipal law is
22 REPEALED.

23 § 3. This act shall take effect immediately.

24 PART OO

25 Section 1. Section 2 of chapter 308 of the laws of 2012 amending the
26 general municipal law relating to providing local governments greater

1 contract flexibility and cost savings by permitting certain shared
2 purchasing among political subdivisions, as amended by chapter 211 of
3 the laws of 2018, is amended to read as follows:

4 § 2. This act shall take effect immediately, and shall expire and be
5 deemed repealed July 31, [2021] 2023.

6 § 2. This act shall take effect immediately.

7 PART PP

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

10 § 217. County jail. Each county shall continue to maintain a county
11 jail as prescribed by law; provided, however, this section shall not
12 prohibit contiguous counties from jointly maintaining a jail pursuant to
13 a shared services agreement that has been reviewed and approved by the
14 New York state commission of correction. The commission's review and
15 approval of a shared services agreement shall be limited to the portions
16 of the agreement that directly affect the care, custody, correction,
17 treatment, supervision, discipline, and other correctional programs for
18 all persons confined in the jail.

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

21 (h) Notwithstanding any other law to the contrary, nothing in this
22 subdivision shall prohibit contiguous counties from jointly maintaining
23 a jail pursuant to section two hundred seventeen of the county law.

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

1 1. Except as provided in subdivision two of this section, the sheriff
2 of each county shall have custody of the county jail of such county;
3 provided however, that for contiguous counties jointly maintaining a
4 jail pursuant to section two hundred seventeen of the county law, the
5 sheriff of the county in which such jail is located shall regularly
6 consult with the sheriff of any county jointly maintaining the jail.

7 § 4. Paragraph (b) of subdivision 3 of section 259-i of the executive
8 law, as amended by section 11 of part E of chapter 62 of the laws of
9 2003, is amended to read as follows:

10 (b) A person who shall have been taken into custody pursuant to this
11 subdivision for violation of one or more conditions of presumptive
12 release, parole, conditional release or post-release supervision shall,
13 insofar as practicable, be incarcerated in the county or city in which
14 the arrest occurred. Notwithstanding any other law to the contrary,
15 nothing in this subdivision shall prohibit contiguous counties from
16 jointly maintaining a jail pursuant to section two hundred seventeen of
17 the county law.

18 § 5. Paragraph (a) of subdivision 16 of section 2 of the correction
19 law, as amended by chapter 681 of the laws of 1990, is amended to read
20 as follows:

21 (a) "Local correctional facility." Any place [operated] maintained by
22 [a county] one or more contiguous counties, or the city of New York as a
23 place for the confinement of persons duly committed to secure their
24 attendance as witnesses in any criminal case, charged with crime and
25 committed for trial or examination, awaiting the availability of a
26 court, duly committed for any contempt or upon civil process, convicted
27 of any offense and sentenced to imprisonment therein or awaiting trans-

1 portation under sentence to imprisonment in a correctional facility, or
2 pursuant to any other applicable provisions of law.

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

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

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

25 § 7. Subdivision 4 of section 40 of the correction law, as amended by
26 chapter 247 of the laws of 2018, is amended to read as follows:

27 4. "Municipal official" means (a) the sheriff or, where a local
28 correctional facility is under the jurisdiction of a county department,

1 the head of such department, and clerk of the board of supervisors, in
2 the case of a county jail; (b) [the] any sheriff or other officer having
3 custody or administrative jurisdiction and the clerk of [the] any board
4 of supervisors, in the case of a [county penitentiary] jail maintained
5 by two or more contiguous counties pursuant to section two hundred
6 seventeen of the county law; (c) the clerk of the board of supervisors
7 in the case of a county lockup; (d) the mayor and the city clerk, in the
8 case of a city jail or lockup; (e) the supervisor and town clerk, in the
9 case of a town lockup; (f) the mayor and village clerk, in the case of a
10 village lockup; (g) the clerk of the board of supervisors of the county
11 wherein located and the officer having custody or control, in the case
12 of a court detention pen or a hospital prison ward.

13 § 8. Paragraph (b) of subdivision 3 of section 430.20 of the criminal
14 procedure law, as amended by chapter 788 of the laws of 1971, is amended
15 to read as follows:

16 (b) In any other case, commitment must be to the county jail[, work-
17 house or penitentiary, or to a penitentiary outside the county] or, in a
18 county jointly maintaining a jail pursuant to section two hundred seven-
19 teen of the county law, to such jail, and the order of commitment must
20 specify the institution to which the defendant is to be delivered.

21 § 9. Subdivision 35 of section 1.20 of the criminal procedure law is
22 amended to read as follows:

23 35. "Commitment to the custody of the sheriff," when referring to an
24 order of a court located in a county or city which has established a
25 department of correction, means commitment to the commissioner of
26 correction of such county or city. When referring to an order of a
27 court located in a county jointly maintaining a jail pursuant to section
28 two hundred seventeen of the county law, "commitment to the custody of

1 the sheriff" shall mean commitment to the sheriff of the county in which
2 such jail is located.

3 § 10. Paragraph a of subdivision 7 of section 3202 of the education
4 law, as amended by chapter 564 of the laws of 2001, is amended to read
5 as follows:

6 a. A person under twenty-one years of age who has not received a high
7 school diploma and who is incarcerated in a correctional facility main-
8 tained by [a county] one or more contiguous counties or by the city of
9 New York or in a youth shelter is eligible for educational services
10 pursuant to this subdivision and in accordance with the regulations of
11 the commissioner. Such services shall be provided by the school district
12 in which the facility or youth shelter is located, within the limits of
13 the funds allocated by the commissioner for such purposes pursuant to
14 section thirty-six hundred two of this chapter and pursuant to a plan
15 approved by the commissioner. School districts shall submit such plan
16 by July fifteenth of each school year. Boards of education are author-
17 ized to contract for the provision of such educational services by a
18 board of cooperative educational services or by another public school
19 district.

20 § 11. This act shall take effect immediately; provided that the amend-
21 ments to subdivision 1 of section 500-c of the correction law made by
22 section three of this act shall not affect the repeal of such section
23 and shall be deemed repealed therewith.

24 PART QQ

25 Section 1. The state comptroller is hereby authorized and directed to
26 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. Local government records management account (20501).
- 5 3. Child health plus program account (20810).
- 6 4. EPIC premium account (20818).
- 7 5. Education - New (20901).
- 8 6. VLT - Sound basic education fund (20904).
- 9 7. Sewage treatment program management and administration fund
10 (21000).
- 11 8. Hazardous bulk storage account (21061).
- 12 9. Utility environmental regulatory account (21064).
- 13 10. Federal grants indirect cost recovery account (21065).
- 14 11. Low level radioactive waste account (21066).
- 15 12. Recreation account (21067).
- 16 13. Public safety recovery account (21077).
- 17 14. Environmental regulatory account (21081).
- 18 15. Natural resource account (21082).
- 19 16. Mined land reclamation program account (21084).
- 20 17. Great lakes restoration initiative account (21087).
- 21 18. Environmental protection and oil spill compensation fund (21200).
- 22 19. Public transportation systems account (21401).
- 23 20. Metropolitan mass transportation (21402).
- 24 21. Operating permit program account (21451).
- 25 22. Mobile source account (21452).
- 26 23. Statewide planning and research cooperative system account
27 (21902).
- 28 24. New York state thruway authority account (21905).

- 1 25. Mental hygiene program fund account (21907).
- 2 26. Mental hygiene patient income account (21909).
- 3 27. Financial control board account (21911).
- 4 28. Regulation of racing account (21912).
- 5 29. State university dormitory income reimbursable account (21937).
- 6 30. Criminal justice improvement account (21945).
- 7 31. Environmental laboratory reference fee account (21959).
- 8 32. Training, management and evaluation account (21961).
- 9 33. Clinical laboratory reference system assessment account (21962).
- 10 34. Indirect cost recovery account (21978).
- 11 35. Multi-agency training account (21989).
- 12 36. Bell jar collection account (22003).
- 13 37. Industry and utility service account (22004).
- 14 38. Real property disposition account (22006).
- 15 39. Parking account (22007).
- 16 40. Courts special grants (22008).
- 17 41. Asbestos safety training program account (22009).
- 18 42. Camp Smith billeting account (22017).
- 19 43. Batavia school for the blind account (22032).
- 20 44. Investment services account (22034).
- 21 45. Surplus property account (22036).
- 22 46. Financial oversight account (22039).
- 23 47. Regulation of Indian gaming account (22046).
- 24 48. Rome school for the deaf account (22053).
- 25 49. Seized assets account (22054).
- 26 50. Administrative adjudication account (22055).
- 27 51. Federal salary sharing account (22056).
- 28 52. New York City assessment account (22062).

- 1 53. Cultural education account (22063).
- 2 54. Local services account (22078).
- 3 55. DHCR mortgage servicing account (22085).
- 4 56. Housing indirect cost recovery account (22090).
- 5 57. DHCR-HCA application fee account (22100).
- 6 58. Low income housing monitoring account (22130).
- 7 59. Corporation administration account (22135).
- 8 60. New York State Home for Veterans in the Lower-Hudson Valley
- 9 account (22144).
- 10 61. Deferred compensation administration account (22151).
- 11 62. Rent revenue other New York City account (22156).
- 12 63. Rent revenue account (22158).
- 13 64. Tax revenue arrearage account (22168).
- 14 65. New York state medical indemnity fund account (22240).
- 15 66. Behavioral health parity compliance fund (22246).
- 16 67. State university general income offset account (22654).
- 17 68. Lake George park trust fund account (22751).
- 18 69. State police motor vehicle law enforcement account (22802).
- 19 70. Highway safety program account (23001).
- 20 71. DOH drinking water program account (23102).
- 21 72. NYCCC operating offset account (23151).
- 22 73. Commercial gaming regulation account (23702).
- 23 74. Highway use tax administration account (23801).
- 24 75. New York state secure choice administrative account (23806).
- 25 76. Fantasy sports administration account (24951).
- 26 77. Highway and bridge capital account (30051).
- 27 78. Aviation purpose account (30053).
- 28 79. State university residence hall rehabilitation fund (30100).

- 1 80. State parks infrastructure account (30351).
- 2 81. Clean water/clean air implementation fund (30500).
- 3 82. Hazardous waste remedial cleanup account (31506).
- 4 83. Youth facilities improvement account (31701).
- 5 84. Housing assistance fund (31800).
- 6 85. Housing program fund (31850).
- 7 86. Highway facility purpose account (31951).
- 8 87. Information technology capital financing account (32215).
- 9 88. New York racing account (32213).
- 10 89. Capital miscellaneous gifts account (32214).
- 11 90. New York environmental protection and spill remediation account
12 (32219).
- 13 91. Mental hygiene facilities capital improvement fund (32300).
- 14 92. Correctional facilities capital improvement fund (32350).
- 15 93. New York State Storm Recovery Capital Fund (33000).
- 16 94. OGS convention center account (50318).
- 17 95. Empire Plaza Gift Shop (50327).
- 18 96. Centralized services fund (55000).
- 19 97. Archives records management account (55052).
- 20 98. Federal single audit account (55053).
- 21 99. Civil service EHS occupational health program account (55056).
- 22 100. Banking services account (55057).
- 23 101. Cultural resources survey account (55058).
- 24 102. Neighborhood work project account (55059).
- 25 103. Automation & printing chargeback account (55060).
- 26 104. OFT NYT account (55061).
- 27 105. Data center account (55062).
- 28 106. Intrusion detection account (55066).

- 1 107. Domestic violence grant account (55067).
- 2 108. Centralized technology services account (55069).
- 3 109. Labor contact center account (55071).
- 4 110. Human services contact center account (55072).
- 5 111. Tax contact center account (55073).
- 6 112. Department of law civil recoveries account (55074).
- 7 113. Executive direction internal audit account (55251).
- 8 114. CIO Information technology centralized services account (55252).
- 9 115. Health insurance internal service account (55300).
- 10 116. Civil service employee benefits division administrative account
- 11 (55301).
- 12 117. Correctional industries revolving fund (55350).
- 13 118. Employees health insurance account (60201).
- 14 119. Medicaid management information system escrow fund (60900).
- 15 120. New York state cannabis revenue fund.
- 16 § 1-a. The state comptroller is hereby authorized and directed to loan
- 17 money in accordance with the provisions set forth in subdivision 5 of
- 18 section 4 of the state finance law to any account within the following
- 19 federal funds, provided the comptroller has made a determination that
- 20 sufficient federal grant award authority is available to reimburse such
- 21 loans:
- 22 1. Federal USDA-food and nutrition services fund (25000).
- 23 2. Federal health and human services fund (25100).
- 24 3. Federal education fund (25200).
- 25 4. Federal block grant fund (25250).
- 26 5. Federal miscellaneous operating grants fund (25300).
- 27 6. Federal unemployment insurance administration fund (25900).
- 28 7. Federal unemployment insurance occupational training fund (25950).

1 8. Federal emergency employment act fund (26000).

2 9. Federal capital projects fund (31350).

3 § 2. Notwithstanding any law to the contrary, and in accordance with
4 section 4 of the state finance law, the comptroller is hereby authorized
5 and directed to transfer, upon request of the director of the budget, on
6 or before March 31, 2022, up to the unencumbered balance or the follow-
7 ing amounts:

8 Economic Development and Public Authorities:

9 1. \$1,175,000 from the miscellaneous special revenue fund, underground
10 facilities safety training account (22172), to the general fund.

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

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

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

18 Education:

19 1. \$2,520,000,000 from the general fund to the state lottery fund,
20 education account (20901), as reimbursement for disbursements made from
21 such fund for supplemental aid to education pursuant to section 92-c of
22 the state finance law that are in excess of the amounts deposited in
23 such fund for such purposes pursuant to section 1612 of the tax law.

24 2. \$746,000,000 from the general fund to the state lottery fund, VLT
25 education account (20904), as reimbursement for disbursements made from
26 such fund for supplemental aid to education pursuant to section 92-c of
27 the state finance law that are in excess of the amounts deposited in
28 such fund for such purposes pursuant to section 1612 of the tax law.

1 3. \$125,600,000 from the general fund to the New York state commercial
2 gaming fund, commercial gaming revenue account (23701), as reimbursement
3 for disbursements made from such fund for supplemental aid to education
4 pursuant to section 97-nnnn of the state finance law that are in excess
5 of the amounts deposited in such fund for purposes pursuant to section
6 1352 of the racing, pari-mutuel wagering and breeding law.

7 4. \$6,000,000 from the interactive fantasy sports fund, fantasy sports
8 education account (24950), to the state lottery fund, education account
9 (20901), as reimbursement for disbursements made from such fund for
10 supplemental aid to education pursuant to section 92-c of the state
11 finance law.

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

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

20 7. \$300,000 from the New York state local government records manage-
21 ment improvement fund, local government records management account
22 (20501), to the New York state archives partnership trust fund, archives
23 partnership trust maintenance account (20351).

24 8. \$900,000 from the general fund to the miscellaneous special revenue
25 fund, Batavia school for the blind account (22032).

26 9. \$900,000 from the general fund to the miscellaneous special revenue
27 fund, Rome school for the deaf account (22053).

1 10. \$343,400,000 from the state university dormitory income fund
2 (40350) to the miscellaneous special revenue fund, state university
3 dormitory income reimbursable account (21937).

