

FY 2025 NEW YORK STATE EXECUTIVE BUDGET

**TRANSPORTATION, ECONOMIC DEVELOPMENT AND
ENVIRONMENTAL CONSERVATION
ARTICLE VII LEGISLATION**

MEMORANDUM IN SUPPORT

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MEMORANDUM IN SUPPORT

A BUDGET BILL submitted by the Governor in
Accordance with Article VII of the Constitution

AN ACT to amend part PP of chapter 54 of the laws of 2016 amending the public authorities law and the general municipal law relating to the New York transit authority and the metropolitan transportation authority, in relation to extending provisions of law relating to certain tax increment financing provisions (Part A); to amend the public authorities law, in relation to implementing blue ribbon panel recommendations regarding fare and toll evasion (Part B); to amend the penal law, in relation to including the intentional use of any toll highway, parkway, road, bridge or tunnel or any entry into or remaining in a tolled central business district without payment of the lawful toll or charge as a theft of service; to amend the vehicle and traffic law, in relation to obstructed or obscured license plates and the penalty imposed upon the operator of a vehicle with an intentionally altered or obscured license plate while on a toll highway, bridge or tunnel or in a tolled central business district; to amend the vehicle and traffic law, in relation to authorizing law enforcement to confiscate license plate coverings; to amend the vehicle and traffic law, in relation to allowing the commissioner of motor vehicles to restrict registration transactions for vehicles with suspended or pending suspended registrations for failure to pay tolls unless sold to a bona fide purchaser; to amend the vehicle and traffic law, in relation to authorizing vehicle

registration suspension for failure to comply with the removal of materials or substances altering or obscuring a license plate; and to amend the public authorities law in relation to authorizing public authorities with bridges, tunnels or highways under their jurisdiction to enter judgments for unpaid liabilities for a violation of toll collection regulations and enforce such judgments without court proceedings (Part C); to amend the vehicle and traffic law and the public authorities law, in relation to deterring fraud in connection with any eligibility process for or use of toll credits, discounts, or exemptions related to any entry into or remaining in the tolled central business district or any Triborough bridge and tunnel authority toll bridge or tunnel (Part D); to amend part I of chapter 413 of the laws of 1999, relating to providing for mass transportation payments, in relation to the amount of payments in the Capital District Transportation District and adding Warren County to such District (Part E); to amend chapter 751 of the laws of 2005, amending the insurance law and the vehicle and traffic law relating to establishing the accident prevention course internet technology pilot program, in relation to the effectiveness thereof (Part F); to amend part U1 of chapter 62 of the laws of 2003, amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, in relation to the effectiveness thereof; and to amend part B of chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, in relation to the effectiveness thereof (Part G); to amend

the vehicle and traffic law, in relation to establishing an online insurance verification system for motor vehicle insurance; and to repeal certain provisions of such law relating to motor vehicle insurance and funds for a certain pilot database system (Part H); to amend the vehicle and traffic law, in relation to establishing speed limits in cities with populations in excess of one million people (Part I); to amend part FF of chapter 55 of the laws of 2017 relating to motor vehicles equipped with autonomous vehicle technology, in relation to the effectiveness thereof (Part J); to amend the transportation law and the vehicle and traffic law, in relation to enacting the stretch limousine passenger safety act; and providing for the repeal of certain provisions upon expiration thereof (Part K); to amend the executive law, the criminal procedure law, the retirement and social security law and the tax law, in relation to creating the Waterfront Commission Act; and to repeal chapter 882 of the laws of 1953 relating to waterfront employment and air freight industry regulation (Part L); to amend part DDD of chapter 55 of the laws of 2021 amending the public authorities law relating to the clean energy resources development and incentives program, in relation to the effectiveness thereof (Part M); in relation to authorizing the New York state energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program, as well as climate change related expenses of the department of environmental conservation from an assessment on gas and electric corporations

(Part N); to amend the public service law, the eminent domain procedure law, the energy law, the environmental conservation law, the public authorities law, and the education law, in relation to transferring the functions of the office of renewable energy siting to the department of public service and accelerating the permitting of electric utility transmission facilities; and to repeal certain provisions of the executive law and the public service law relating thereto (Part O); to amend the public service law and the transportation corporations law, in relation to aligning utility regulation with state greenhouse gas emission reduction targets; and to repeal section 66-b of the public service law relating to continuation of gas service (Part P); to authorize utility and cable television assessments that provide funds to the department of health from cable television assessment revenues and to the department of agriculture and markets, department of environmental conservation, department of state, and the office of parks, recreation and historic preservation from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part Q); to amend the agriculture and markets law, in relation to application fees for the licensing of weighmasters (Part R); to amend the environmental conservation law, in relation to authorizing state assistance payments toward climate smart community projects of up to eighty percent to municipalities that meet criteria relating to financial hardship or disadvantaged communities (Part S); to amend the environmental conservation law, in relation to

air quality control program fees; and to repeal certain provisions of the environmental conservation law and the state finance law relating thereto (Part T); to amend the public authorities law and the health and mental hygiene facilities development corporation act, in relation to authorizing the dormitory authority to provide additional services to state agencies and local governments for certain projects (Part U); to amend chapter 584 of the laws of 2011, amending the public authorities law relating to the powers and duties of the dormitory authority of the state of New York relative to the establishment of subsidiaries for certain purposes, in relation to the effectiveness thereof (Part V); to amend the public authorities law, in relation to the Battery Park city authority (Part W); to amend the economic development law, in relation to increasing the cap on grants to entrepreneurship assistance centers (Part X); to amend chapter 261 of the laws of 1988, amending the state finance law and other laws relating to the New York state infrastructure trust fund, in relation to the effectiveness thereof (Part Y); to amend the New York state urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the empire state economic development fund (Part Z); to amend chapter 393 of the laws of 1994, amending the New York state urban development corporation act relating to the powers of the New York state urban development corporation to make loans, in relation to extending loan powers (Part AA); to amend chapter 495 of the laws of 2004,

amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part BB); to amend the banking law, in relation to the regulation of buy-now-pay-later lenders (Part CC); to amend the insurance law, in relation to supplemental spousal liability insurance (Part DD); to amend the insurance law, in relation to cost sharing for covered prescription insulin drugs (Part EE); to amend the insurance law, in relation to affordable housing (Part FF); to amend the general business law, in relation to prohibiting the sale of batteries for micromobility devices (Part GG); to amend the insurance law, in relation to certain penalties (Part HH); to amend the general business law, the banking law, and the social services law, in relation to protecting eligible adults from financial exploitation (Part II); to amend the general business law, in relation to enacting the "Consumer Protection Act" (Part JJ); to amend chapter 56 of the laws of 2022 amending the public officers law relating to permitting videoconferencing and remote participation in public meetings under certain circumstances, in relation to extending the provisions thereof (Part KK); and to amend the insurance law, in relation to reinsurance, distribution for life insurers, and assessments; and to amend the tax law, in relation to the credit relating to life and health insurance guaranty corporation assessments (Part LL)

PURPOSE:

This bill contains provisions needed to implement the Transportation, Economic Development and Environmental Conservation portion of the FY 2025 Executive Budget.

This memorandum describes Parts A through LL of the bill which are described wholly within the parts listed below.

Part A – Extend the Metropolitan Transportation Authority Tax Increment Financing Authority

Purpose:

This bill would extend the Metropolitan Transportation Authority’s (MTA) Tax Increment Financing (TIF) provisions until April 1, 2034.

Summary of Provisions and Statement in Support:

This bill extends the MTA’s current TIF authority for an additional ten years. This authority allows municipalities within the Metropolitan Commuter Transportation District to work with the MTA to establish alternative funding arrangements for capital projects that benefit local communities.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it will provide the MTA with financing opportunities to support its capital program.

Effective Date:

This bill would take effect immediately.

Part B – MTA Fare Enforcement

Purpose:

This bill would improve fare collection efforts by the Metropolitan Transportation Authority (MTA) and promote equitable enforcement of fare violations across the system.

Summary of Provisions and Statement in Support:

This bill would mitigate worsening fare evasion by amending sections 1204, 1209-a and 1266 of the Public Authorities Law by including the following provisions:

- An increase to the maximum fine for New York City Transit (NYCT) rules violations from \$100 to \$200.
- Authorization for the Transit Adjudication Bureau (TAB) to use fine revenue across the MTA system.
- Authorization for the TAB to forgive fare evasion penalties if violators enroll in New York City's Fair Fares Program and to issue a written warning in lieu of a fine for a first offense.
- Authorization for the TAB, in an instance of a second fare violation, to issue a fare card to the violator equal to up to half the value of the penalty imposed.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it will help reverse the worsening trend of fare evasion across the MTA network which will cost between \$200,000,000 and \$400,000,000 annually in the coming years.

Effective Date:

This bill would take effect immediately.

Part C – Toll Enforcement

Purpose:

This bill would improve toll collection efforts by the Metropolitan Transportation Authority, Port Authority of New York and New Jersey, Thruway Authority, and other public authorities with tolled facilities.

Summary of Provisions and Statement in Support:

This would bill amend the Penal Law, Vehicle and Traffic Law, and Public Authorities Law to improve the collection of tolls by:

- Including the use of a toll facility without payment of the toll as a theft of services offense;
- Disallowing the selling or distribution of “vanish plates” and other license plate covers that obscure plates;
- Imposing a fine of \$100 to \$500 on drivers passing through tolls with intentionally obscured plates;
- Authorizing law enforcement to confiscate materials covering and obscuring license plates and raises the minimum fine in such instances to \$250;

- Restricting Department of Motor Vehicles registration transactions for vehicles with pending or existing suspended registrations for failure to pay tolls; and
- Authorizing registration suspension for failing to remove plate-obscuring materials.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it would yield an additional \$35,000,000 to \$55,000,000 for transportation operations and infrastructure that is currently being lost due to theft of public services.

Effective Date:

These provisions would take effect one year after enactment. Any rule or regulation change needed to implement this bill would be authorized to be made before such date.

Part D – Toll Fraud Deterrence

Purpose:

This bill would make punishable any fraudulent attempt to obtain credits, discounts, or exemptions from Central Business District (CBD) tolls or any other Triborough Bridge and Tunnel Authority (TBTA) tolls.

Summary of Provisions and Statement in Support:

This bill would amend the Vehicle and Traffic Law and Public Authorities Law to reduce fraudulent claims for credits, discounts, and exemptions from CBD and other TBTA tolls by:

- Establishing a class A misdemeanor offense of fraudulently attempting to obtain a credit, discount, or exemption from tolls; and
- Establishing a class E felony for violations in which a person fraudulently obtains a credit, discount, or exemption from tolls with a value in excess of \$1,000 and a class D felony for violations with a value in excess of \$3,000.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because improved toll collection efforts by the Metropolitan Transportation Authority would yield an additional \$30,000,000 to \$45,000,000 for transportation operations and infrastructure that is currently being lost due to theft of public services.

Effective Date:

This bill would take effect on the ninetieth day after it becomes law. Any rule or regulation change needed to implement this bill would be authorized to be made before such date.