4 11. \$8,318,000 from the general fund to the state university income
5 fund, state university income offset account (22654), for the state's
6 share of repayment of the STIP loan.

7 12. \$68,000,000 from the state university income fund, state universi-
8 ty hospitals income reimbursable account (22656) to the general fund for
9 hospital debt service for the period April 1, 2021 through March 31,
10 2022.

11 13. \$7,850,000 from the miscellaneous special revenue fund, office of
12 the professions account (22051), to the miscellaneous capital projects
13 fund, office of the professions electronic licensing account (32222).

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

17 15. \$4,200,000 from any of the state education department's special
18 revenue or internal service funds to the capital projects fund (30000).

19 16. \$1,500,000 from the miscellaneous special revenue fund, office of
20 the professions account (22051), to the general fund from fees charged
21 to each non-licensee owner of a firm that is incorporating as a profes-
22 sional service corporation formed to lawfully engage in the practice of
23 public accountancy.

24 17. \$12,500,000 from the School Capital Facilities Financing Reserve
25 Fund to the Capital Projects Fund account (30000), for excess debt
26 service reserve fund balances related to bonds that have been fully
27 retired. Such excess funds shall be used to support the development of
28 a modernized State aid data system for the education department.

1 Environmental Affairs:

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

1 9. \$7,000,000 from the general fund to the enterprise fund, state fair
2 account (50051).

3 10. \$4,000,000 from the waste management & cleanup account (21053) to
4 the general fund.

5 11. \$3,000,000 from the waste management & cleanup account (21053) to
6 the environmental protection fund transfer account (30451).

7 Family Assistance:

8 1. \$7,000,000 from any of the office of children and family services,
9 office of temporary and disability assistance, or department of health
10 special revenue federal funds and the general fund, in accordance with
11 agreements with social services districts, to the miscellaneous special
12 revenue fund, office of human resources development state match account
13 (21967).

14 2. \$4,000,000 from any of the office of children and family services
15 or office of temporary and disability assistance special revenue federal
16 funds to the miscellaneous special revenue fund, family preservation and
17 support services and family violence services account (22082).

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

23 4. \$175,000,000 from any of the office of temporary and disability
24 assistance or department of health special revenue funds to the general
25 fund.

26 5. \$2,500,000 from any of the office of temporary and disability
27 assistance special revenue funds to the miscellaneous special revenue

1 fund, office of temporary and disability assistance program account
2 (21980).

3 6. \$35,000,000 from any of the office of children and family services,
4 office of temporary and disability assistance, department of labor, and
5 department of health special revenue federal funds to the office of
6 children and family services miscellaneous special revenue fund, multi-
7 agency training contract account (21989).

8 7. \$205,000,000 from the miscellaneous special revenue fund, youth
9 facility per diem account (22186), to the general fund.

10 8. \$621,850 from the general fund to the combined gifts, grants, and
11 bequests fund, WB Hoyt Memorial account (20128).

12 9. \$5,000,000 from the miscellaneous special revenue fund, state
13 central registry (22028), to the general fund.

14 General Government:

15 1. \$1,566,000 from the miscellaneous special revenue fund, examination
16 and miscellaneous revenue account (22065) to the general fund.

17 2. \$12,000,000 from the general fund to the health insurance revolving
18 fund (55300).

19 3. \$292,400,000 from the health insurance reserve receipts fund
20 (60550) to the general fund.

21 4. \$150,000 from the general fund to the not-for-profit revolving loan
22 fund (20650).

23 5. \$150,000 from the not-for-profit revolving loan fund (20650) to the
24 general fund.

25 6. \$3,000,000 from the miscellaneous special revenue fund, surplus
26 property account (22036), to the general fund.

27 7. \$19,000,000 from the miscellaneous special revenue fund, revenue
28 arrearage account (22024), to the general fund.

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

4 9. \$1,000,000 from the agencies enterprise fund, parking services
5 account (22007), to the general fund, for the purpose of reimbursing the
6 costs of debt service related to state parking facilities.

7 10. \$3,435,000 from the general fund to the centralized services fund,
8 COPS account (55013).

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

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

14 13. \$12,000,000 from the agencies enterprise fund, parking services
15 account (22007), to the centralized services, building support services
16 account (55018).

17 14. \$30,000,000 from the general fund to the internal service fund,
18 business services center account (55022).

19 15. \$8,000,000 from the general fund to the internal service fund,
20 building support services account (55018).

21 16. \$1,500,000 from the agencies enterprise fund, special events
22 account (20120), to the general fund.

23 Health:

24 1. A transfer from the general fund to the combined gifts, grants and
25 bequests fund, breast cancer research and education account (20155), up
26 to an amount equal to the monies collected and deposited into that
27 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. \$20,294,000 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. \$2,000,000 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. \$6,000,000 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 charitable gifts
26 trust fund, health charitable account (24900), to the general fund, for
27 payment of general support for primary, preventive, and inpatient health
28 care, dental and vision care, hunger prevention and nutritional assist-

1 ance, and other services for New York state residents with the overall
2 goal of ensuring that New York state residents have access to quality
3 health care and other related services.

4 11. \$500,000 from the miscellaneous special revenue fund, New York
5 State cannabis revenue fund, to the miscellaneous special revenue fund,
6 environmental laboratory fee account (21959).

7 12. An amount up to the unencumbered balance from the public health
8 emergency charitable gifts trust fund to the general fund, for payment
9 of goods and services necessary to respond to a public health disaster
10 emergency or to assist or aid in responding to such a disaster.

11 13. \$2,585,000 from the miscellaneous special revenue fund, patient
12 safety center account (22140), to the general fund.

13 14. \$1,000,000 from the miscellaneous special revenue fund, nursing
14 home receivership account (21925), to the general fund.

15 15. \$133,000 from the miscellaneous special revenue fund, quality of
16 care account (21915), to the general fund.

17 16. \$2,200,000 from the miscellaneous special revenue fund, adult home
18 quality enhancement account (22091), to the general fund.

19 Labor:

20 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
21 penalty account (21923), to the child performer's protection fund, child
22 performer protection account (20401).

23 2. \$11,700,000 from the unemployment insurance interest and penalty
24 fund, unemployment insurance special interest and penalty account
25 (23601), to the general fund.

26 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
27 ment insurance special interest and penalty account (23601), and public
28 work enforcement account (21998), to the general fund.

1 Mental Hygiene:

2 1. \$10,000,000 from the general fund, to the miscellaneous special
3 revenue fund, federal salary sharing account (22056).

4 2. \$3,800,000 from the general fund, to the agencies internal service
5 fund, civil service EHS occupational health program account (55056).

6 3. \$3,000,000 from the chemical dependence service fund, substance
7 abuse services fund account (22700), to the mental hygiene capital
8 improvement fund (32305).

9 Public Protection:

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

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

14 3. \$20,773,000 from the general fund to the correctional industries
15 revolving fund, correctional industries internal service account
16 (55350).

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

19 5. \$11,149,000 from the miscellaneous special revenue fund, criminal
20 justice improvement account (21945), to the general fund.

21 6. \$115,420,000 from the state police motor vehicle law enforcement
22 and motor vehicle theft and insurance fraud prevention fund, state
23 police motor vehicle enforcement account (22802), to the general fund
24 for state operation expenses of the division of state police.

25 7. \$131,500,000 from the general fund to the correctional facilities
26 capital improvement fund (32350).

27 8. \$5,000,000 from the general fund to the dedicated highway and
28 bridge trust fund (30050) for the purpose of work zone safety activities

1 provided by the division of state police for the department of transpor-
2 tation.

3 9. \$10,000,000 from the miscellaneous special revenue fund, statewide
4 public safety communications account (22123), to the capital projects
5 fund (30000).

6 10. \$9,830,000 from the miscellaneous special revenue fund, legal
7 services assistance account (22096), to the general fund.

8 11. \$1,000,000 from the general fund to the agencies internal service
9 fund, neighborhood work project account (55059).

10 12. \$7,980,000 from the miscellaneous special revenue fund, finger-
11 print identification & technology account (21950), to the general fund.

12 13. \$1,100,000 from the state police motor vehicle law enforcement and
13 motor vehicle theft and insurance fraud prevention fund, motor vehicle
14 theft and insurance fraud account (22801), to the general fund.

15 14. \$30,500,000 from the miscellaneous special revenue fund, statewide
16 public safety communications account (22123), to the general fund.

17 Transportation:

18 1. \$20,000,000 from the general fund to the mass transportation oper-
19 ating assistance fund, public transportation systems operating assist-
20 ance account (21401), of which \$12,000,000 constitutes the base need for
21 operations.

22 2. \$727,500,000 from the general fund to the dedicated highway and
23 bridge trust fund (30050).

24 3. \$244,250,000 from the general fund to the MTA financial assistance
25 fund, mobility tax trust account (23651).

26 4. \$5,000,000 from the miscellaneous special revenue fund, transporta-
27 tion regulation account (22067) to the dedicated highway and bridge
28 trust fund (30050), for disbursements made from such fund for motor

1 carrier safety that are in excess of the amounts deposited in the dedi-
2 cated highway and bridge trust fund (30050) for such purpose pursuant to
3 section 94 of the transportation law.

4 5. \$3,000,000 from the miscellaneous special revenue fund, traffic
5 adjudication account (22055), to the general fund.

6 6. \$8,557,000 from the mass transportation operating assistance fund,
7 metropolitan mass transportation operating assistance account (21402),
8 to the capital projects fund (30000).

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

14 8. \$4,721,000 from the mass transportation operating assistance fund,
15 public transportation systems operating assistance account (21401), to
16 the general fund.

17 9. \$107,474,000 from the mass transportation operating assistance
18 fund, metropolitan mass transportation operating assistance account
19 (21402), to the general fund.

20 10. \$22,557,000 from the dedicated mass transportation trust fund,
21 transit account (20851), to the general fund.

22 11. \$3,985,000 from the dedicated mass transportation trust fund,
23 commuter rail account (20852), to the general fund.

24 12. \$2,372,000 from the dedicated mass transportation trust fund,
25 non-MTA account (20853), to the general fund.

26 13. \$12,552,000 from the metropolitan transportation authority finan-
27 cial assistance fund, mobility tax trust account (23651), to the general
28 fund.

1 14. \$6,552,000 from the New York central business district trust fund
2 (23653) to the general fund.

3 Miscellaneous:

4 1. \$250,000,000 from the general fund to any funds or accounts for the
5 purpose of reimbursing certain outstanding accounts receivable balances
6 or fund spending expected to be incurred to maintain essential govern-
7 mental operations which are in excess of available cash resulting from a
8 reduction of dedicated revenue sources that were waived or otherwise
9 impacted by reduced utilization directly or indirectly associated with
10 executive order and/or societal response to the novel coronavirus,
11 COVID-19.

12 2. \$500,000,000 from the general fund to the debt reduction reserve
13 fund (40000).

14 3. \$450,000,000 from the New York state storm recovery capital fund
15 (33000) to the revenue bond tax fund (40152).

16 4. \$15,500,000 from the general fund, community projects account GG
17 (10256), to the general fund, state purposes account (10050).

18 5. \$100,000,000 from any special revenue federal fund to the general
19 fund, state purposes account (10050).

20 § 3. 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, on or before March 31, 2022:

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

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

5 3. Upon request of the commissioner of agriculture and markets, up to
6 \$2,000,000 from the state exposition special fund, state fair receipts
7 account (50051) to the miscellaneous capital projects fund, state fair
8 capital improvement account (32208).

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

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

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

22 § 4. On or before March 31, 2022, the comptroller is hereby authorized
23 and directed to deposit earnings that would otherwise accrue to the
24 general fund that are attributable to the operation of section 98-a of
25 the state finance law, to the agencies internal service fund, banking
26 services account (55057), for the purpose of meeting direct payments
27 from such account.

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

8 § 6. Notwithstanding any law to the contrary, and in accordance with
9 section 4 of the state finance law, the comptroller is hereby authorized
10 and directed to transfer, upon request of the director of the budget and
11 upon consultation with the state university chancellor or his or her
12 designee, on or before March 31, 2022, up to \$16,000,000 from the state
13 university income fund general revenue account (22653) to the state
14 general fund for debt service costs related to campus supported capital
15 project costs for the NY-SUNY 2020 challenge grant program at the
16 University at Buffalo.

17 § 7. Notwithstanding any law to the contrary, and in accordance with
18 section 4 of the state finance law, the comptroller is hereby authorized
19 and directed to transfer, upon request of the director of the budget and
20 upon consultation with the state university chancellor or his or her
21 designee, on or before March 31, 2022, up to \$6,500,000 from the state
22 university income fund general revenue account (22653) to the state
23 general fund for debt service costs related to campus supported capital
24 project costs for the NY-SUNY 2020 challenge grant program at the
25 University at Albany.

26 § 8. Notwithstanding any law to the contrary, the state university
27 chancellor or his or her designee is authorized and directed to transfer
28 estimated tuition revenue balances from the state university collection

1 fund (61000) to the state university income fund, state university
2 general revenue offset account (22655) on or before March 31, 2022.

3 § 9. Notwithstanding any law to the contrary, and in accordance with
4 section 4 of the state finance law, the comptroller is hereby authorized
5 and directed to transfer, upon request of the director of the budget, up
6 to \$978,934,300 from the general fund to the state university income
7 fund, state university general revenue offset account (22655) during the
8 period of July 1, 2021 through June 30, 2022 to support operations at
9 the state university.

10 § 10. 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, up
13 to \$20,000,000 from the general fund to the state university income
14 fund, state university general revenue offset account (22655) during the
15 period of July 1, 2021 to June 30, 2022 to support operations at the
16 state university in accordance with the maintenance of effort pursuant
17 to subparagraph (4) of paragraph h of subdivision 2 of section 355 of
18 the education law.

19 § 11. 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 state university chancel-
22 lor or his or her designee, up to \$55,000,000 from the state university
23 income fund, state university hospitals income reimbursable account
24 (22656), for services and expenses of hospital operations and capital
25 expenditures at the state university hospitals; and the state university
26 income fund, Long Island veterans' home account (22652) to the state
27 university capital projects fund (32400) on or before June 30, 2022.

1 § 12. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller, after consultation
3 with the state university chancellor or his or her designee, is hereby
4 authorized and directed to transfer moneys, in the first instance, from
5 the state university collection fund, Stony Brook hospital collection
6 account (61006), Brooklyn hospital collection account (61007), and Syra-
7 cuse hospital collection account (61008) to the state university income
8 fund, state university hospitals income reimbursable account (22656) in
9 the event insufficient funds are available in the state university
10 income fund, state university hospitals income reimbursable account
11 (22656) to permit the full transfer of moneys authorized for transfer,
12 to the general fund for payment of debt service related to the SUNY
13 hospitals. Notwithstanding any law to the contrary, the comptroller is
14 also hereby authorized and directed, after consultation with the state
15 university chancellor or his or her designee, to transfer moneys from
16 the state university income fund to the state university income fund,
17 state university hospitals income reimbursable account (22656) in the
18 event insufficient funds are available in the state university income
19 fund, state university hospitals income reimbursable account (22656) to
20 pay hospital operating costs or to permit the full transfer of moneys
21 authorized for transfer, to the general fund for payment of debt service
22 related to the SUNY hospitals on or before March 31, 2022.