Part E – Warren County Contribution to Capital District Transportation Authority

Purpose:

This proposal would allow Capital District Transportation Authority (CDTA) to receive State assistance for transit services in Warren County, which requires a local match component.

Summary of Provisions and Statement in Support:

This bill would add Warren County to the list of counties required to contribute to CDTA. The local match percentage (2.21%) is based on services provided by Greater Glens Falls Transit in the current fiscal year.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because State funding and Warren County funding are necessary for CDTA to implement transit service within Warren County.

Effective Date:

This bill would take effect immediately.

Part F – Extend the Internet Point Insurance Reduction Program

Purpose:

The purpose of this bill is to extend the authorization of the Department of Motor Vehicles' (DMV) Internet Point Insurance Reduction Program (IPIRP).

Summary of Provisions and Statement in Support:

This bill extends the IPIRP pilot program to April 1, 2026. This program allows drivers to reduce points on their driving record by taking an approved online accident prevention course.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because the program promotes driver safety and the revenue collected supports State operations.

Effective Date:

This bill would take effect immediately.

Part G – Extend the Authorization for Certain Department of Motor Vehicle Fees

Purpose:

This bill would extend the expiration dates of certain Department of Motor Vehicles (DMV) fees related to motor vehicle transactions.

Summary of Provisions and Statement in Support:

This bill would extend the sunset date of fees relating to vehicle inspections, record searches, dealer and transporter applications, and title certificates until April 1, 2026. It would also extend provisions relating to the deposit of moneys collected from taxes imposed by Section 183 and 184 of Tax Law until April 1, 2026.

Additionally, the bill would extend the provision that allows revenue in the Dedicated Highway and Bridge Trust Fund to be used for DMV expenses until April 1, 2026.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because these fees generate significant revenue for expenses incurred by the DMV and other transportation programs.

Effective Date:

This bill would take effect immediately.

Part H – Online Insurance Verification System

Purpose:

This bill would amend the Vehicle and Traffic Law (VTL) to allow the Department of Motor Vehicles (DMV) to replace its current insurance verification system.

Summary of Provisions and Statement in Support:

This bill would create new sections 312-b and 312-c of the VTL to allow the DMV to establish an online insurance verification system that can be utilized by DMV staff, insurers, and state and local law enforcement officers. Replacing this system would allow for easier verification of driver insurance coverage.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because modernizing the proof of insurance system will allow the DMV to verify coverage more efficiently.

Effective Date:

This bill would take effect immediately.

Part I – Allow New York City to Lower Its Speed Limit

Purpose:

This bill would amend the Vehicle and Traffic Law (VTL) to allow New York City (NYC) to lower its speed limit.

Summary of Provisions and Statement in Support:

This bill would amend Section 1642 of the VTL to allow NYC to set speed limits as low as 20 miles per hour, and as low as 10 miles per hour in school zones and other traffic calming zones.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it would provide NYC with flexibility to lower its speed limits, affecting road operations.

Effective Date:

This bill would take effect immediately.

Part J – Autonomous Vehicle Technology Extender

Purpose:

This bill would extend the authority of the Commissioner of the Department of Motor Vehicles (DMV) to authorize demonstrations and tests of autonomous vehicle technology.

Summary of Provisions and Statement in Support:

This proposal would amend part FF of chapter 55 of the laws of 2017, extending the DMV's authority to approve demonstrations and tests of motor vehicles equipped with autonomous vehicle technology from April 1, 2024, to April 1, 2026. This would allow for more time to gather relevant data and consider the impacts of this technology.

Budget Implications:

This bill is necessary to implement the FY 2025 Executive Budget to allow more time to develop and report on research into the potential impacts of autonomous vehicle technology.

Effective Date:

This bill would take effect immediately.

Part K – Stretch Limousine Passenger Safety Act

Purpose:

This bill would implement limousine safety recommendations made by the Stretch Limousine Passenger Safety Task Force.

Summary of Provisions and Statement in Support:

This bill would amend sections of the Transportation Law and Vehicle and Traffic Law and add new sections to the Vehicle and Traffic Law as part of a comprehensive limousine safety package based upon recommendations from the Stretch Limousine Passenger Safety Task Force, which include:

- Requiring that the State's limousine safety website be updated to include publicly available information in accordance with the Federal Motor Carrier Safety Administration's Safety and Fitness Electronic Records (SAFER) website;
- Requiring a minimum fine of \$10,000 for operation of a stretch limousine that is under suspension;

- Authorizing the Commissioner of Transportation to seize the license plates of certain passenger carrying vehicles that have failed an inspection and been placed out-of-service;
- Requiring that stretch limousines be equipped with enhanced safety features including window break tools, fire extinguishers, improved emergency egress, and roll-over protection;
- Prohibiting the operation of a stretch limousine that is over 10 years old or has milage exceeding 350,000 miles, whichever occurs first; and
- Mandating that all stretch limousine passengers be given a pre-trip safety briefing.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it will impact the operational organization of the Department of Transportation and enhance safety and protections for limousine passengers.

Effective Date:

This bill would take effect immediately, with certain provisions taking effect 180 days, one year, or two years after becoming law.

Part L – New York Waterfront Commission Statute

Purpose:

This bill would create the Waterfront Commission Act, establishing the New York Waterfront Commission (NYWC), in consolidated law, and would repeal the outdated statute in unconsolidated law. NYWC has replaced the Waterfront Commission of New York Harbor (WCNYH), a bi-state agency founded in 1953 by a Congressionally authorized compact between New York and New Jersey, which was dissolved in 2023. The provisions of this law are based on the previous statute, with updates to remove outdated sections of law, correct errors and ensure that the provisions of the new law will be effectively implemented in New York.