23 § 13. Notwithstanding any law to the contrary, upon the direction of
24 the director of the budget and the chancellor of the state university of
25 New York or his or her designee, and in accordance with section 4 of the
26 state finance law, the comptroller is hereby authorized and directed to
27 transfer monies from the state university dormitory income fund (40350)
28 to the state university residence hall rehabilitation fund (30100), and

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

4 § 14. Notwithstanding any law to the contrary, and in accordance with
5 section 4 of the state finance law, the comptroller is hereby authorized
6 and directed to transfer, at the request of the director of the budget,
7 up to \$1 billion from the unencumbered balance of any special revenue
8 fund or account, agency fund or account, internal service fund or
9 account, enterprise fund or account, or any combination of such funds
10 and accounts, to the general fund. The amounts transferred pursuant to
11 this authorization shall be in addition to any other transfers expressly
12 authorized in the 2021-22 budget. Transfers from federal funds, debt
13 service funds, capital projects funds, the community projects fund, or
14 funds that would result in the loss of eligibility for federal benefits
15 or federal funds pursuant to federal law, rule, or regulation as assent-
16 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
17 1951 are not permitted pursuant to this authorization.

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

1 this authorization shall be equal to or less than the amount of such
2 monies intended to support information technology costs which are
3 attributable, according to a plan, to such account made in pursuance to
4 an appropriation by law. Transfers to the technology financing account
5 shall be completed from amounts collected by non-general funds or
6 accounts pursuant to a fund deposit schedule or permanent statute, and
7 shall be transferred to the technology financing account pursuant to a
8 schedule agreed upon by the affected agency commissioner. Transfers from
9 funds that would result in the loss of eligibility for federal benefits
10 or federal funds pursuant to federal law, rule, or regulation as assent-
11 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
12 1951 are not permitted pursuant to this authorization.

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

1 § 17. Notwithstanding any provision of law to the contrary, as deemed
2 feasible and advisable by its trustees, the power authority of the state
3 of New York is authorized and directed to transfer to the state treasury
4 to the credit of the general fund up to \$20,000,000 for the state fiscal
5 year commencing April 1, 2021, the proceeds of which will be utilized to
6 support energy-related state activities.

7 § 18. Notwithstanding any provision of law, rule or regulation to the
8 contrary, the New York state energy research and development authority
9 is authorized and directed to make the following contributions to the
10 state treasury to the credit of the general fund on or before March 31,
11 2022: (a) \$913,000; and (b) \$23,000,000 from proceeds collected by the
12 authority from the auction or sale of carbon dioxide emission allowances
13 allocated by the department of environmental conservation.

14 § 19. Notwithstanding any provision of law, rule or regulation to the
15 contrary, the New York state energy research and development authority
16 is authorized and directed to transfer five million dollars to the cred-
17 it of the Environmental Protection Fund on or before March 31, 2022 from
18 proceeds collected by the authority from the auction or sale of carbon
19 dioxide emission allowances allocated by the department of environmental
20 conservation.

21 § 20. Subdivision 5 of section 97-rrr of the state finance law, as
22 amended by section 20 of part JJ of chapter 56 of the laws of 2020, is
23 amended to read as follows:

24 5. Notwithstanding the provisions of section one hundred seventy-one-a
25 of the tax law, as separately amended by chapters four hundred eighty-
26 one and four hundred eighty-four of the laws of nineteen hundred eight-
27 y-one, and notwithstanding the provisions of chapter ninety-four of the
28 laws of two thousand eleven, or any other provisions of law to the

1 contrary, during the fiscal year beginning April first, two thousand
2 [twenty] twenty-one, the state comptroller is hereby authorized and
3 directed to deposit to the fund created pursuant to this section from
4 amounts collected pursuant to article twenty-two of the tax law and
5 pursuant to a schedule submitted by the director of the budget, up to
6 [\$2,073,116,000] \$586,503,000, as may be certified in such schedule as
7 necessary to meet the purposes of such fund for the fiscal year begin-
8 ning April first, two thousand [twenty] twenty-one.

9 § 21. Notwithstanding any law to the contrary, the comptroller is
10 hereby authorized and directed to transfer, upon request of the director
11 of the budget, on or before March 31, 2022, the following amounts from
12 the following special revenue accounts to the capital projects fund
13 (30000), for the purposes of reimbursement to such fund for expenses
14 related to the maintenance and preservation of state assets:

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

17 2. \$1,478,000 from the miscellaneous special revenue fund, helen hayes
18 hospital account (22140).

19 3. \$366,000 from the miscellaneous special revenue fund, New York city
20 veterans' home account (22141).

21 4. \$513,000 from the miscellaneous special revenue fund, New York
22 state home for veterans' and their dependents at oxford account (22142).

23 5. \$159,000 from the miscellaneous special revenue fund, western New
24 York veterans' home account (22143).

25 6. \$323,000 from the miscellaneous special revenue fund, New York
26 state for veterans in the lower-hudson valley account (22144).

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

1 8. \$7,502,241 from the miscellaneous special revenue fund, state
2 university general income reimbursable account (22653).

3 9. \$135,656,957 from the miscellaneous special revenue fund, state
4 university revenue offset account (22655).

5 10. \$49,329,802 from the state university dormitory income fund, state
6 university dormitory income fund (40350).

7 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
8 settlement and civil recovery account (22117).

9 § 22. Subdivision 5 of section 4 of the state finance law, as amended
10 by section 16 of part PP of chapter 56 of the laws of 2009, is amended
11 to read as follows:

12 5. No money or other financial resources shall be transferred or
13 temporarily loaned from one fund to another without specific statutory
14 authorization for such transfer or temporary loan, except that money or
15 other financial resources of a fund may be temporarily loaned to the
16 general fund during the state fiscal year provided that such loan shall
17 be repaid in full no later than [(a) four months after it was made or
18 (b) by] the end of the same fiscal year in which it was made, [whichever
19 period is shorter,] so that an accurate accounting and reporting of the
20 balance of financial resources in each fund may be made. The comptroller
21 is hereby authorized to temporarily loan money from the general fund or
22 any other fund to the fund/accounts that are authorized to receive a
23 loan. Such loans shall be limited to the amounts immediately required to
24 meet disbursements, made in pursuance of an appropriation by law and
25 authorized by a certificate of approval issued by the director of the
26 budget with copies thereof filed with the comptroller and the chair of
27 the senate finance committee and the chair of the assembly ways and
28 means committee. The director of the budget shall not issue such a

1 certificate unless he or she shall have determined that the amounts to
2 be so loaned are receivable on account. When making loans, the comp-
3 troller shall establish appropriate accounts and if the loan is not
4 repaid by the end of the month, provide on or before the fifteenth day
5 of the following month to the director of the budget, the chair of the
6 senate finance committee and the chair of the assembly ways and means
7 committee, an accurate accounting and report of the financial resources
8 of each such fund at the end of such month. Within ten days of the
9 receipt of such accounting and reporting, the director of the budget
10 shall provide the comptroller and the chair of the senate finance
11 committee and the chair of the assembly ways and means committee an
12 expected schedule of repayment by fund and by source for each outstand-
13 ing loan. Repayment shall be made by the comptroller from the first cash
14 receipt of this fund.

15 § 23. The opening paragraph of subdivision 3 of section 93-b of the
16 state finance law, as amended by section 1 of part M of chapter 57 of
17 the laws of 2016, is amended to read as follows:

18 Notwithstanding any other provisions of law to the contrary, [commenc-
19 ing on April first, two thousand fifteen, and continuing through March
20 thirty-first, two thousand twenty-one,] the comptroller is hereby
21 authorized to transfer monies from the dedicated infrastructure invest-
22 ment fund to the general fund, and from the general fund to the dedi-
23 cated infrastructure investment fund, in an amount determined by the
24 director of the budget to the extent moneys are available in the fund;
25 provided, however, that the comptroller is only authorized to transfer
26 monies from the dedicated infrastructure investment fund to the general
27 fund in the event of an economic downturn as described in paragraph (a)
28 of this subdivision; and/or to fulfill disallowances and/or settlements

1 related to over-payments of federal medicare and medicaid revenues in
2 excess of one hundred million dollars from anticipated levels, as deter-
3 mined by the director of the budget and described in paragraph (b) of
4 this subdivision.

5 § 24. Notwithstanding any other law, rule, or regulation to the
6 contrary, the state comptroller is hereby authorized and directed to use
7 any balance remaining in the mental health services fund debt service
8 appropriation, after payment by the state comptroller of all obligations
9 required pursuant to any lease, sublease, or other financing arrangement
10 between the dormitory authority of the state of New York as successor to
11 the New York state medical care facilities finance agency, and the
12 facilities development corporation pursuant to chapter 83 of the laws of
13 1995 and the department of mental hygiene for the purpose of making
14 payments to the dormitory authority of the state of New York for the
15 amount of the earnings for the investment of monies deposited in the
16 mental health services fund that such agency determines will or may have
17 to be rebated to the federal government pursuant to the provisions of
18 the internal revenue code of 1986, as amended, in order to enable such
19 agency to maintain the exemption from federal income taxation on the
20 interest paid to the holders of such agency's mental services facilities
21 improvement revenue bonds. Annually on or before each June 30th, such
22 agency shall certify to the state comptroller its determination of the
23 amounts received in the mental health services fund as a result of the
24 investment of monies deposited therein that will or may have to be
25 rebated to the federal government pursuant to the provisions of the
26 internal revenue code of 1986, as amended.

27 § 25. Subdivision 1 of section 16 of part D of chapter 389 of the laws
28 of 1997, relating to the financing of the correctional facilities

1 improvement fund and the youth facility improvement fund, as amended by
2 section 28 of part JJ of chapter 56 of the laws of 2020, is amended to
3 read as follows:

4 1. Subject to the provisions of chapter 59 of the laws of 2000, but
5 notwithstanding the provisions of section 18 of section 1 of chapter 174
6 of the laws of 1968, the New York state urban development corporation is
7 hereby authorized to issue bonds, notes and other obligations in an
8 aggregate principal amount not to exceed [eight billion eight hundred
9 seventeen million two hundred ninety-nine thousand dollars
10 \$8,817,299,000] nine billion one hundred thirty-nine million six hundred
11 nineteen thousand dollars \$9,139,619,000, and shall include all bonds,
12 notes and other obligations issued pursuant to chapter 56 of the laws of
13 1983, as amended or supplemented. The proceeds of such bonds, notes or
14 other obligations shall be paid to the state, for deposit in the correc-
15 tional facilities capital improvement fund to pay for all or any portion
16 of the amount or amounts paid by the state from appropriations or reap-
17 propriations made to the department of corrections and community super-
18 vision from the correctional facilities capital improvement fund for
19 capital projects. The aggregate amount of bonds, notes or other obli-
20 gations authorized to be issued pursuant to this section shall exclude
21 bonds, notes or other obligations issued to refund or otherwise repay
22 bonds, notes or other obligations theretofore issued, the proceeds of
23 which were paid to the state for all or a portion of the amounts
24 expended by the state from appropriations or reappropriations made to
25 the department of corrections and community supervision; provided,
26 however, that upon any such refunding or repayment the total aggregate
27 principal amount of outstanding bonds, notes or other obligations may be
28 greater than [eight billion eight hundred seventeen million two hundred

1 ninety-nine thousand dollars \$8,817,299,000] nine billion one hundred
2 thirty-nine million six hundred nineteen thousand dollars
3 \$9,139,619,000, only if the present value of the aggregate debt service
4 of the refunding or repayment bonds, notes or other obligations to be
5 issued shall not exceed the present value of the aggregate debt service
6 of the bonds, notes or other obligations so to be refunded or repaid.
7 For the purposes hereof, the present value of the aggregate debt service
8 of the refunding or repayment bonds, notes or other obligations and of
9 the aggregate debt service of the bonds, notes or other obligations so
10 refunded or repaid, shall be calculated by utilizing the effective
11 interest rate of the refunding or repayment bonds, notes or other obli-
12 gations, which shall be that rate arrived at by doubling the semi-annual
13 interest rate (compounded semi-annually) necessary to discount the debt
14 service payments on the refunding or repayment bonds, notes or other
15 obligations from the payment dates thereof to the date of issue of the
16 refunding or repayment bonds, notes or other obligations and to the
17 price bid including estimated accrued interest or proceeds received by
18 the corporation including estimated accrued interest from the sale ther-
19 eof.

20 § 26. Subdivision (a) of section 27 of part Y of chapter 61 of the
21 laws of 2005, relating to providing for the administration of certain
22 funds and accounts related to the 2005-2006 budget, as amended by
23 section 29 of part JJ of chapter 56 of the laws of 2020, is amended to
24 read as follows:

25 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
26 notwithstanding any provisions of law to the contrary, the urban devel-
27 opment corporation is hereby authorized to issue bonds or notes in one
28 or more series in an aggregate principal amount not to exceed [three

1 hundred twenty-three million one hundred thousand dollars \$323,100,000]
2 three hundred seventy-four million six hundred thousand dollars
3 \$374,600,000, excluding bonds issued to finance one or more debt service
4 reserve funds, to pay costs of issuance of such bonds, and bonds or
5 notes issued to refund or otherwise repay such bonds or notes previously
6 issued, for the purpose of financing capital projects including IT
7 initiatives for the division of state police, debt service and leases;
8 and to reimburse the state general fund for disbursements made therefor.
9 Such bonds and notes of such authorized issuer shall not be a debt of
10 the state, and the state shall not be liable thereon, nor shall they be
11 payable out of any funds other than those appropriated by the state to
12 such authorized issuer for debt service and related expenses pursuant to
13 any service contract executed pursuant to subdivision (b) of this
14 section and such bonds and notes shall contain on the face thereof a
15 statement to such effect. Except for purposes of complying with the
16 internal revenue code, any interest income earned on bond proceeds shall
17 only be used to pay debt service on such bonds.

18 § 27. Subdivision 3 of section 1285-p of the public authorities law,
19 as amended by section 30 of part JJ of chapter 56 of the laws of 2020,
20 is amended to read as follows:

21 3. The maximum amount of bonds that may be issued for the purpose of
22 financing environmental infrastructure projects authorized by this
23 section shall be [six billion three hundred seventy-four million ten
24 thousand dollars \$6,374,010,000] seven billion one hundred thirty
25 million ten thousand dollars \$7,130,010,000, exclusive of bonds issued
26 to fund any debt service reserve funds, pay costs of issuance of such
27 bonds, and bonds or notes issued to refund or otherwise repay bonds or
28 notes previously issued. Such bonds and notes of the corporation shall

1 not be a debt of the state, and the state shall not be liable thereon,
2 nor shall they be payable out of any funds other than those appropriated
3 by the state to the corporation for debt service and related expenses
4 pursuant to any service contracts executed pursuant to subdivision one
5 of this section, and such bonds and notes shall contain on the face
6 thereof a statement to such effect.