Summary of Provisions and Statement in Support:

This bill would create Article 19-l of Executive Law, establishing the NYWC in consolidated law, as well as its powers and requirements. The NYWC and its job titles would also be added to necessary sections of Criminal Procedure, Retirement and Social Security, and Tax Laws. The outdated statute that established the New York Commission in Title 29 of unconsolidated law would be repealed.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it would allow the NYWC to operate and collect assessment revenue more effectively.

Effective Date:

This bill would take effect June 30, 2024.

Part M – NYSERDA Build-Ready Program Extender

Purpose:

This bill would extend the New York State Energy Research and Development Authority (NYSERDA) Build-Ready Program for six years.

Summary of Provisions and Statement in Support:

This bill would extend the repeal date of the NYSERDA Build-Ready Program from April 19, 2024 to April 19, 2030.

The Build-Ready Program identifies sites in New York State that may be suitable for development as large-scale renewable energy projects, and advances those sites for eventual publicly-noticed competitive solicitation to private renewable energy developers. The Build-Ready Program prioritizes the development of sites that commercial developers may otherwise elect not to pursue due to complicated development challenges, including those on existing or abandoned commercial sites, brownfields, landfills, former industrial sites, and other abandoned or underutilized sites.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it assists the State in meeting its Climate Leadership and Community Protection Act goals.

Effective Date:

This bill would take effect immediately.

Part N – Annual NYSERDA Special Assessment

Purpose:

This bill would extend the New York State Energy Research and Development Authority's (NYSERDA) authorization to collect a special assessment on gas and electric corporations to support certain energy-related programs.

Summary of Provisions and Statement in Support:

This assessment allows NYSERDA to finance its energy research, development and demonstration program; its energy policy and planning program; the Fuel NY Program; and climate change related expenses of the Department of Environmental Conservation. This bill is annually enacted in the state budget.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it authorizes the collection of \$28.8 million in assessments that support NYSERDA's core operations.

Effective Date:

This bill would take effect immediately.

Part O – Renewable Action Through Project Interconnection and Deployment Act

Purpose:

The Renewable Action Through Project Interconnection and Deployment (RAPID) Act creates a one-stop shop for the environmental review and permitting of major renewable energy generation and electric transmission facilities within the Office of Renewable Energy Siting and Electric Transmission (ORES), proposed to be relocated at the Department of Public Service (DPS) and streamlines the development of electric transmission necessary to meet the State's climate goals.

Summary of Provisions and Statement in Support:

The RAPID Act would amend the Public Service Law (PSL) and Executive Law relating to ORES. It would make ORES an independent office at DPS, moving it from its current position as an independent office at the Department of State (DOS).

The RAPID Act would repeal Article VIII of the PSL and replace it with the text of Executive Law Section 94-c, which governs the siting of renewable energy generation facilities of 25 megawatts or greater. Executive Law Section 94-c would likewise be repealed.

The RAPID Act would also require ORES to establish comprehensive regulations and uniform permit terms and conditions for major electric transmission facilities, ultimately transferring review of new electric transmission permits from the Public Service Commission to ORES within 18 months. This would consolidate the permitting for both transmission and generation facilities in one office and lead to faster and more efficient permitting.

Budget Implications:

This bill is necessary for passage of the FY 2025 Executive Budget as it would encourage a more resilient electric grid and is necessary for meeting the goals of the Climate Leadership and Community Protection Act. Furthermore, moving ORES from DOS to DPS will appropriately align the collective expertise and resources of ORES and DPS.

Effective Date:

This bill would take effect immediately.

Part P – Affordable Gas Transition Act

Purpose:

The Affordable Gas Transition Act (AGTA) would support responsible, equitable, and effective gas system transition planning by eliminating the “100-foot” rule - the obligation to serve customers with natural gas - and other provisions of the law that restrict the Public Service Commission (PSC) from ensuring utilities respond appropriately to a changing market and meet the Climate Leadership and Community Protection Act’s (CLCPA’s) greenhouse gas (GHG) emission reduction requirements.

Summary of Provisions and Statement in Support:

This bill would enact the AGTA which amends the Public Service Law (PSL) relating to the mission of the PSC to add achievement of the CLCPA’s GHG emissions reduction requirements to the obligations of regulated utilities in providing certain utility services. AGTA would also update the policy that steers the PSC to ensure that customers who want to continue using gas can do so safely while at the same time allowing PSC to establish programs for the orderly, cost-effective transition to clean, energy efficient electric heating and other alternatives to natural gas.

Among other changes, AGTA amends PSL Section 31 to eliminate the requirement for gas corporations to extend gas service to new customers and to charge the costs to all ratepayers for the first 100 feet of infrastructure between a natural gas main and a building proposed to be served by natural gas.

These changes would allow utilities and the State to better manage energy system planning, end the shifting of costs associated with new gas customer hookups to existing customers, and limit the continued investment of rate-payer funds into what may become stranded assets.

Budget Implications:

This bill is necessary for passage of the FY 2025 Executive Budget because it allows for the kind of strategic and managed transition of the natural gas system that is necessary to meet the GHG emission reduction requirements of the CLCPA; enabling customers to adopt clean energy alternatives to natural gas; maintaining energy affordability for all consumers, and ensuring a just transition for impacted workers.

Effective Date:

This bill would take effect immediately.

Part Q – Assessments on Cable Television Companies and Public Utilities

Purpose:

This bill would extend the State’s current authorization to allow various agencies to finance public health campaigns and utility oversight related costs from assessments on cable television companies and public utilities, respectively.