7 § 28. Subdivision (a) of section 48 of part K of chapter 81 of the
8 laws of 2002, relating to providing for the administration of certain
9 funds and accounts related to the 2002-2003 budget, as amended by
10 section 31 of part JJ of chapter 56 of the laws of 2020, is amended to
11 read as follows:

12 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
13 notwithstanding the provisions of section 18 of the urban development
14 corporation act, the corporation is hereby authorized to issue bonds or
15 notes in one or more series in an aggregate principal amount not to
16 exceed [three hundred fourteen million dollars \$314,000,000] three
17 hundred forty-seven million five hundred thousand dollars \$347,500,000,
18 excluding bonds issued to fund one or more debt service reserve funds,
19 to pay costs of issuance of such bonds, and bonds or notes issued to
20 refund or otherwise repay such bonds or notes previously issued, for the
21 purpose of financing capital costs related to homeland security and
22 training facilities for the division of state police, the division of
23 military and naval affairs, and any other state agency, including the
24 reimbursement of any disbursements made from the state capital projects
25 fund, and is hereby authorized to issue bonds or notes in one or more
26 series in an aggregate principal amount not to exceed [\$1,115,800,000
27 one billion one hundred fifteen million eight hundred thousand dollars]
28 one billion two hundred seventy-eight million eight hundred thousand

1 dollars \$1,278,800,000, excluding bonds issued to fund one or more debt
2 service reserve funds, to pay costs of issuance of such bonds, and bonds
3 or notes issued to refund or otherwise repay such bonds or notes previ-
4 ously issued, for the purpose of financing improvements to State office
5 buildings and other facilities located statewide, including the
6 reimbursement of any disbursements made from the state capital projects
7 fund. Such bonds and notes of the corporation shall not be a debt of the
8 state, and the state shall not be liable thereon, nor shall they be
9 payable out of any funds other than those appropriated by the state to
10 the corporation for debt service and related expenses pursuant to any
11 service contracts executed pursuant to subdivision (b) of this section,
12 and such bonds and notes shall contain on the face thereof a statement
13 to such effect.

14 § 29. Paragraph (c) of subdivision 19 of section 1680 of the public
15 authorities law, as amended by section 32 of part JJ of chapter 56 of
16 the laws of 2020, is amended to read as follows:

17 (c) Subject to the provisions of chapter fifty-nine of the laws of two
18 thousand, the dormitory authority shall not issue any bonds for state
19 university educational facilities purposes if the principal amount of
20 bonds to be issued when added to the aggregate principal amount of bonds
21 issued by the dormitory authority on and after July first, nineteen
22 hundred eighty-eight for state university educational facilities will
23 exceed [fourteen billion seven hundred forty-one million eight hundred
24 sixty-four thousand dollars \$14,741,864,000] fifteen billion four
25 hundred fifty-five million eight hundred sixty-four thousand dollars
26 \$15,455,864,000; provided, however, that bonds issued or to be issued
27 shall be excluded from such limitation if: (1) such bonds are issued to
28 refund state university construction bonds and state university

1 construction notes previously issued by the housing finance agency; or
2 (2) such bonds are issued to refund bonds of the authority or other
3 obligations issued for state university educational facilities purposes
4 and the present value of the aggregate debt service on the refunding
5 bonds does not exceed the present value of the aggregate debt service on
6 the bonds refunded thereby; provided, further that upon certification by
7 the director of the budget that the issuance of refunding bonds or other
8 obligations issued between April first, nineteen hundred ninety-two and
9 March thirty-first, nineteen hundred ninety-three will generate long
10 term economic benefits to the state, as assessed on a present value
11 basis, such issuance will be deemed to have met the present value test
12 noted above. For purposes of this subdivision, the present value of the
13 aggregate debt service of the refunding bonds and the aggregate debt
14 service of the bonds refunded, shall be calculated by utilizing the true
15 interest cost of the refunding bonds, which shall be that rate arrived
16 at by doubling the semi-annual interest rate (compounded semi-annually)
17 necessary to discount the debt service payments on the refunding bonds
18 from the payment dates thereof to the date of issue of the refunding
19 bonds to the purchase price of the refunding bonds, including interest
20 accrued thereon prior to the issuance thereof. The maturity of such
21 bonds, other than bonds issued to refund outstanding bonds, shall not
22 exceed the weighted average economic life, as certified by the state
23 university construction fund, of the facilities in connection with which
24 the bonds are issued, and in any case not later than the earlier of
25 thirty years or the expiration of the term of any lease, sublease or
26 other agreement relating thereto; provided that no note, including
27 renewals thereof, shall mature later than five years after the date of
28 issuance of such note. The legislature reserves the right to amend or

1 repeal such limit, and the state of New York, the dormitory authority,
2 the state university of New York, and the state university construction
3 fund are prohibited from covenanting or making any other agreements with
4 or for the benefit of bondholders which might in any way affect such
5 right.

6 § 30. Paragraph (c) of subdivision 14 of section 1680 of the public
7 authorities law, as amended by section 33 of part JJ of chapter 56 of
8 the laws of 2020, is amended to read as follows:

9 (c) Subject to the provisions of chapter fifty-nine of the laws of two
10 thousand, (i) the dormitory authority shall not deliver a series of
11 bonds for city university community college facilities, except to refund
12 or to be substituted for or in lieu of other bonds in relation to city
13 university community college facilities pursuant to a resolution of the
14 dormitory authority adopted before July first, nineteen hundred eighty-
15 five or any resolution supplemental thereto, if the principal amount of
16 bonds so to be issued when added to all principal amounts of bonds
17 previously issued by the dormitory authority for city university commu-
18 nity college facilities, except to refund or to be substituted in lieu
19 of other bonds in relation to city university community college facili-
20 ties will exceed the sum of four hundred twenty-five million dollars and
21 (ii) the dormitory authority shall not deliver a series of bonds issued
22 for city university facilities, including community college facilities,
23 pursuant to a resolution of the dormitory authority adopted on or after
24 July first, nineteen hundred eighty-five, except to refund or to be
25 substituted for or in lieu of other bonds in relation to city university
26 facilities and except for bonds issued pursuant to a resolution supple-
27 mental to a resolution of the dormitory authority adopted prior to July
28 first, nineteen hundred eighty-five, if the principal amount of bonds so

1 to be issued when added to the principal amount of bonds previously
2 issued pursuant to any such resolution, except bonds issued to refund or
3 to be substituted for or in lieu of other bonds in relation to city
4 university facilities, will exceed [nine billion two hundred twenty-two
5 million seven hundred thirty-two thousand dollars \$9,222,732,000] nine
6 billion five hundred forty-eight million eight hundred thirty thousand
7 dollars \$9,548,830,000. The legislature reserves the right to amend or
8 repeal such limit, and the state of New York, the dormitory authority,
9 the city university, and the fund are prohibited from covenanting or
10 making any other agreements with or for the benefit of bondholders which
11 might in any way affect such right.

12 § 31. Subdivision 10-a of section 1680 of the public authorities law,
13 as amended by section 34 of part JJ of chapter 56 of the laws of 2020,
14 is amended to read as follows:

15 10-a. Subject to the provisions of chapter fifty-nine of the laws of
16 two thousand, but notwithstanding any other provision of the law to the
17 contrary, the maximum amount of bonds and notes to be issued after March
18 thirty-first, two thousand two, on behalf of the state, in relation to
19 any locally sponsored community college, shall be [one billion fifty-one
20 million six hundred forty thousand dollars \$1,051,640,000] one billion
21 sixty-six million two hundred fifty-seven thousand dollars
22 \$1,066,257,000. Such amount shall be exclusive of bonds and notes issued
23 to fund any reserve fund or funds, costs of issuance and to refund any
24 outstanding bonds and notes, issued on behalf of the state, relating to
25 a locally sponsored community college.

26 § 32. Subdivision 1 of section 17 of part D of chapter 389 of the laws
27 of 1997, relating to the financing of the correctional facilities
28 improvement fund and the youth facility improvement fund, as amended by

1 section 35 of part JJ of chapter 56 of the laws of 2020, is amended to
2 read as follows:

3 1. Subject to the provisions of chapter 59 of the laws of 2000, but
4 notwithstanding the provisions of section 18 of section 1 of chapter 174
5 of the laws of 1968, the New York state urban development corporation is
6 hereby authorized to issue bonds, notes and other obligations in an
7 aggregate principal amount not to exceed [eight hundred forty million
8 three hundred fifteen thousand dollars \$840,315,000] eight hundred
9 seventy-six million fifteen thousand dollars \$876,015,000, which author-
10 ization increases the aggregate principal amount of bonds, notes and
11 other obligations authorized by section 40 of chapter 309 of the laws of
12 1996, and shall include all bonds, notes and other obligations issued
13 pursuant to chapter 211 of the laws of 1990, as amended or supplemented.
14 The proceeds of such bonds, notes or other obligations shall be paid to
15 the state, for deposit in the youth facilities improvement fund, to pay
16 for all or any portion of the amount or amounts paid by the state from
17 appropriations or reappropriations made to the office of children and
18 family services from the youth facilities improvement fund for capital
19 projects. The aggregate amount of bonds, notes and other obligations
20 authorized to be issued pursuant to this section shall exclude bonds,
21 notes or other obligations issued to refund or otherwise repay bonds,
22 notes or other obligations theretofore issued, the proceeds of which
23 were paid to the state for all or a portion of the amounts expended by
24 the state from appropriations or reappropriations made to the office of
25 children and family services; provided, however, that upon any such
26 refunding or repayment the total aggregate principal amount of outstand-
27 ing bonds, notes or other obligations may be greater than [eight hundred
28 forty million three hundred fifteen thousand dollars \$840,315,000] eight

1 hundred seventy-six million fifteen thousand dollars \$876,015,000, only
2 if the present value of the aggregate debt service of the refunding or
3 repayment bonds, notes or other obligations to be issued shall not
4 exceed the present value of the aggregate debt service of the bonds,
5 notes or other obligations so to be refunded or repaid. For the purposes
6 hereof, the present value of the aggregate debt service of the refunding
7 or repayment bonds, notes or other obligations and of the aggregate debt
8 service of the bonds, notes or other obligations so refunded or repaid,
9 shall be calculated by utilizing the effective interest rate of the
10 refunding or repayment bonds, notes or other obligations, which shall be
11 that rate arrived at by doubling the semi-annual interest rate
12 (compounded semi-annually) necessary to discount the debt service
13 payments on the refunding or repayment bonds, notes or other obligations
14 from the payment dates thereof to the date of issue of the refunding or
15 repayment bonds, notes or other obligations and to the price bid includ-
16 ing estimated accrued interest or proceeds received by the corporation
17 including estimated accrued interest from the sale thereof.

18 § 33. Paragraph b of subdivision 2 of section 9-a of section 1 of
19 chapter 392 of the laws of 1973, constituting the New York state medical
20 care facilities finance agency act, as amended by section 36 of part JJ
21 of chapter 56 of the laws of 2020, is amended to read as follows:

22 b. The agency shall have power and is hereby authorized from time to
23 time to issue negotiable bonds and notes in conformity with applicable
24 provisions of the uniform commercial code in such principal amount as,
25 in the opinion of the agency, shall be necessary, after taking into
26 account other moneys which may be available for the purpose, to provide
27 sufficient funds to the facilities development corporation, or any
28 successor agency, for the financing or refinancing of or for the design,

1 construction, acquisition, reconstruction, rehabilitation or improvement
2 of mental health services facilities pursuant to paragraph a of this
3 subdivision, the payment of interest on mental health services improve-
4 ment bonds and mental health services improvement notes issued for such
5 purposes, the establishment of reserves to secure such bonds and notes,
6 the cost or premium of bond insurance or the costs of any financial
7 mechanisms which may be used to reduce the debt service that would be
8 payable by the agency on its mental health services facilities improve-
9 ment bonds and notes and all other expenditures of the agency incident
10 to and necessary or convenient to providing the facilities development
11 corporation, or any successor agency, with funds for the financing or
12 refinancing of or for any such design, construction, acquisition, recon-
13 struction, rehabilitation or improvement and for the refunding of mental
14 hygiene improvement bonds issued pursuant to section 47-b of the private
15 housing finance law; provided, however, that the agency shall not issue
16 mental health services facilities improvement bonds and mental health
17 services facilities improvement notes in an aggregate principal amount
18 exceeding [nine billion nine hundred twenty-seven million two hundred
19 seventy-six thousand dollars \$9,927,276,000] ten billion four hundred
20 seventy-six million seven hundred seventy-three thousand dollars
21 \$10,476,773,000, excluding mental health services facilities improvement
22 bonds and mental health services facilities improvement notes issued to
23 refund outstanding mental health services facilities improvement bonds
24 and mental health services facilities improvement notes; provided,
25 however, that upon any such refunding or repayment of mental health
26 services facilities improvement bonds and/or mental health services
27 facilities improvement notes the total aggregate principal amount of
28 outstanding mental health services facilities improvement bonds and

1 mental health facilities improvement notes may be greater than [nine
2 billion nine hundred twenty-seven million two hundred seventy-six thou-
3 sand dollars \$9,927,276,000] ten billion four hundred seventy-six
4 million seven hundred seventy-three thousand dollars \$10,476,773,000,
5 only if, except as hereinafter provided with respect to mental health
6 services facilities bonds and mental health services facilities notes
7 issued to refund mental hygiene improvement bonds authorized to be
8 issued pursuant to the provisions of section 47-b of the private housing
9 finance law, the present value of the aggregate debt service of the
10 refunding or repayment bonds to be issued shall not exceed the present
11 value of the aggregate debt service of the bonds to be refunded or
12 repaid. For purposes hereof, the present values of the aggregate debt
13 service of the refunding or repayment bonds, notes or other obligations
14 and of the aggregate debt service of the bonds, notes or other obli-
15 gations so refunded or repaid, shall be calculated by utilizing the
16 effective interest rate of the refunding or repayment bonds, notes or
17 other obligations, which shall be that rate arrived at by doubling the
18 semi-annual interest rate (compounded semi-annually) necessary to
19 discount the debt service payments on the refunding or repayment bonds,
20 notes or other obligations from the payment dates thereof to the date of
21 issue of the refunding or repayment bonds, notes or other obligations
22 and to the price bid including estimated accrued interest or proceeds
23 received by the authority including estimated accrued interest from the
24 sale thereof. Such bonds, other than bonds issued to refund outstanding
25 bonds, shall be scheduled to mature over a term not to exceed the aver-
26 age useful life, as certified by the facilities development corporation,
27 of the projects for which the bonds are issued, and in any case shall
28 not exceed thirty years and the maximum maturity of notes or any

1 renewals thereof shall not exceed five years from the date of the
2 original issue of such notes. Notwithstanding the provisions of this
3 section, the agency shall have the power and is hereby authorized to
4 issue mental health services facilities improvement bonds and/or mental
5 health services facilities improvement notes to refund outstanding
6 mental hygiene improvement bonds authorized to be issued pursuant to the
7 provisions of section 47-b of the private housing finance law and the
8 amount of bonds issued or outstanding for such purposes shall not be
9 included for purposes of determining the amount of bonds issued pursuant
10 to this section. The director of the budget shall allocate the aggregate
11 principal authorized to be issued by the agency among the office of
12 mental health, office for people with developmental disabilities, and
13 the office of addiction services and supports, in consultation with
14 their respective commissioners to finance bondable appropriations previ-
15 ously approved by the legislature.

16 § 34. Subdivision (a) of section 28 of part Y of chapter 61 of the
17 laws of 2005, relating to providing for the administration of certain
18 funds and accounts related to the 2005-2006 budget, as amended by
19 section 37 of part JJ of chapter 56 of the laws of 2020, is amended to
20 read as follows:

21 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
22 notwithstanding any provisions of law to the contrary, one or more
23 authorized issuers as defined by section 68-a of the state finance law
24 are hereby authorized to issue bonds or notes in one or more series in
25 an aggregate principal amount not to exceed [one hundred fifty-seven
26 million dollars \$157,000,000] one hundred seventy-two million dollars
27 \$172,000,000, excluding bonds issued to finance one or more debt service
28 reserve funds, to pay costs of issuance of such bonds, and bonds or

1 notes issued to refund or otherwise repay such bonds or notes previously
2 issued, for the purpose of financing capital projects for public
3 protection facilities in the Division of Military and Naval Affairs,
4 debt service and leases; and to reimburse the state general fund for
5 disbursements made therefor. Such bonds and notes of such authorized
6 issuer shall not be a debt of the state, and the state shall not be
7 liable thereon, nor shall they be payable out of any funds other than
8 those appropriated by the state to such authorized issuer for debt
9 service and related expenses pursuant to any service contract executed
10 pursuant to subdivision (b) of this section and such bonds and notes
11 shall 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 § 35. Section 53 of section 1 of chapter 174 of the laws of 1968,
16 constituting the New York state urban development corporation act, as
17 amended by section 38 of part JJ of chapter 56 of the laws of 2020, is
18 amended to read as follows:

19 § 53. 1. Notwithstanding the provisions of any other law to the
20 contrary, 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 funding project costs for the acquisition of equipment,
23 including but not limited to the creation or modernization of informa-
24 tion technology systems and related research and development equipment,
25 health and safety equipment, heavy equipment and machinery, the creation
26 or improvement of security systems, and laboratory equipment and other
27 state costs associated with such capital projects. The aggregate princi-
28 pal amount of bonds authorized to be issued pursuant to this section

1 shall not exceed [one hundred] two hundred ninety-three million dollars
2 [193,000,000] \$293,000,000, excluding bonds issued to fund one or more
3 debt service reserve funds, to pay costs of issuance of such bonds, and
4 bonds or notes issued to refund or otherwise repay such bonds or notes
5 previously issued. Such bonds and notes of the dormitory authority and
6 the urban development corporation shall not be a debt of the state, and
7 the state shall not be liable thereon, nor shall they be payable out of
8 any funds other than those appropriated by the state to the dormitory
9 authority and the urban development corporation for principal, interest,
10 and related expenses pursuant to a service contract and such bonds and
11 notes shall contain on the face thereof a statement to such effect.
12 Except for purposes of complying with the internal revenue code, any
13 interest income earned on bond proceeds shall only be used to pay debt
14 service on such bonds.

15 2. Notwithstanding any other provision of law to the contrary, in
16 order to assist the dormitory authority and the urban development corpo-
17 ration in undertaking the financing for project costs for the acquisi-
18 tion of equipment, including but not limited to the creation or modern-
19 ization of information technology systems and related research and
20 development equipment, health and safety equipment, heavy equipment and
21 machinery, the creation or improvement of security systems, and labora-
22 tory equipment and other state costs associated with such capital
23 projects, the director of the budget is hereby authorized to enter into
24 one or more service contracts with the dormitory authority and the urban
25 development corporation, none of which shall exceed thirty years in
26 duration, upon such terms and conditions as the director of the budget
27 and the dormitory authority and the urban development corporation agree,
28 so as to annually provide to the dormitory authority and the urban

1 development corporation, in the aggregate, a sum not to exceed the prin-
2 cipal, interest, and related expenses required for such bonds and notes.
3 Any service contract entered into pursuant to this section shall provide
4 that the obligation of the state to pay the amount therein provided
5 shall not constitute a debt of the state within the meaning of any
6 constitutional or statutory provision and shall be deemed executory only
7 to the extent of monies available and that no liability shall be
8 incurred by the state beyond the monies available for such purpose,
9 subject to annual appropriation by the legislature. Any such contract or
10 any payments made or to be made thereunder may be assigned and pledged
11 by the dormitory authority and the urban development corporation as
12 security for its bonds and notes, as authorized by this section.

13 § 36. Subdivision (b) of section 11 of chapter 329 of the laws of
14 1991, amending the state finance law and other laws relating to the
15 establishment of the dedicated highway and bridge trust fund, as amended
16 by section 39 of part JJ of chapter 56 of the laws of 2020, is amended
17 to read as follows:

18 (b) Any service contract or contracts for projects authorized pursuant
19 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
20 14-k of the transportation law, and entered into pursuant to subdivision
21 (a) of this section, shall provide for state commitments to provide
22 annually to the thruway authority a sum or sums, upon such terms and
23 conditions as shall be deemed appropriate by the director of the budget,
24 to fund, or fund the debt service requirements of any bonds or any obli-
25 gations of the thruway authority issued to fund or to reimburse the
26 state for funding such projects having a cost not in excess of [eleven
27 billion three hundred forty-nine million eight hundred seventy-five
28 thousand dollars \$11,349,875,000] eleven billion eight hundred thirty-

1 seven million two hundred twenty-seven thousand dollars \$11,837,227,000
2 cumulatively by the end of fiscal year [2020-21] 2021-22.

3 § 37. Subdivision 1 of section 1689-i of the public authorities law,
4 as amended by section 40 of part JJ of chapter 56 of the laws of 2020,
5 is amended to read as follows:

6 1. The dormitory authority is authorized to issue bonds, at the
7 request of the commissioner of education, to finance eligible library
8 construction projects pursuant to section two hundred seventy-three-a of
9 the education law, in amounts certified by such commissioner not to
10 exceed a total principal amount of [two hundred sixty-five million
11 dollars \$265,000,000] two hundred seventy-nine million dollars
12 \$279,000,000.

13 § 38. Section 44 of section 1 of chapter 174 of the laws of 1968,
14 constituting the New York state urban development corporation act, as
15 amended by section 41 of part JJ of chapter 56 of the laws of 2020, is
16 amended to read as follows:

17 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the
18 provisions of any other law to the contrary, the dormitory authority and
19 the corporation are hereby authorized to issue bonds or notes in one or
20 more series for the purpose of funding project costs for the regional
21 economic development council initiative, the economic transformation
22 program, state university of New York college for nanoscale and science
23 engineering, projects within the city of Buffalo or surrounding envi-
24 rons, the New York works economic development fund, projects for the
25 retention of professional football in western New York, the empire state
26 economic development fund, the clarkson-trudeau partnership, the New
27 York genome center, the cornell university college of veterinary medi-
28 cine, the olympic regional development authority, projects at nano

1 Utica, onondaga county revitalization projects, Binghamton university
2 school of pharmacy, New York power electronics manufacturing consortium,
3 regional infrastructure projects, high tech innovation and economic
4 development infrastructure program, high technology manufacturing
5 projects in Chautauqua and Erie county, an industrial scale research and
6 development facility in Clinton county, upstate revitalization initi-
7 ative projects, downstate revitalization initiative, market New York
8 projects, fairground buildings, equipment or facilities used to house
9 and promote agriculture, the state fair, the empire state trail, the
10 moynihan station development project, the Kingsbridge armory project,
11 strategic economic development projects, the cultural, arts and public
12 spaces fund, water infrastructure in the city of Auburn and town of
13 Owasco, a life sciences laboratory public health initiative, not-for-
14 profit pounds, shelters and humane societies, arts and cultural facili-
15 ties improvement program, restore New York's communities initiative,
16 heavy equipment, economic development and infrastructure projects,
17 Roosevelt Island operating corporation capital projects, Lake Ontario
18 regional projects, Pennsylvania station and other transit projects and
19 other state costs associated with such projects. The aggregate principal
20 amount of bonds authorized to be issued pursuant to this section shall
21 not exceed [ten billion three hundred thirty-four million eight hundred
22 fifty-one thousand dollars \$10,334,851,000] eleven billion two hundred
23 fifty-four million two hundred two thousand dollars \$11,254,202,000,
24 excluding bonds issued to fund one or more debt service reserve funds,
25 to pay costs of issuance of such bonds, and bonds or notes issued to
26 refund or otherwise repay such bonds or notes previously issued. Such
27 bonds and notes of the dormitory authority and the corporation shall not
28 be a debt of the state, and the state shall not be liable thereon, nor

1 shall they be payable out of any funds other than those appropriated by
2 the state to the dormitory authority and the corporation for principal,
3 interest, and related expenses pursuant to a service contract and such
4 bonds and notes shall contain on the face thereof a statement to such
5 effect. Except for purposes of complying with the internal revenue code,
6 any interest income earned on bond proceeds shall only be used to pay
7 debt service on such bonds.

8 2. Notwithstanding any other provision of law to the contrary, in
9 order to assist the dormitory authority and the corporation in undertak-
10 ing the financing for project costs for the regional economic develop-
11 ment council initiative, the economic transformation program, state
12 university of New York college for nanoscale and science engineering,
13 projects within the city of Buffalo or surrounding environs, the New
14 York works economic development fund, projects for the retention of
15 professional football in western New York, the empire state economic
16 development fund, the clarkson-trudeau partnership, the New York genome
17 center, the cornell university college of veterinary medicine, the olym-
18 pic regional development authority, projects at nano Utica, onondaga
19 county revitalization projects, Binghamton university school of pharma-
20 cy, New York power electronics manufacturing consortium, regional
21 infrastructure projects, New York State Capital Assistance Program for
22 Transportation, infrastructure, and economic development, high tech
23 innovation and economic development infrastructure program, high tech-
24 nology manufacturing projects in Chautauqua and Erie county, an indus-
25 trial scale research and development facility in Clinton county, upstate
26 revitalization initiative projects, downstate revitalization initiative,
27 market New York projects, fairground buildings, equipment or facilities
28 used to house and promote agriculture, the state fair, the empire state

1 trail, the moynihan station development project, the Kingsbridge armory
2 project, strategic economic development projects, the cultural, arts and
3 public spaces fund, water infrastructure in the city of Auburn and town
4 of Owasco, a life sciences laboratory public health initiative, not-for-
5 profit pounds, shelters and humane societies, arts and cultural facili-
6 ties improvement program, restore New York's communities initiative,
7 heavy equipment, economic development and infrastructure projects,
8 Roosevelt Island operating corporation capital projects, Lake Ontario
9 regional projects, Pennsylvania station and other transit projects and
10 other state costs associated with such projects the director of the
11 budget is hereby authorized to enter into one or more service contracts
12 with the dormitory authority and the corporation, none of which shall
13 exceed thirty years in duration, upon such terms and conditions as the
14 director of the budget and the dormitory authority and the corporation
15 agree, so as to annually provide to the dormitory authority and the
16 corporation, in the aggregate, a sum not to exceed the principal, inter-
17 est, and related expenses required for such bonds and notes. Any service
18 contract entered into pursuant to this section shall provide that the
19 obligation of the state to pay the amount therein provided shall not
20 constitute a debt of the state within the meaning of any constitutional
21 or statutory provision and shall be deemed executory only to the extent
22 of monies available and that no liability shall be incurred by the state
23 beyond the monies available for such purpose, subject to annual appro-
24 priation by the legislature. Any such contract or any payments made or
25 to be made thereunder may be assigned and pledged by the dormitory
26 authority and the corporation as security for its bonds and notes, as
27 authorized by this section.

1 § 39. Subdivision 1 of section 386-b of the public authorities law, as
2 amended by section 42 of part JJ of chapter 56 of the laws of 2020, is
3 amended to read as follows:

4 1. Notwithstanding any other provision of law to the contrary, the
5 authority, the dormitory authority and the urban development corporation
6 are hereby authorized to issue bonds or notes in one or more series for
7 the purpose of financing peace bridge projects and capital costs of
8 state and local highways, parkways, bridges, the New York state thruway,
9 Indian reservation roads, and facilities, and transportation infrastruc-
10 ture projects including aviation projects, non-MTA mass transit
11 projects, and rail service preservation projects, including work appur-
12 tenant and ancillary thereto. The aggregate principal amount of bonds
13 authorized to be issued pursuant to this section shall not exceed [six
14 billion nine hundred forty-two million four hundred sixty-three thousand
15 dollars \$6,942,463,000] eight billion eight hundred thirty-nine million
16 nine hundred sixty-three thousand dollars \$8,839,963,000, excluding
17 bonds issued to fund one or more debt service reserve funds, to pay
18 costs of issuance of such bonds, and to refund or otherwise repay such
19 bonds or notes previously issued. Such bonds and notes of the authori-
20 ty, the dormitory authority and the urban development corporation shall
21 not be a debt of the state, and the state shall not be liable thereon,
22 nor shall they be payable out of any funds other than those appropriated
23 by the state to the authority, the dormitory authority and the urban
24 development corporation for principal, interest, and related expenses
25 pursuant to a service contract and such bonds and notes shall contain on
26 the face thereof a statement to such effect. Except for purposes of
27 complying with the internal revenue code, any interest income earned on
28 bond proceeds shall only be used to pay debt service on such bonds.

1 § 40. Paragraph (a) of subdivision 2 of section 47-e of the private
2 housing finance law, as amended by section 43 of part JJ of chapter 56
3 of the laws of 2020, is amended to read as follows:

4 (a) Subject to the provisions of chapter fifty-nine of the laws of two
5 thousand, in order to enhance and encourage the promotion of housing
6 programs and thereby achieve the stated purposes and objectives of such
7 housing programs, the agency shall have the power and is hereby author-
8 ized from time to time to issue negotiable housing program bonds and
9 notes in such principal amount as shall be necessary to provide suffi-
10 cient funds for the repayment of amounts disbursed (and not previously
11 reimbursed) pursuant to law or any prior year making capital appropri-
12 ations or reappropriations for the purposes of the housing program;
13 provided, however, that the agency may issue such bonds and notes in an
14 aggregate principal amount not exceeding [six billion five hundred thir-
15 ty-one million five hundred twenty-three thousand dollars
16 \$6,531,523,000] seven billion eighty-six million six hundred seven thou-
17 sand dollars \$7,086,607,000, plus a principal amount of bonds issued to
18 fund the debt service reserve fund in accordance with the debt service
19 reserve fund requirement established by the agency and to fund any other
20 reserves that the agency reasonably deems necessary for the security or
21 marketability of such bonds and to provide for the payment of fees and
22 other charges and expenses, including underwriters' discount, trustee
23 and rating agency fees, bond insurance, credit enhancement and liquidity
24 enhancement related to the issuance of such bonds and notes. No reserve
25 fund securing the housing program bonds shall be entitled or eligible to
26 receive state funds apportioned or appropriated to maintain or restore
27 such reserve fund at or to a particular level, except to the extent of
28 any deficiency resulting directly or indirectly from a failure of the

1 state to appropriate or pay the agreed amount under any of the contracts
2 provided for in subdivision four of this section.