Summary of Provisions and Statement in Support:

This bill would authorize utility oversight related expenditures of the departments of Agriculture and Markets, Environmental Conservation, State, and the Office of Parks, Recreation and Historic Preservation as eligible expenses of utility assessment revenues. Additionally, the bill would authorize certain expenditures of the Department of Health as eligible expenses for cable television assessment revenues.

Section 18-a of the Public Service Law (PSL) authorizes the Department of Public Service (DPS) to assess public utilities for costs associated with the regulation of utilities. PSL § 217 authorizes the DPS to assess cable television companies for costs associated with the regulation of cable television companies.

This bill would ensure that the affected agencies can continue to expend utility assessment funds on agency activities related to utility oversight and public health initiatives.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because its provisions ensure the recovery of public health and utility oversight related expenses incurred by various State agencies.

Effective Date:

This bill would take effect immediately.

Part R – Weighmaster License Fee

Purpose:

This bill would amend the Agriculture and Markets Law (AML) to remove the setting of the weighmaster fee and instead allow the Department of Agriculture and Markets (AGM) to set the fee by regulation.

Summary of Provisions and Statement in Support:

The Division of Weights and Measures (the Division) at AGM is responsible for weighing, measuring, testing, and the calibration of a variety of devices and substances in fields ranging from meteorology, the New York State lottery system, petroleum, and other commercial areas. In addition to the responsibilities directly allocated to the Division, it is also responsible for licensing individuals, via the weighmaster license, throughout the State to perform weights and measures services for those businesses required by law to have them.

This bill would remove the dollar amount currently set in statute for the weighmaster license thus allowing the fee to be set via regulation going forward. This is consistent with how most other AGM fees are set.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget as it allows for the weighmaster fee to be right-sized at some point in the future, as part of a larger, on-going effort by AGM to review the current state of its regulatory fees. This could result

in increased revenue that will directly support the Division of Weights and Measures at AGM, offsetting the need for expenses to be absorbed by the General Fund.

Effective Date:

This bill would take effect 180 days after it becomes law.

Part S – Climate Smart Communities Grant Program

Purpose:

This bill would allow the Department of Environmental Conservation (DEC) to increase the maximum award certain communities may receive from the Climate Smart Communities (CSC) Program.

Summary of Provisions and Statement in Support:

CSC is a program that helps local governments take action to reduce greenhouse gas emissions and adapt to a changing climate. The program offers grants, rebates for electric vehicles, and free technical assistance. Currently, state assistance payments are capped at fifty percent or \$2 million. This bill would authorize DEC to provide up to eighty percent – or \$2 million - in grants to municipalities that meet the criteria for financial hardship or for being a disadvantaged community.

This bill will also help meet the goals and requirements of the Climate Leadership and Community Protection Act, which mandates that no less than 35% -with a goal of at least 40%- of the State's clean energy and energy efficiency investments benefit New York's disadvantaged communities.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it will enable certain communities to have access to larger state grant awards from the CSC program, as funded by the Environmental Protection Fund and the Clean Water, Clean Air, and Green Jobs Environmental Bond Act.

Effective Date:

This bill would take effect immediately.

Part T – Clean Air Compliance and Pollution Reduction

Purpose:

This bill would amend the existing fee structure for the Department of Environmental Conservation's (DEC) air pollution control permits and registrations. The provisions of the bill would restructure the State Air Quality Control fees for non-title V facilities and Operating Permit Program (OPP) fees for Title V facilities. Additionally, this bill would authorize DEC to impose fees through regulations and ensure compliance with new requirements pursuant to the National Ambient Air Quality Standard (NAAQS).

Summary of Provisions and Statement in Support:

This bill would restructure annual permit and registration fees for DEC's State Air Quality Control Program. Currently, the fee structure is based on the number of emission points. However, more emission points do not necessarily equate to more emissions. The quantity of emission points is secondary to their composition; a source with relatively few emissions points, or less emissions overall, could be a source of more toxic emissions than a source with exponentially more emission points. This bill would remove fees per emission point and establish flat annual fees per facility.

Additionally, this bill would modify the existing fee structure for DEC's OPP. Pursuant to Title V of the Federal Clean Air Act, the State must implement a fee sufficient to cover the direct and indirect costs of its OPP. In recent years, New York State's OPP has not raised sufficient funds to cover the program. This lack of program compliance has been noted by both the Environmental Protection Agency (EPA) and the Office of the State Comptroller (OSC).

Lastly, this bill would authorize DEC to implement fees through regulations for major sources of emissions in the New York Metro Area (NYMA). Currently, the NYMA is out of attainment with the Federal NAAQS. The Clean Air Act requires the imposition of fees on sources over a certain emissions threshold and this bill would authorize DEC to impose these fees.

Budget Implications:

The bill is necessary to implement the FY 2025 Executive Budget because it would address a programmatic revenue deficiency identified by the EPA and OSC and will help provide sufficient funds to cover DEC's annual level of effort for its air pollution control programs. Additionally, authorizing DEC to impose fees in the NYMA would result in additional revenues that would otherwise be collected by the federal government if attainment status is not reached.

Effective Date:

This bill would take effect immediately. However sections one, three, four, five, and six would take effect January 1, 2025, and section two would take effect January 1, 2027.

Part U – Dormitory Authority of the State of New York Omnibus State & Municipal Authorization for Certain Projects

Purpose:

This bill would authorize the Dormitory Authority of the State of New York (DASNY) to provide planning, design, procurement, and construction management services to State agencies, counties, cities, towns and villages for capital infrastructure projects.