3 § 41. Subdivision 1 of section 50 of section 1 of chapter 174 of the
4 laws of 1968, constituting the New York state urban development corpo-
5 ration act, as amended by section 44 of part JJ of chapter 56 of the
6 laws of 2020, is amended to read as follows:

7 1. Notwithstanding the provisions of any other law to the contrary,
8 the dormitory authority and the urban development corporation are hereby
9 authorized to issue bonds or notes in one or more series for the purpose
10 of funding project costs undertaken by or on behalf of the state educa-
11 tion department, special act school districts, state-supported schools
12 for the blind and deaf, approved private special education schools,
13 non-public schools, community centers, day care facilities, residential
14 camps, day camps, and other state costs associated with such capital
15 projects. The aggregate principal amount of bonds authorized to be
16 issued pursuant to this section shall not exceed [one hundred fifty-five
17 million dollars \$155,000,000] one hundred ninety-six million dollars
18 \$196,000,000, excluding bonds issued to fund one or more debt service
19 reserve funds, to pay costs of issuance of such bonds, and bonds or
20 notes issued to refund or otherwise repay such bonds or notes previously
21 issued. Such bonds and notes of the dormitory authority and the urban
22 development corporation shall not be a debt of the state, and the state
23 shall not be liable thereon, nor shall they be payable out of any funds
24 other than those appropriated by the state to the dormitory authority
25 and the urban development corporation for principal, interest, and
26 related expenses pursuant to a service contract and such bonds and notes
27 shall contain on the face thereof a statement to such effect. Except for
28 purposes of complying with the internal revenue code, any interest

1 income earned on bond proceeds shall only be used to pay debt service on
2 such bonds.

3 § 42. Subdivision 1 of section 47 of section 1 of chapter 174 of the
4 laws of 1968, constituting the New York state urban development corpo-
5 ration act, as amended by section 45 of part JJ of chapter 56 of the
6 laws of 2020, is amended to read as follows:

7 1. Notwithstanding the provisions of any other law to the contrary,
8 the dormitory authority and the corporation are hereby authorized to
9 issue bonds or notes in one or more series for the purpose of funding
10 project costs for the office of information technology services, depart-
11 ment of law, and other state costs associated with such capital
12 projects. The aggregate principal amount of bonds authorized to be
13 issued pursuant to this section shall not exceed [eight hundred thirty
14 million fifty-four thousand dollars, \$830,054,000] nine hundred forty-
15 nine million two hundred fifty-four thousand dollars \$949,254,000
16 excluding bonds issued to fund one or more debt service reserve funds,
17 to pay costs of issuance of such bonds, and bonds or notes issued to
18 refund or otherwise repay such bonds or notes previously issued. Such
19 bonds and notes of the dormitory authority and the corporation shall not
20 be a debt of the state, and the state shall not be liable thereon, nor
21 shall they be payable out of any funds other than those appropriated by
22 the state to the dormitory authority and the corporation for principal,
23 interest, and related expenses pursuant to a service contract and such
24 bonds and notes shall contain on the face thereof a statement to such
25 effect. Except for purposes of complying with the internal revenue code,
26 any interest income earned on bond proceeds shall only be used to pay
27 debt service on such bonds.

1 § 43. Paragraph (b) of subdivision 1 of section 385 of the public
2 authorities law, as amended by section 1 of part G of chapter 60 of the
3 laws of 2005, is amended to read as follows:

4 (b) The authority is hereby authorized, as additional corporate
5 purposes thereof solely upon the request of the director of the budget:

6 (i) to issue special emergency highway and bridge trust fund bonds and
7 notes for a term not to exceed thirty years and to incur obligations
8 secured by the moneys appropriated from the dedicated highway and bridge
9 trust fund established in section eighty-nine-b of the state finance
10 law; (ii) to make available the proceeds in accordance with instructions
11 provided by the director of the budget from the sale of such special
12 emergency highway and bridge trust fund bonds, notes or other obli-
13 gations, net of all costs to the authority in connection therewith, for
14 the purposes of financing all or a portion of the costs of activities
15 for which moneys in the dedicated highway and bridge trust fund estab-
16 lished in section eighty-nine-b of the state finance law are authorized
17 to be utilized or for the financing of disbursements made by the state
18 for the activities authorized pursuant to section eighty-nine-b of the
19 state finance law; and (iii) to enter into agreements with the commis-
20 sioner of transportation pursuant to section ten-e of the highway law
21 with respect to financing for any activities authorized pursuant to
22 section eighty-nine-b of the state finance law, or agreements with the
23 commissioner of transportation pursuant to sections ten-f and ten-g of
24 the highway law in connection with activities on state highways pursuant
25 to these sections, and (iv) to enter into service contracts, contracts,
26 agreements, deeds and leases with the director of the budget or the
27 commissioner of transportation and project sponsors and others to
28 provide for the financing by the authority of activities authorized

1 pursuant to section eighty-nine-b of the state finance law, and each of
2 the director of the budget and the commissioner of transportation are
3 hereby authorized to enter into service contracts, contracts, agree-
4 ments, deeds and leases with the authority, project sponsors or others
5 to provide for such financing. The authority shall not issue any bonds
6 or notes in an amount in excess of [\$16.5 billion] eighteen billion one
7 hundred fifty million dollars \$18,150,000,000, plus a principal amount
8 of bonds or notes: (A) to fund capital reserve funds; (B) to provide
9 capitalized interest; and, (C) to fund other costs of issuance. In
10 computing for the purposes of this subdivision, the aggregate amount of
11 indebtedness evidenced by bonds and notes of the authority issued pursu-
12 ant to this section, as amended by a chapter of the laws of nineteen
13 hundred ninety-six, there shall be excluded the amount of bonds or notes
14 issued that would constitute interest under the United States Internal
15 Revenue Code of 1986, as amended, and the amount of indebtedness issued
16 to refund or otherwise repay bonds or notes.

17 § 44. Subdivision 1 of section 386-a of the public authorities law, as
18 amended by section 44 of part TTT of chapter 59 of the laws of 2019, is
19 amended to read as follows:

20 1. Notwithstanding any other provision of law to the contrary, the
21 authority, the dormitory authority and the urban development corporation
22 are hereby authorized to issue bonds or notes in one or more series for
23 the purpose of assisting the metropolitan transportation authority in
24 the financing of transportation facilities as defined in subdivision
25 seventeen of section twelve hundred sixty-one of this chapter or other
26 capital projects. The aggregate principal amount of bonds authorized to
27 be issued pursuant to this section shall not exceed [two billion one
28 hundred seventy-nine million eight hundred fifty-six thousand dollars

1 \$2,179,856,000] twelve billion five hundred fifteen million eight
2 hundred fifty-six thousand dollars \$12,515,856,000, excluding bonds
3 issued to fund one or more debt service reserve funds, to pay costs of
4 issuance of such bonds, and to refund or otherwise repay such bonds or
5 notes previously issued. Such bonds and notes of the authority, the
6 dormitory authority and the urban development corporation shall not be a
7 debt of the state, and the state shall not be liable thereon, nor shall
8 they be payable out of any funds other than those appropriated by the
9 state to the authority, the dormitory authority and the urban develop-
10 ment corporation for principal, interest, and related expenses pursuant
11 to a service contract and such bonds and notes shall contain on the face
12 thereof a statement to such effect. Except for purposes of complying
13 with the internal revenue code, any interest income earned on bond
14 proceeds shall only be used to pay debt service on such bonds.

15 § 45. Section 1 of chapter 174 of the laws of 1968, constituting the
16 New York state urban development corporation act, is amended by adding a
17 new section 57 to read as follows:

18 § 57. 1. Notwithstanding the provisions of any other law to the
19 contrary, the dormitory authority and the urban development corporation
20 are hereby authorized to issue bonds or notes in one or more series for
21 the purpose of funding project costs for the Empire Station Complex
22 project, and such project shall be deemed a capital work or purpose for
23 purposes of subdivision 3 of section 67-b of the state finance law. The
24 aggregate principal amount of bonds authorized to be issued pursuant to
25 this section shall not exceed one billion three hundred million dollars
26 \$1,300,000,000, excluding bonds issued to fund one or more debt service
27 reserve funds, to pay costs of issuance of such bonds, and bonds or
28 notes issued to refund or otherwise repay such bonds or notes previously

1 issued. Such bonds and notes of the dormitory authority and the urban
2 development corporation shall not be a debt of the state, and the state
3 shall not be liable thereon, nor shall they be payable out of any funds
4 other than those appropriated by the state to the dormitory authority
5 and the urban development corporation for principal, interest, and
6 related expenses pursuant to a service contract and such bonds and notes
7 shall contain on the face thereof a statement to such effect. Except for
8 purposes of complying with the internal revenue code, any interest
9 income earned on bond proceeds shall only be used to pay debt service on
10 such bonds.

11 2. Notwithstanding any other provision of law to the contrary, in
12 order to assist the dormitory authority and the urban development corpo-
13 ration in undertaking the financing for project costs for the Empire
14 Station Complex project, the director of the budget is hereby authorized
15 to enter into one or more service contracts with the dormitory authority
16 and the urban development corporation, none of which shall exceed thirty
17 years in duration, upon such terms and conditions as the director of the
18 budget and the dormitory authority and the urban development corporation
19 agree, so as to annually provide to the dormitory authority and the
20 urban development corporation, in the aggregate, a sum not to exceed the
21 principal, interest, and related expenses required for such bonds and
22 notes. Any service contract entered into pursuant to this section shall
23 provide that the obligation of the state to pay the amount therein
24 provided shall not constitute a debt of the state within the meaning of
25 any constitutional or statutory provision and shall be deemed executory
26 only to the extent of monies available and that no liability shall be
27 incurred by the state beyond the monies available for such purpose,
28 subject to annual appropriation by the legislature. Any such contract or

1 any payments made or to be made thereunder may be assigned and pledged
2 by the dormitory authority and the urban development corporation as
3 security for its bonds and notes, as authorized by this section.

4 § 46. Paragraphs (a) and (b) of subdivision 1 of section 54 of section
5 1 of chapter 174 of the laws of 1968, constituting the New York state
6 urban development corporation act, as added by section 49-a of part JJ
7 of chapter 56 of the laws of 2020, are amended to read as follows:

8 (a) The state of New York finds and determines that the global spread
9 of the COVID-19 [coronavirus disease is having and] pandemic is expected
10 to continue to have a significant adverse impact on the health and
11 welfare of individuals in the state as well as [a significant financial
12 impact on the state] to the financial condition of the state during the
13 state's 2022 fiscal year and beyond. The [serious threat posed by]
14 anticipated shortfalls and deferrals in the state's financial plan
15 receipts caused by the COVID-19 [coronavirus disease] pandemic has
16 [caused governments, including] required the state[,] to adopt policies,
17 regulations and procedures [to] that suspend various legal requirements
18 [in order to (i) respond to and mitigate the impact of the outbreak, and
19 (ii) provide temporary relief to individuals, including the deferral of
20 the federal income tax payment deadline from April 15, 2020 to a later
21 date in the calendar year. The state of New York further finds and
22 determines that] and address state budgetary pressures, some of which
23 require certain fiscal management authorization measures [should be] to
24 be legislatively authorized and established.

25 (b) Notwithstanding any other provision of law to the contrary,
26 including, specifically, the provisions of chapter 59 of the laws of
27 2000 and section sixty-seven-b of the state finance law, the dormitory
28 authority of the state of New York and the corporation are hereby

1 authorized to issue until December 31, [2020] 2021, notes with a maturi-
2 ty no later than March 31, [2021] 2022, to be designated as personal
3 income tax revenue or bond anticipation notes, in one or more series in
4 an aggregate principal amount not to exceed eight billion dollars,
5 excluding notes issued to finance one or more debt service reserve
6 funds, to pay costs of issuance of such notes, and notes issued to
7 renew, refund or otherwise repay such notes previously issued, for the
8 purpose of temporarily financing budgetary needs of the state [following
9 the federal government deferral of the federal income tax payment dead-
10 line from April 15, 2020 to a later date in the calendar year]. Such
11 purpose shall constitute an authorized purpose under subdivision two of
12 section sixty-eight-a of the state finance law for all purposes of arti-
13 cle five-C of the state finance law with respect to the notes, renewal
14 notes, refunding notes and any state personal income tax revenue bonds
15 issued to refinance any notes, renewal notes, refunding notes authorized
16 by this paragraph. On or before their maturity, such notes may be
17 renewed or refunded once with renewal or refunding notes for an addi-
18 tional period not to exceed one year from the date of renewal or refund-
19 ing. If on or before the maturity date of such notes or such renewal or
20 refunding notes, the director of the division of the budget shall deter-
21 mine that all or a portion of such notes or such renewal or refunding
22 notes shall be refinanced on a long term basis, such notes or such
23 renewal or refunding notes may be refinanced with state personal income
24 tax revenue bonds in one or more series in an aggregate principal amount
25 not to exceed the then outstanding principal amount of such notes or
26 such renewal or refunding notes plus an amount necessary to finance one
27 or more debt service reserve funds and to pay costs of issuance of such
28 refunding bonds, notwithstanding any other provision of law to the

1 contrary, including, specifically, the provisions of chapter fifty-nine
2 of the laws of two thousand and section sixty-seven-b of the state
3 finance law, other than subdivision four of section sixty-seven-b of the
4 state finance law. For so long as any notes, renewal or refunding notes
5 or such refunding bonds authorized by this paragraph shall remain
6 outstanding, including any state-supported debt issued to refinance the
7 refunding bonds authorized by this paragraph, the restrictions, limita-
8 tions and requirements contained in article five-B of the state finance
9 law shall not apply, other than subdivision four of section sixty-sev-
10 en-b of such article.

11 § 47. Section 55 of section 1 of chapter 174 of the laws of 1968,
12 constituting the New York state urban development corporation act, as
13 added by section 49-b of part JJ of chapter 56 of the laws of 2020, is
14 amended to read as follows:

15 § 55. 1. Findings and declaration of need. (a) The state of New York
16 finds and determines that the global spread of the COVID-19 [coronavirus
17 disease] pandemic is [having and is] expected to continue to have a
18 significant adverse impact on the health and welfare of individuals in
19 the state as well as [a significant] to the financial [impact on] condi-
20 tion of the state during the state's 2022 fiscal year and beyond. The
21 [serious threat posed by] anticipated shortfalls and deferrals in the
22 state's financial plan receipts caused by the COVID-19 [coronavirus
23 disease] pandemic has [caused governments, including] required the
24 state[,] to adopt policies, regulations and procedures [to] that suspend
25 various legal requirements [in order to: (i) respond to and mitigate the
26 impact of the outbreak;] and [(ii)] address state budgetary pressures
27 [to the state arising from anticipated shortfalls and deferrals in the
28 state's fiscal 2021 financial plan receipts, thereby requiring that],

1 some of which require certain fiscal management authorization measures
2 to be legislatively authorized and established.

3 (b) Definitions. When used in this subdivision the following terms
4 shall have the meanings set forth below:

5 (i) "State-supported debt" shall mean any state personal income tax
6 revenue bonds, state sales tax revenue bonds or service contract bonds
7 issued by the dormitory authority of the state of New York or the urban
8 development corporation to refinance one or more line of credit facili-
9 ties provided for in this subdivision, together with any related
10 expenses and fees, and any such bonds or notes issued to fund reserve
11 funds and costs of issuance, for which the state is contractually obli-
12 gated to pay debt service subject to an appropriation.

13 (ii) "Related expenses and fees" shall mean interest costs, commitment
14 fees and other costs, expenses and fees incurred in connection with a
15 line of credit facility and/or a service contract or other agreement of
16 the state securing such line of credit facility that contractually obli-
17 gates the state to pay debt service subject to an appropriation.