Summary of Provisions and Statement in Support:

This bill would amend the definition of the terms “dormitory” and “educational institution” contained in Public Authorities Law (“PAL”) §§ 1676(2)(b) and 1680(1), respectively, to include any state agency, county, city, town and village for projects funded, in whole or in part, by the:

- New York State Environmental Bond Act of 2022;
- American Rescue Plan Act of 2021;
- Infrastructure Investment and Jobs Act of 2021, and
- Inflation Reduction Act of 2022.

The inclusion of such entities within the definitions of “dormitory” and “educational institutions” would authorize DASNY to provide its services to such entities receiving grants or loans under the above-referenced programs.

The bill would also amend the definition of the terms “dormitory” and “educational institution” contained in Public Authorities Law (“PAL”) §§ 1676(2)(b) and 1680(1), respectively, to include any recipient of a loan or grant from the New York State Downtown Revitalization program and NY Forward program administered by the Department of State. The inclusion of such entities within the definitions of “dormitory” and “educational institutions” would authorize DASNY to provide its services to such entities receiving grants or loans under the above-referenced programs.

Additionally, the bill would amend the definition of “municipal building” set forth in subdivision 13-a of section 3 of chapter 359 of the laws of 1968 (the Facilities Development Corporation Act) to include any “building, structure, or improvement, including, without limitation, infrastructure improvements”.

Budget Implications:

Enactment of this bill will aid in delivering critical programs funded in the FY 2025 Executive Budget in a more timely and effective manner by authorizing DASNY to provide planning, design, procurement, and construction management services to State agencies and units of local government.

Effective Date:

The bill would take effect immediately.

Part V – Extend the Dormitory Authority of the State of New York’s Subsidiary Authorization

Purpose:

The purpose of this bill is to extend for three years, until July 1, 2027, the Dormitory Authority of the State of New York’s (DASNY’s) authority to establish subsidiaries to take title to the property of borrowers regulated under Public Health Law Article 28, that have defaulted on loan agreements or mortgages with DASNY.

Summary of Provisions and Statement in Support:

This bill would extend for three years DASNY’s authority to establish one or more subsidiaries for the purpose of limiting the potential liability of DASNY when exercising its powers and duties in connection with the exercise of remedies by DASNY against a borrower regulated under Public Health Law Article 28 that has defaulted on its obligations under its loan agreement or mortgage with DASNY.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it authorizes DASNY to carry out core functions while minimizing risk when pursuing remedies against hospitals that have defaulted on loans or mortgages from DASNY.

Effective Date:

This bill would take effect immediately.

Part W – Increase Battery Park City Authority Bond Capacity

Purpose:

This bill would authorize an increase in the permitted amount of non-renewable outstanding debt for the financing of project costs for the Battery Park City project area in order to permit the Battery Park City Authority (BPCA) to perform critical infrastructure maintenance and resiliency-related work.

Summary of Provisions and Statement in Support:

This bill would amend paragraph (f) of subdivision 1 of section 1977-a of the public authorities law to raise BPCA's non-renewable bonding cap from \$1.5 billion to \$2.5 billion. The increased bonding capacity would enable BPCA to continue with plans to ensure the resiliency of the Battery Park City project area.

Budget Implications:

This bill is needed to implement the FY 2025 Executive Budget because it will enable BPCA to proceed with ongoing and necessary climate resiliency and infrastructure maintenance work throughout the Battery Park City project area.

Effective Date:

This bill would take effect immediately.

Part X – Increase the Cap on Grants to Entrepreneurial Assistance Centers.

Purpose:

This bill increases the cap on grants to entrepreneurial assistance centers from the current \$175,000 to \$250,000.

Summary of Provisions and Statement in Support:

This bill would amend subdivision 6 of section 211 of the Economic Development Law to increase the cap on grants to entrepreneurial assistance centers from \$175,000 to \$250,000.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget as it provides additional support to a network of entrepreneurial assistance centers, which

provide targeted, direct assistance to small business owners and entrepreneurs, with a focus on supporting disadvantaged business owners.

Effective Date:

This bill would take effect immediately.

Part Y – Minority and Women Owned Business 15-A Extension

Purpose:

Executive Law Article 15-A governs requirements for the participation of minority and women-owned business enterprises (“MWBEs”) in New York State contracting. The Division of Minority and Women’s Business Development (“DMWBD) oversees the statewide MWBE program operated by “state agencies as defined by Article 15-A. The Division is charged with three primary functions: (1) to encourage and assist state agencies that are engaged in contracting activities to award a fair share of state contracts to MWBEs; (2) to review applications by businesses seeking certification as a MWBE and to maintain a directory of certified MWBEs; and (3) to promote the business development of MWBEs through education and outreach to agencies and MWBEs. The MWBE program was reauthorized in 2019 for five years and is set to expire on December 31, 2024.

The purpose of this bill is to extend the MWBE program for five years, to December 31, 2029.

Summary of Provisions and Statement in Support:

This bill would amend section 121 of chapter 261 of the laws of 1988 to reauthorize the MWBE program, which is set to lapse on December 31, 2024. This extension would reauthorize the program until December 31, 2029.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it relates to MWBE program funding included annually in the Executive Budget.

Effective Date:

The bill would take effect immediately.

Part Z – Extend the authorization of the New York State Urban Development Corporation to administer the Empire State Economic Development Fund

Purpose:

This bill would extend the authorization of the New York State Urban Development Corporation (UDC) to administer the Empire State Economic Development Fund (EDF) for an additional 3 years.

Summary of Provisions and Statement in Support:

Section 16-m of the UDC Act authorizes the UDC to provide financial assistance through the EDF. This authorization has been renewed regularly since 2012 and is currently set to expire on July 1, 2024.