18 (c) Notwithstanding any other provision of law to the contrary,
19 including, specifically, the provisions of chapter 59 of the laws of
20 2000 and section 67-b of the state finance law, [during the state's 2021
21 fiscal year,] the dormitory authority of the state of New York and the
22 urban development corporation are authorized until March 31, 2024 to:

23 (i) enter into commitments with financial institutions for the estab-
24 lishment of one or more line of credit facilities and other similar
25 revolving financing arrangements not in excess of three billion dollars
26 in aggregate principal amount outstanding at any one time; (ii) draw, at
27 one or more times at the direction of the director of the budget, upon
28 such line of credit facilities and provide to the state the amounts so

1 drawn for the purpose of assisting the state to temporarily finance its
2 budgetary needs; and (iii) secure repayment of such draws under such
3 line of credit facilities [with a service contract of the state],
4 together with related expenses and fees, which payment obligation there-
5 under shall not constitute a debt of the state within the meaning of any
6 constitutional or statutory provision and shall be deemed executory only
7 to the extent moneys are available and that no liability shall be
8 incurred by the state beyond the moneys available for such purpose, and
9 that such payment obligation is subject to annual appropriation by the
10 legislature. Any line of credit facility agreements entered by the
11 dormitory authority of the state of New York and/or the urban develop-
12 ment corporation with financial institutions pursuant to this section
13 may contain such provisions that the dormitory authority of the state of
14 New York and/or the urban development corporation deem necessary or
15 desirable for the establishment of such credit facilities. The maximum
16 [original] term of any line of credit facility shall be [one year] three
17 years from the date of incurrence; provided however that no draw on any
18 such line of credit facility [may be extended, renewed or refinanced for
19 up to two additional one year terms] shall occur after March 31, 2024,
20 and provided further that any such line of credit facility whose term
21 extends beyond March 31, 2024, shall be supported by sufficient appro-
22 priation authority enacted by the legislature that provides for the
23 repayment of all amounts drawn and remaining unpaid as of March 31,
24 2024, together with related expenses and fees incurred and to become due
25 and payable by the dormitory authority of the state of New York and/or
26 the urban development corporation. If on or before the maturity date of
27 the [original] term of any such line of credit facility [or any renewal
28 or extension term thereof], the director of the division of the budget

1 shall determine that all or a portion of [any outstanding line of credit
2 facility] the amounts drawn and remaining unpaid, together with related
3 expenses and fees to become due and payable by the dormitory authority
4 of the state of New York and/or the urban development corporation shall
5 be refinanced on a long-term basis, the dormitory authority of the state
6 of New York and/or the urban development corporation are authorized to
7 refinance such [line of credit facility with state personal income tax
8 revenue bonds and/or state service contract bonds] amounts by issuing
9 state-supported debt in one or more series in an aggregate principal
10 amount not to exceed the [then outstanding principal amount of such line
11 of credit facility and any accrued interest thereon] aggregate amount
12 being so refinanced, including related expenses and fees, plus an amount
13 necessary to finance one or more debt service reserve funds and to pay
14 costs of issuance of such [state personal income tax revenue bonds
15 and/or state service contract bonds] state-supported debt.

16 [(c)] (d) Notwithstanding any other law, rule, or regulation to the
17 contrary, the comptroller is hereby authorized and directed to deposit
18 to the credit of the general fund, all amounts provided by the dormitory
19 authority of the state of New York and/or the urban development corpo-
20 ration to the state from draws made on any line of credit facility
21 authorized by paragraph [(b)] (c) of this subdivision.

22 [(d)] (e) Notwithstanding any other provision of law to the contrary,
23 including specifically the provisions of subdivision 3 of section 67-b
24 of the state finance law, no capital work or purpose shall be required
25 for any indebtedness incurred in connection with any line of credit
26 facility authorized by paragraph [(b)] (c) of this subdivision [and any
27 extensions or renewals thereof], or for any [state personal income tax
28 revenue bonds and/or state service contract bonds] state-supported debt

1 issued to refinance any [of the foregoing] line of credit facility
2 authorized by paragraph (c) of this subdivision, or for any service
3 contract or other agreement entered into in connection with any such
4 line of credit facility, all in accordance with this section.

5 [(e)] (f) Notwithstanding any other provision of law to the contrary,
6 for so long as any such line of credit facility shall remain outstand-
7 ing, the restrictions, limitations and requirements contained in article
8 5-B of the state finance law shall not apply. In addition, other than
9 subdivision 4 of section 67-b of such article such restrictions, limita-
10 tions and requirements shall not apply to any [state personal income tax
11 revenue bonds and/or state service contract bonds] state-supported debt
12 issued to refund such line of credit facility for so long as such [state
13 personal income tax revenue bonds and/or state service contract bonds]
14 state-supported debt shall remain outstanding, including any state-sup-
15 ported debt issued to refund [such state personal income tax revenue
16 bonds and/or state service contract bonds] state-supported debt issued
17 to refinance any line of credit facility. Any such line of credit facil-
18 ity, [including any extensions or renewals thereof, and any state
19 personal income tax revenue bonds and/or state service contract bonds]
20 and, to the extent applicable, any state-supported debt issued to
21 [refund] refinance such line of credit facilities shall be deemed to be
22 incurred or issued for (i) an authorized purpose within the meaning of
23 subdivision 2 of section 68-a of the state finance law for all purposes
24 of article 5-C of the state finance law and section 92-z of the state
25 finance law, and/or (ii) an authorized purpose within the meaning of
26 subdivision 2 of section 69-m of the state finance law for all purposes
27 of article 5-F of the state finance law and section 92-h of the state
28 finance law, as the case may be. As applicable, all of the provisions of

1 the state finance law, the dormitory authority act and the New York
2 state urban development corporation act relating to notes and bonds
3 which are not inconsistent with the provisions of this section shall
4 apply to any issuance of [state personal income tax revenue bonds and/or
5 state service contract bonds] state-supported debt issued to refinance
6 any line of credit facility authorized by paragraph [(b)] (c) of this
7 subdivision. The issuance of any [state personal income tax revenue
8 bonds and/or state service contract bonds issued] state-supported debt
9 to refinance any such line of credit facility shall further be subject
10 to the approval of the director of the division of the budget.

11 [(f) Any draws] (g) Each draw on a line of credit facility authorized
12 by paragraph [(b)] (c) of this subdivision shall only be made [and] if
13 the service contract or other agreement entered into in connection with
14 such line of credit [facilities shall only be executed and delivered to
15 the dormitory authority of the state of New York and/or the urban devel-
16 opment corporation if the legislature has enacted sufficient appropri-
17 ation authority to provide for the repayment of all amounts expected to
18 be drawn by the dormitory authority of the state of New York and/or the
19 urban development corporation under such line of credit facility during
20 fiscal year 2021] facility is supported by sufficient appropriation
21 authority enacted by the legislature to repay the amount of the draw,
22 together with related expenses and fees to become due and payable.
23 Amounts repaid under a line of credit facility [during fiscal year 2021]
24 may be re-borrowed [during such fiscal year] under the same or another
25 line of credit facility authorized by paragraph (c) of this subdivision
26 provided that the legislature has enacted sufficient appropriation
27 authority [to provide] that provides for the repayment of any such
28 re-borrowed amounts, together with related expenses and fees to become

1 due and payable. Neither the dormitory authority of the state of New
2 York nor the urban development corporation shall have any financial
3 liability for the repayment of draws under any line of credit facility
4 authorized by paragraph [(b)] (c) of this subdivision beyond the moneys
5 received for such purpose under [the] any service contract or other
6 agreement authorized by paragraph [(g)] (h) of this subdivision.

7 [(g)] (h) The director of the budget is authorized to enter into one
8 or more service contracts or other agreements, none of which shall
9 exceed 30 years in duration, with the dormitory authority of the state
10 of New York and/or the urban development corporation, upon such terms
11 and conditions as the director of the budget and dormitory authority of
12 the state of New York and/or the urban development corporation shall
13 agree. Any service contract or other [agreements] agreement entered into
14 pursuant to this paragraph shall provide for state commitments to
15 provide annually to the dormitory authority of the state of New York
16 and/or the urban development corporation a sum or sums, upon such terms
17 and conditions as shall be deemed appropriate by the director of the
18 budget and the dormitory authority of the state of New York and/or the
19 urban development corporation, to fund the payment of all amounts to
20 become due and payable under any line of credit facility and, to the
21 extent applicable any [state personal income tax revenue bonds and/or
22 state service contract bonds] state-supported debt issued to refinance
23 all or a portion of the amounts drawn and remaining unpaid, together
24 with related expenses and fees to become due and payable under such line
25 of credit facility. Any such service contract or other [agreements]
26 agreement shall provide that the obligation of the director of the budg-
27 et or of the state to fund or to pay the amounts therein provided for
28 shall not constitute a debt of the state within the meaning of any

1 constitutional or statutory provision and shall be deemed executory only
2 to the extent moneys are available and that no liability shall be
3 incurred by the state beyond the moneys available for such purpose, and
4 that such obligation is subject to annual appropriation by the legisla-
5 ture.

6 [(h)] (i) Any service contract or other [agreements] agreement entered
7 into pursuant to paragraph [(g)] (h) of this subdivision or any payments
8 made or to be made thereunder may be assigned and pledged by the dormi-
9 tory authority of the state of New York and/or the urban development
10 corporation as security for any related payment obligation it may have
11 with one or more financial institutions in connection with a line of
12 credit facility authorized by paragraph [(b)] (c) of this subdivision.

13 [(i)] (j) In addition to the foregoing, the director of the budget,
14 the dormitory authority of the state of New York and the urban develop-
15 ment corporation shall each be authorized to enter into such other
16 agreements and to take or cause to be taken such additional actions as
17 are necessary or desirable to effectuate the purposes of the trans-
18 actions contemplated by a line of credit facility and the related
19 service contract or other agreement.

20 [(j)] (k) No later than seven days after a draw occurs on the line of
21 credit facility, the director of the budget shall provide notification
22 of such draw to the president pro tempore of the senate and the speaker
23 of the assembly.

24 [(k)] (l) The authorization, establishment and use by the dormitory
25 authority of the state of New York and the urban development corporation
26 of a line of credit facility authorized by paragraph [(b)] (c) of this
27 subdivision, and the execution, sale and issuance of [state personal
28 income tax revenue bonds and/or state service contract bonds] state-sup-

1 ported debt to refinance any such line of credit facility shall not be
2 deemed an action, as such term is defined in article 8 of the environ-
3 mental conservation law, for the purposes of such article. Such
4 exemption shall be strictly limited in its application to such financing
5 activities of the dormitory authority of the state of New York and the
6 urban development corporation undertaken pursuant to this section and
7 does not exempt any other entity from compliance with such article.

8 [(1)] (m) Nothing contained in this section shall be construed to
9 limit the abilities of the director of the budget and the authorized
10 issuers of state-supported debt to perform their respective obligations
11 on existing service contracts or other agreements entered into prior to
12 April 1, [2020] 2021.

13 2. Effect of inconsistent provisions. Insofar as the provisions of
14 this section are inconsistent with the provisions of any other law,
15 general, special, or local, the provisions of this act shall be control-
16 ling.

17 3. Severability; construction. The provisions of this section shall be
18 severable, and if the application of any clause, sentence, paragraph,
19 subdivision, section or part of this section to any person or circum-
20 stance shall be adjudged by any court of competent jurisdiction to be
21 invalid, such judgment shall not necessarily affect, impair or invali-
22 date the application of any such clause, sentence, paragraph, subdivi-
23 sion, section, part of this section or remainder thereof, as the case
24 may be, to any other person or circumstance, but shall be confined in
25 its operation to the clause, sentence, paragraph, subdivision, section
26 or part thereof directly involved in the controversy in which such judg-
27 ment shall have been rendered.

1 § 48. Section 56 of section 1 of chapter 174 of the laws of 1968,
2 constituting the New York state urban development corporation act, as
3 added by section 49-c of part JJ of chapter 56 of the laws of 2020, is
4 amended to read as follows:

5 § 56. State-supported debt; [2021] 2022. 1. In light of the [signif-
6 icant] continuing adverse impact that the [global spread of the] COVID-
7 19 [coronavirus disease] pandemic is [having and is] expected to
8 [continue to] have on the health and welfare of individuals in the state
9 as well as [on] to the financial condition of the state during the
10 state's 2022 fiscal year, and notwithstanding any other provision of law
11 to the contrary, the dormitory authority of the state of New York and
12 the urban development corporation are each authorized to issue state-
13 supported debt pursuant to article 5-B, article 5-C and article 5-F of
14 the state finance law to assist the state to manage its financing needs
15 during its [2021] 2022 fiscal year, without regard to any restrictions,
16 limitations and requirements contained in article 5-B of the state
17 finance law[, other than subdivision 4 of section 67-b of such article],
18 and such state-supported debt shall be deemed to be issued for (i) an
19 authorized purpose within the meaning of subdivision 2 of section 68-a
20 of the state finance law for all purposes of article 5-C of the state
21 finance law and section 92-z of the state finance law, or (ii) an
22 authorized purpose within the meaning of subdivision 2 of section 69-m
23 of the state finance law for all purposes of article 5-F of the state
24 finance law and section 92-h of the state finance law, as the case may
25 be. Furthermore, any bonds issued directly by the state during the
26 state's [2021] 2022 fiscal year shall be issued without regard to any
27 restrictions, limitations and requirements contained in article 5-B of
28 the state finance law[, other than subdivision 4 of section 67-b of such

1 article]. For so long as any state-supported debt issued during the
2 state's [2021] 2022 fiscal year shall remain outstanding, including any
3 state-supported debt issued to refund state-supported debt issued during
4 such fiscal year, the restrictions, limitations and requirements
5 contained in article 5-B of the state finance law, [other than subdivi-
6 sion 4 of section 67-b of such article,] shall not apply.

7 2. Effect of inconsistent provisions. Insofar as the provisions of
8 this section are inconsistent with the provisions of any other law,
9 general, special, or local, the provisions of this act shall be control-
10 ling.

11 3. Severability; construction. The provisions of this section shall be
12 severable, and if the application of any clause, sentence, paragraph,
13 subdivision, section or part of this section to any person or circum-
14 stance shall be adjudged by any court of competent jurisdiction to be
15 invalid, such judgment shall not necessarily affect, impair or invali-
16 date the application of any such clause, sentence, paragraph, subdivi-
17 sion, section, part of this section or remainder thereof, as the case
18 may be, to any other person or circumstance, but shall be confined in
19 its operation to the clause, sentence, paragraph, subdivision, section
20 or part thereof directly involved in the controversy in which such judg-
21 ment shall have been rendered.

22 § 49. Section 3238-a of the public authorities law, as amended by
23 section 1 of part V of chapter 63 of the laws of 2003, is amended to
24 read as follows:

25 § 3238-a. Payment to city of New York. 1. Notwithstanding any incon-
26 sistent provision of law, the corporation shall transfer to the city of
27 New York one hundred seventy million dollars from the resources of the
28 corporation pursuant to section thirty-two hundred thirty-nine of this

1 title[. Such payment]; provided, however, that on and after July first,
2 two thousand twenty, the obligation of the corporation to make such
3 transfer shall be conditioned on any bonds issued by the sales tax asset
4 receivables corporation that are secured by the corporation's payments
5 described in this subdivision being outstanding in accordance with the
6 trust indenture under which they were issued, while any such bonds are
7 outstanding such payments shall be made during each city fiscal year.
8 Such payments from the corporation shall be made from the fund estab-
9 lished by section ninety-two-r of the state finance law and in accord-
10 ance with the provisions thereof.

11 2. The city of New York, acting by the mayor alone, may assign all or
12 any portion of such amount to any not-for-profit corporation incorpo-
13 rated pursuant to section fourteen hundred eleven of the not-for-profit
14 corporation law and, upon such assignment, the amount so assigned shall
15 be the property of such not-for-profit corporation for all purposes.
16 Following notice from the city of New York to the corporation and the
17 comptroller of such assignment, such payment shall be made directly to
18 the city's assignee. If such not-for-profit corporation issues bonds
19 and/or notes, the state does hereby pledge and agree with the holders of
20 any issue of bonds and/or notes secured by such a pledge that the state
21 will not limit or alter the rights vested in such not-for-profit corpo-
22 ration to fulfill the terms of any agreements made with such holders or
23 in any way impair the rights and remedies of such holders or the securi-
24 ty for such bonds and/or notes until such bonds and/or notes, together
25 with the interest thereon and all costs and expenses in connection with
26 any action or proceeding by or on behalf of such holders, are fully paid
27 and discharged. The foregoing pledge and agreement may be included in
28 any agreement with the holders of such bonds or notes. Nothing contained

1 in this section shall be deemed to restrict the right of the state to
2 amend, modify, repeal or otherwise alter statutes imposing or relating
3 to the taxes subject to such assignment, but such taxes shall in all
4 events continue to be so payable, as assigned, so long as any such taxes
5 are imposed.

6 3. The state may, at any time, provide proceeds of state supported
7 debt, as defined in subdivision one of section sixty-seven-a of the
8 state finance law, or other available monies, to the trustee for the
9 bonds of the sales tax asset receivable corporation secured by the
10 corporation's payments described in subdivision one of this section in
11 an amount sufficient to fully pay and discharge such bonds by means of a
12 legal defeasance of all such outstanding bonds in accordance with the
13 trust indenture under which they were issued. Upon any such defea-
14 sance of such bonds, the corporation's obligation contained in subdivi-
15 sion one of this section to transfer funds to the city of New York shall
16 be deemed satisfied and fully discharged.

17 4. Notwithstanding any inconsistent provision of law, the dormitory
18 authority of the state of New York and the New York state urban develop-
19 ment corporation are hereby authorized to issue bonds in one or more
20 series pursuant to article five-C or article five-F of the state finance
21 law in an aggregate principal amount sufficient to (i) finance the legal
22 defeasance of all of the outstanding bonds of the sales tax asset
23 receivable corporation secured by the corporation's payments described
24 in subdivision one of this section, (ii) one or more related debt
25 service reserve funds, and (iii) costs of issuance attributable to such
26 bonds, and the issuance of such bonds is hereby determined to be for an
27 "authorized purpose", as defined in subdivision two of section sixty-

1 eight-a and subdivision two of section sixty-nine-m of the state finance
2 law, as the case may be.

3 § 50. Paragraph a of subdivision 5 of section 89-b of the state
4 finance law, as amended by section 11 of part C of chapter 57 of the
5 laws of 2014, is amended to read as follows:

6 a. Moneys in the dedicated highway and bridge trust fund shall,
7 following appropriation by the legislature, be utilized for: recon-
8 struction, replacement, reconditioning, restoration, rehabilitation and
9 preservation of state, county, town, city and village roads, highways,
10 parkways, and bridges thereon, to restore such facilities to their
11 intended functions; construction, reconstruction, enhancement and
12 improvement of state, county, town, city, and village roads, highways,
13 parkways, and bridges thereon, to address current and projected capacity
14 problems including costs for traffic mitigation activities; aviation
15 projects authorized pursuant to section fourteen-j of the transportation
16 law and for payments to the general debt service fund of amounts equal
17 to amounts required for service contract payments related to aviation
18 projects as provided and authorized by section three hundred eighty-six
19 of the public authorities law; programs to assist small and minority and
20 women-owned firms engaged in transportation construction and recon-
21 struction projects, including a revolving fund for working capital
22 loans, and a bonding guarantee assistance program in accordance with
23 provisions of this chapter; matching federal grants or apportionments to
24 the state for highway, parkway and bridge capital projects; the acquisi-
25 tion of real property and interests therein required or expected to be
26 required in connection with such projects; preventive maintenance activ-
27 ities necessary to ensure that highways, parkways and bridges meet or
28 exceed their optimum useful life; expenses of control of snow and ice on

1 state highways by the department of transportation including but not
2 limited to personal services, nonpersonal services and fringe benefits,
3 payment of emergency aid for control of snow and ice in municipalities
4 pursuant to section fifty-five of the highway law, expenses of control
5 of snow and ice on state highways by municipalities pursuant to section
6 twelve of the highway law, and for expenses of arterial maintenance
7 agreements with cities pursuant to section three hundred forty-nine of
8 the highway law; personal services, nonpersonal services, and fringe
9 benefit costs of the department of transportation for bus safety
10 inspection activities, rail safety inspection activities, and truck
11 safety inspection activities; costs of the department of motor vehicles,
12 including but not limited to personal and nonpersonal services; costs of
13 engineering and administrative services of the department of transporta-
14 tion, including but not limited to fringe benefits; the contract
15 services provided by private firms in accordance with section fourteen
16 of the transportation law; personal services and nonpersonal services,
17 for activities including but not limited to the preparation of designs,
18 plans, specifications and estimates; construction management and super-
19 vision activities; costs of appraisals, surveys, testing and environ-
20 mental impact statements for transportation projects; expenses in
21 connection with buildings, equipment, materials and facilities used or
22 useful in connection with the maintenance, operation, and repair of
23 highways, parkways and bridges thereon; and project costs for:
24 construction, reconstruction, improvement, reconditioning and preserva-
25 tion of rail freight facilities and intercity rail passenger facilities
26 and equipment; construction, reconstruction, improvement, reconditioning
27 and preservation of state, municipal and privately owned ports;
28 construction, reconstruction, improvement, reconditioning and preserva-

1 tion of municipal airports; privately owned airports and aviation capi-
2 tal facilities, excluding airports operated by the state or operated by
3 a bi-state municipal corporate instrumentality for which federal funding
4 is not available provided the project is consistent with an approved
5 airport layout plan; and construction, reconstruction, enhancement,
6 improvement, replacement, reconditioning, restoration, rehabilitation
7 and preservation of state, county, town, city and village roads, high-
8 ways, parkways and bridges; and construction, reconstruction, improve-
9 ment, reconditioning and preservation of fixed ferry facilities of
10 municipal and privately owned ferry lines for transportation purposes,
11 and the payment of debt service required on any bonds, notes or other
12 obligations and related expenses for highway, parkway, bridge and
13 project costs for: construction, reconstruction, improvement, recondi-
14 tioning and preservation of rail freight facilities and intercity rail
15 passenger facilities and equipment; construction, reconstruction,
16 improvement, reconditioning and preservation of state, municipal and
17 privately owned ports; construction, reconstruction, improvement, recon-
18 ditioning and preservation of municipal airports; privately owned
19 airports and aviation capital facilities, excluding airports operated by
20 the state or operated by a bi-state municipal corporate instrumentality
21 for which federal funding is not available provided the project is
22 consistent with an approved airport layout plan; construction, recon-
23 struction, enhancement, improvement, replacement, reconditioning, resto-
24 ration, rehabilitation and preservation of state, county, town, city and
25 village roads, highways, parkways and bridges; and construction, recon-
26 struction, improvement, reconditioning and preservation of fixed ferry
27 facilities of municipal and privately owned ferry lines for transporta-
28 tion purposes, purposes authorized on or after the effective date of

1 this section. Beginning with disbursements made on and after the first
2 day of April, nineteen hundred ninety-three, moneys in such fund shall
3 be available to pay such costs or expenses made pursuant to appropri-
4 ations or reappropriations made during the state fiscal year which began
5 on the first of April, nineteen hundred ninety-two. Beginning the first
6 day of April, nineteen hundred ninety-three, moneys in such fund shall
7 also be used for transfers to the general debt service fund and the
8 [revenue bond tax] general fund of amounts equal to that respectively
9 required for service contract and financing agreement payments as
10 provided and authorized by section three hundred eighty of the public
11 authorities law, section eleven of chapter three hundred twenty-nine of
12 the laws of nineteen hundred ninety-one, as amended, and sections
13 sixty-eight-c and sixty-nine-o of this chapter.

14 § 51. Paragraph c of subdivision 5 of section 89-b of the state
15 finance law is REPEALED.

16 § 52. Subdivision 5 of section 97-f of the state finance law, as
17 amended by section 49 of part TTT of chapter 59 of the laws of 2019, is
18 amended to read as follows:

19 5. The comptroller shall from time to time, but in no event later than
20 the fifteenth day of each month, pay over for deposit in the mental
21 hygiene general fund state operations account, including moneys pursuant
22 to subdivision eight of this section, all moneys in the mental health
23 services fund in excess of the amount of money required to be maintained
24 on deposit in the mental health services fund. Subject to subdivision
25 nine of this section, the amount required to be maintained in such fund
26 shall be (i) twenty percent of the amount of the next payment coming due
27 relating to the mental health services facilities improvement program
28 under any agreement between the facilities development corporation and

1 the New York state medical care facilities finance agency multiplied by
2 the number of months from the date of the last such payment with respect
3 to payments under any such agreement required to be made semi-annually,
4 plus (ii) those amounts specified in any such agreement with respect to
5 payments required to be made other than semi-annually, including for
6 variable rate bonds, interest rate exchange or similar agreements or
7 other financing arrangements permitted by law. Concurrently with the
8 making of any such payment, the facilities development corporation shall
9 deliver to the comptroller, the director of the budget and the New York
10 state medical care facilities finance agency a certificate stating the
11 aggregate amount to be maintained on deposit in the mental health
12 services fund to comply in full with the provisions of this subdivision.

13 § 53. Subdivision 8 of section 97-f of the state finance law, as
14 amended by section 49 of part TTT of chapter 59 of the laws of 2019, is
15 amended to read as follows:

16 8. [In addition to the amounts required to be maintained on deposit in
17 the mental health services fund pursuant to subdivision five of this
18 section and subject to subdivision nine of this section, the fund shall
19 maintain on deposit an amount equal to the debt service and other cash
20 requirements on mental health services facilities bonds issued by
21 authorized issuers pursuant to sections sixty-eight-b and sixty-nine-n
22 of this chapter. The amount required to be maintained in such fund shall
23 be (i) twenty percent of the amount of the next payment coming due
24 relating to mental health services facilities bonds issued by an author-
25 ized issuer multiplied by the number of months from the date of the last
26 such payment with respect to payments required to be made semi-annually,
27 plus (ii) those amounts specified in any financing agreement between the
28 issuer and the state, acting through the director of the budget, with

1 respect to payments required to be made other than semi-annually,
2 including for variable rate bonds, interest rate exchange or similar
3 agreements or other financing arrangements permitted by law. Concur-
4 rently with the making of any such payment, the facilities development
5 corporation shall deliver to the comptroller, the director of the budget
6 and the New York state medical care facilities finance agency a certif-
7 icate stating the aggregate amount to be maintained on deposit in the
8 mental health services fund to comply in full with the provisions of
9 this subdivision.

10 No later than five days prior to the payment to be made by the state
11 comptroller on such mental health services facilities bonds pursuant to
12 sections ninety-two-z and ninety-two-h of this article, the] The amount
13 of [such] payment on such mental health services facilities bonds pursu-
14 ant to sections ninety-two-z and ninety-two-h of this article, shall be
15 transferred by the state comptroller from the mental health services
16 fund to the [revenue bond tax fund established by section ninety-two-z
17 of this article and the sales tax revenue bond fund established by
18 section ninety-two-h of this article] mental hygiene general fund state
19 operation account. The accumulation of moneys pursuant to this subdivi-
20 sion and subsequent transfer to the [revenue bond tax fund and the sales
21 tax revenue bond fund] mental hygiene general fund state operation
22 account shall be subordinate in all respects to payments to be made to
23 the New York state medical care facilities finance agency and to any
24 pledge or assignment pursuant to subdivision six of this section.

25 § 54. Subdivision 9 of section 97-f of the state finance law, as added
26 by section 49 of part TTT of chapter 59 of the laws of 2019, is amended
27 to read as follows:

1 9. In determining the amounts required to be maintained in the mental
2 health services fund under [subdivisions] subdivision five [and eight]
3 of this section in each month, the amount of receipts associated with
4 loans, leases and other agreements with voluntary agencies accumulated
5 and set aside in the mental hygiene facilities improvement fund income
6 account under paragraph g of subdivision three of section nine of the
7 facilities development corporation act shall be taken into account as a
8 credit but only if such crediting does not result in the amounts
9 required to be maintained in the mental health services fund exclusive
10 of any credit to be less than the amount required under subdivision five
11 of this section in each month.

12 § 55. Subdivision (j) of section 92-dd of the state finance law is
13 REPEALED.

14 § 56. Subdivision 3-a of section 2872 of the public health law is
15 REPEALED and a new subdivision 3-a is added to read as follows:

16 3-a. "Secured hospital project bonds" shall mean outstanding bonds
17 issued on behalf of a not-for-profit hospital corporation organized
18 under the laws of this state, which hospital has previously been desig-
19 nated by the commissioner and the public health council to be eligible
20 to receive distributions from the reimbursement pools established pursu-
21 ant to paragraph (c) of subdivision nine of section twenty-eight hundred
22 seven-a of this chapter, or any successor pool or pools established to
23 serve a substantially similar purpose to such pools.

24 § 57. Section 2874 of the public health law is amended by adding a new
25 subdivision 5 to read as follows:

26 5. The dormitory authority of the state of New York and the New York
27 state urban development corporation are each hereby authorized to issue
28 bonds in one or more series pursuant to article 5-C or article 5-F of

1 the state finance law for the purpose of refunding outstanding secured
2 hospital project bonds, as defined in subdivision three-a of section
3 twenty-eight hundred seventy-two of this article, and to finance one or
4 more related debt service reserve funds and to pay costs of issuance
5 attributable to such refunding bonds. The use of all savings resulting
6 from the refunding of any outstanding secured hospital project bonds,
7 including original issue premium, shall be determined by the director of
8 the budget.

9 § 58. This act shall take effect immediately and shall be deemed to
10 have been in full force and effect on and after April 1, 2021; provided,
11 however, that the provisions of sections one, one-a, two, three, four,
12 five, six, seven, eight, twelve, thirteen, fourteen, fifteen, sixteen,
13 seventeen, eighteen, nineteen, twenty-one, and twenty-two of this act
14 shall expire March 31, 2022 when upon such date the provisions of such
15 sections shall be deemed repealed; and provided further that section
16 forty-six of this act shall be deemed to have been in full force and
17 effect on and after April 1, 2020; and provided further that the amend-
18 ments to section 3238-a of the public authorities law made by section
19 forty-nine of this act shall be subject to the repeal of such section
20 and shall expire and be deemed repealed therewith.

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

1 the legislature that this act would have been enacted even if such
2 invalid provisions had not been included herein.

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