The bill would provide for the continued administration of the EDF, one of the UDC's core economic development programs. Extending the expiration date until July 1, 2027 will permit the UDC to fulfill prior commitments made through the EDF, and to make new assistance available to businesses and other stakeholders throughout the State without interruption.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it allows UDC to continue to implement the Economic Development Fund.

Effective Date:

This bill would take effect immediately.

Part AA – Extend the general loan powers of the New York State Urban Development Corporation

Purpose:

This bill would extend the general loan powers of the New York State Urban Development Corporation (UDC) for an additional 3 years.

Summary of Provisions and Statement in Support:

Chapter 393 of the Laws of 1994 provides UDC with the general power to make loans. This authorization has been renewed regularly since 1997 and is currently set to expire on July 1, 2024.

Absent enactment of this bill, UDC would be authorized to make loans only in connection with certain State-funded economic development programs that have specific statutory loan authorization.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget, which assumes that UDC would provide certain economic development assistance through loans. Absent this bill, the UDC could not fund approved loans made through economic programs lacking specific statutory authorization.

Effective Date:

This bill would take effect immediately.

Part BB – Extension of the Assistance Demonstration Project for Displaced Workers

Purpose:

This bill extends the Assistance Demonstration Project, regarding insurance for displaced workers, by an additional year.

Summary of Provisions and Statement in Support:

This bill would extend the Assistance Demonstration Project, originally enacted in 2004, which allows the Superintendent of the Department of Financial Services to subsidize health insurance continuation benefits available to eligible displaced workers.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget to provide eligible individuals the ability to maintain health insurance.

Effective Date:

This bill would take effect immediately.

Part CC – Regulate "Buy Now, Pay Later" loans

Purpose:

This bill would authorize the Department of Financial Services (DFS) to regulate companies who offer "Buy Now, Pay Later" (BNPL) loans. The proposal is part of the Governor's State of the State initiative to protect consumers.

Summary of Provisions and Statement in Support:

This bill would amend the Banking Law to grant DFS licensing and regulatory authority over BNPL loans and their providers. It would authorize DFS to regulate the industry with a focus on building stronger consumer protections around disclosure requirements, dispute resolution, credit reporting standards, late fee limits, and consumer data privacy. DFS would also review guidelines to curtail dark patterns, debt accumulation, and overextension.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it would help strengthen regulations in this industry and create stronger consumer protections for New Yorkers.

Effective Date:

This bill would take effect one year after its enactment. However, effective immediately, the addition, amendment and/or repeal of any rule or regulation authorized to be made by the superintendent pursuant to this act would be authorized to be made and completed on or before such effective date.

Part DD – Supplemental Spousal Liability

Purpose:

This bill would require auto insurance policies to include supplemental spousal liability coverage only where the insured has indicated on the insurance application that they are married.

Summary of Provisions and Statement in Support:

This bill would amend the Insurance Law to require that auto insurance policies provide supplemental spousal liability coverage only to insureds who have indicated on the insurance application that they are married unless the insured opts-out of such coverage in writing.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it would lower auto insurance premiums for unmarried drivers.

Effective Date:

This bill would take effect on the one-hundred eightieth day after it becomes law.

Part EE – Insulin Cost Sharing

Purpose:

This bill would ensure that insulin drug coverage is not subject to cost sharing requirements.

Summary of Provisions and Statement in Support:

This bill would amend §§§ 3216, 3221 and 4303 of the Insurance Law, with respect to covered prescription insulin drug cost sharing to ensure that insulin drugs are not subject to a deductible, copayment, coinsurance, or any other cost sharing requirement.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget which includes resources to support the regulation of the insurance industry.

Effective Date:

This bill would take effect on January 1, 2025, and would apply to any policy or contract issued, renewed, modified, altered, or amended on or after such date.

Part FF - Combating discrimination in housing

Purpose:

This bill would prohibit insurance companies from increasing rates or denying coverage to a policy holder due to their ownership of affordable housing.

Summary of Provisions and Statement in Support:

This bill would add new section 3423 to the Insurance Law to ensure that an insurer that issues or delivers insurance covering loss of or damage to real property containing units

used for residential purposes shall not inquire on an application, nor cancel, refuse to issue, refuse to renew, or increase the premium of a policy based on:

- 1) The level or source of income of an individual or group of individuals residing or intending to reside upon the property to be insured, if the individual or group of individuals is not the owner of the real property;
- 2) The real property containing any residential dwelling units that must be affordable to residents at a specific income level pursuant to statute, regulations, restrictive declaration, or pursuant to a regulatory agreement with a state or local government entity; or
- 3) The real property owner or the residents therein receiving government housing subsidies, including the receipt of federal vouchers issued under Section 8 of the United States Housing Act of 1937.

The bill would make clear that insurers could still consider any underwriting rating factors not specified in this bill or not otherwise prohibited by law and would help address challenges affordable housing providers encounter when obtaining insurance or when seeking to pay reasonable premiums for property insurance.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it will facilitate the development and maintenance of affordable housing by ensuring affordable housing is not unduly denied or overcharged for property insurance.

Effective Date:

This bill would take effect on the ninetieth day after it shall have become law.

Part GG – Safe Lithium-Ion Batteries

Purpose:

This bill would restrict the sale of lithium-ion batteries or refurbished lithium-ion batteries to use in micromobility devices to those batteries that have been certified by a nationally recognized testing and certification laboratory.

Summary of Provisions and Statement in Support:

Lithium-ion batteries, when manufactured improperly or used or stored incorrectly, may explode or ignite, resulting in fires that are difficult to extinguish. Lithium-ion batteries should meet minimum safety standards to avoid such fires and keep New Yorkers safe.

This bill amends General Business Law to establish safety standards for the sale of lithium-ion batteries, prohibits the sale of uncertified batteries and establishes fines for violations. The Department of State (DOS) would be authorized to promulgate rules and regulations to provide any additional safety standards.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget, as the Budget contains funding to support the regulatory activities of DOS.

Effective Date:

This bill would take effect ninety days after becoming law.

Part HH – Mental Health Parity

Purpose:

This bill would increase the penalty for violations of mental health and substance use disorder requirements.

Summary of Provisions and Statement in Support:

This bill would amend the Insurance Law by raising the penalties that the Department of Financial Services would impose on an authorized insurer, and any representative thereof, that violates any mental health or substance use disorder provision or the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Although insurers are required to ensure equal access to mental health and substance use disorder services, practical implementation falls short. Robust enforcement measures are essential to incentivize insurers to comply with their legal obligations.

Budget Implications:

This bill is necessary to implement the FY 2025 Executive Budget because it will help ensure that authorized insurers comply with mental health and substance use disorder requirements so that New Yorkers can get the mental health and substance use disorder services they need.

Effective Date:

This bill would take effect immediately.

Part II – Financial Exploitation Prevention

Purpose:

This bill would amend the General Business Law and the Banking Law to establish procedures for financial institutions to impose holds on transactions that appear to be related to the financial exploitation of a eligible adult.

Summary of Provisions and Statement in Support:

Eligible adults are especially at risk of financial exploitation through theft and scams. To curb such harmful activity, the bill would establish that financial institutions can impose holds on suspicious transactions, support the ability of relevant government agencies to investigate potential cases of financial exploitation, and place time limits on the holds that are long enough to permit investigation but also allow legitimate transactions to be completed timely.

Under the terms of this bill, a financial institution could place a hold on a transaction if the financial institution reasonably believes it is the subject of or related to financial exploitation of an eligible adult, and the financial institution would be required to place a hold on a transaction if adult protective services or a law enforcement agency notifies the financial institution that it reasonably believes that the transaction is the subject of or related to financial exploitation of an eligible adult.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget as it is part of the Governor’s initiative to combat elder financial exploitation, which is a component of an overall strategy to fight cybercrime.

Effective Date:

This act would take effect on the 180th day after enactment

Part JJ – Enhancing Consumer Protection

Purpose:

This bill would enhance protections and remedies for consumers from unscrupulous business practices. It would authorize the Attorney General to investigate and bring actions against persons who engage in unfair or abusive practices, in addition to deceptive practices, and allow a private right of action for consumers to recover damages if they have been harmed by unfair or abusive practices.

Summary of Provisions and Statement in Support:

The General Business Law prohibits deceptive practices in the conduct of any business, trade, commerce or furnishing of any service in the State. This bill would add unfair or abusive practices to that prohibition, increase statutory penalties for engaging in unfair and abusive as well as deceptive practices, and require attorneys' fees and costs to be paid to prevailing plaintiffs. It would also empower the Attorney General to bring enforcement actions to stop unfair or abusive practices in the marketplace.

Consumers and businesses should be able to buy goods and services and engage in commercial transactions in a marketplace that is fair and free from deception and abuse. This bill enables the Attorney General and private parties to ensure that unscrupulous businesses cannot take unfair advantage of consumers in New York.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget as it would provide additional protections and remedies for consumers in New York State.

Effective Date:

This bill would take effect on the sixtieth day after becoming law.

Part KK – Extend Videoconference Participation in Public Meetings

Purpose:

This bill would extend for two years authorization for public bodies to conduct public meetings with some members and the public joining by videoconference.

Summary of Provisions and Statement in Support:

This bill would remove the current sunset of July 1, 2024, and extend for an additional two years the current law authorizing public bodies to hold public meetings at which some members may join by videoconference from locations not accessible to the public in extraordinary circumstances, and for the public to view and, where applicable, participate in such meetings by videoconference.

This bill is necessary to avoid a sunset of the current law and ensure continued videoconference access for individuals with disabilities, the public, and some members of public bodies under extraordinary circumstances from locations other than locations where the public may attend.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2025 Executive Budget because it extends authorization previously included in the FY 2023 and FY 2024 Enacted Budgets.

Effective Date:

This bill would take effect immediately.

Part LL – Modernization of the Life Insurance Guaranty Credit

Purpose:

This bill would ensure that the assessments for not-for-profit member insurers of the Life and Health Insurance Company Guaranty Corporation of New York (“Guaranty Fund”) are comparable to the assessments for for-profit member insurers after the applicable tax credits for for-profit member insurers.

Summary of Provisions and Statement in Support:

Subpart D of Part Y of Chapter 57 of the Laws of 2023 required the Superintendent of Financial Services, in consultation with the Division of the Budget, Department of Taxation and Finance, and other appropriate agencies, to develop an assessment offset plan to limit the impact of the Guaranty Fund assessments on not-for-profit member insurers. This bill would amend the Insurance Law and Tax Law to implement this plan and ensure comparable assessments for not-for-profit and for-profit members of the Guaranty Fund. It would also modernize the way in which the tax credit applied to for-profit insurers is calculated.

Budget Implications:

This bill is necessary to implement the FY 2025 Executive Budget because it ensures comparable assessments for not-for-profit and for-profit members of the Guaranty Fund and modernizes the way in which the tax credit applied to for-profit insurers is calculated.

Effective Date:

This bill would take effect immediately and would apply to taxable years beginning on or after January 1, 2024.

The provisions of this act shall take effect immediately, provided, however, that the applicable effective date of each part of this act shall be as specifically set forth in the last section of such part.