

**Amendments to Senate S.7505; Assembly A.9505
(PPGG Article VII Bill)**

Part A, relating to the extension of various criminal justice and public safety programs that would otherwise sunset, is amended to:

- Makes various technical corrections.

Part B, relating to closing the Electronic Security and Targeting Online Predators Act loophole, is amended to:

- Remove "under the age of eighteen" for the definition of authorized internet entity.

Part K, relating to the possession and sale of firearm, rifle, and shotgun components, is amended to:

- Change the agency in charge of maintaining serial numbers from the Division of Criminal Justice Services to the Division of State Police.

Part M, relating to establishing the Safe Homes and Families Act, is amended to:

- Make conforming changes to the time period which a firearm or other weapon is retained in temporary custody.

Part N, relating to firearm licenses, is amended to:

- Add hate crime as a disqualifying crime.

Part P, relating to sharing information from mental health professionals with other states, is amended to:

- Include additional clarifying language that the confidential waiver is from the individual rather than from the Division of Criminal Justice Services or Police.

Part Q, relating to establishing the crime of domestic violence, is amended to:

- Make Several technical corrections to change the word "victim" to "person committing the offense" in several locations of the part.

Part FF, relating to serving alcoholic beverages can be served in international airports operated by the Port Authority of New York and New Jersey, is amended to:

- Establish the hours alcohol can be served on all days of the week.

Part OO, relating to amending the county law, the correction law and the judiciary law, in relation to authorizing shared county jails, is amended to:

- Make a technical change to expand the definition of a local correctional facility.

New Part WW, relating to the Commission on Legislative, Judicial and Executive Compensation, is added to:

- Require the Commission to examine, evaluate and make recommendations with respect to adequate levels of compensation and non-salary benefits for judges and justices of the state-paid courts of the unified court system during 2020.

Amend Senate S7505, Assembly A9505, AN ACT to amend the Alcoholic Beverage Control Law, in relation to establishing the time that alcoholic beverages can be served in an airport owned and operated by the Port Authority;

Page	Line	Amendment
Page 2,	Unnumbered line 42 (AN ACT CLAUSE),	After "2001" insert ",,"
Page 4,	Unnumbered line 43 (AN ACT CLAUSE),	After "(Part UU);" strike out "and"
Page 5,	Unnumbered line 16 (AN ACT CLAUSE),	After "(Part VV)" insert "; and to amend part E of chapter 60 of the laws of 2015, establishing a commission on legislative, judicial and executive compensation, and providing for the powers and duties of the commission and for the dissolution of the commission, in relation to the powers of the members of the commission (Part WW)"
Page 5,	Line 4,	After "through" strike out "VV" and insert "WW"
Page 6,	Line 47,	After "1994" insert ",,"
Page 6,	Line 49,	After "1994" insert ",,"
Page 7,	Line 22,	After "2011" insert ",,"
Page 10,	Line 1,	After "1993" insert ",,"
Page 10,	Line 49,	After "2001" insert ",,"
Page 11,	Between lines 27 and 28,	Insert "Section 1. Subdivision 16 of section 168-a of the correction law, as added by chapter 67 of the laws of 2008, is amended to read as follows: 16. "Authorized internet entity" means any business, organization or other entity providing or offering a service over the internet which permits persons [under eighteen years of age] to access, meet, congregate or communicate with other users for the purpose of social networking. This definition shall not include general e-mail services."
Page 11,	Line 28,	After "Section" strikeouts "1" and insert "2"
Page 11,	Line 43,	After "\$" strike out "2" and insert "3"
Page 12,	Line 17,	After "\$" strike out "3" and insert "4"
Page 12,	Line 38,	After "\$" strike out "4" and insert "5"
Page 20,	Line 29,	After " <u>division of</u> " strike out " <u>criminal justice services</u> " and insert " <u>state police</u> "

Page	Line	Amendment
Page 22,	Lines 28 through 36,	<p>Strike out "<u>Not less than forty-eight hours and not more than one hundred twenty hours or, in the event that a Saturday, Sunday or legal holiday occurs during such period, one hundred forty-four hours after a weapon, other than a weapon described in paragraph (c) of this subdivision, is taken into temporary custody as provided in paragraph (a) of this subdivision, the owner or person who was in lawful possession of such weapon shall have the right to arrange for the sale or transfer of such weapon to a dealer, or to himself or herself, in the manner provided in subdivision six of section 400.05 of the penal law</u>"</p> <p>and insert "<u>A firearm or other weapon described in paragraph(a)of this subdivision which is taken into temporary custody and which has not been declared a nuisance pursuant to paragraph(c)of this subdivision, shall be retained for a period not to exceed one year. Prior to the expiration of such time period, but no less than forty-eight hours after the firearm or weapon was taken into temporary custody, the owner shall have the right to reclaim the item or arrange for the sale or transfer of the item. Nothing in this subdivision authorizes the return of a firearm, rifle or shotgun to a person who is not authorized to possess a firearm, rifle or shotgun</u>"</p>
Page 29,	Line 15	After " <u>degree</u> " insert " <u>; and a hate crime defined in article four hundred eight-five of this chapter</u> "
Page 31,	Line 38,	After " <u>to</u> " strike out " <u>law enforcement</u> " and insert " <u>public</u> " and after " <u>entities</u> " insert " <u>responsible for determining eligibility for purchase or possession</u> "
Page 31,	Line 41,	After " <u>provides</u> " strike out " <u>a confidentiality waiver</u> " and insert " <u>patient consent</u> "
Page 31,	Line 50,	After " <u>to</u> " strike out " <u>law enforcement</u> " and insert " <u>public</u> " and after " <u>entities</u> " insert " <u>responsible for determining eligibility for purchase or possession</u> "
Page 31,	Line 53,	After " <u>provides</u> " strike out " <u>a confidentiality waiver</u> " and insert " <u>patient consent</u> "
Page 32,	Line 21,	After " <u>guardian of the</u> " strike out " <u>victim</u> " and insert " <u>person committing the offense</u> " and after " <u>whom the</u> " strike out " <u>victim</u> " and insert " <u>person committing the offense</u> "
Page 32,	Line 22,	After " <u>with the</u> " strike out " <u>victim</u> " and insert " <u>person committing the offense</u> "

Page	Line	Amendment
Page 32,	Line 24,	After " <u>of the</u> " strike out " <u>victim</u> " and insert " <u>person committing the offense</u> "
Page 54	Line 45,	After "Section 1." Strike out "paragraph" and insert "paragraphs (a) and"
Page 54	Line 47,	After "amended" insert ", and a new paragraph (c) is added,"
Page 54	Between lines 47 and 48,	Insert "(a) <u>Except as provided in paragraph (c) of this subdivision on</u> "
Page 54	Line 48,	After "(b)" insert "[" and after "on" insert "]" <u>Except as provided in paragraph (c) of this subdivision on</u> "
Page 54	Lines 49 through 53,	After "diem" Strike out " <u>;provided, however, for a premises located within an international airport owned or operated by the Port Authority of New York and New Jersey, on any other day between three ante meridiem and six ante meridiem; provided further that such hours for a premises located within an international airport owned or operated by the Port Authority of New</u> "
Page 55	Lines 1 and 2,	Strike out " <u>York and New Jersey shall not be subject to change pursuant to subdivision eleven of section seventeen of this chapter.</u> "
Page 55	Between Lines 2 and 3,	Insert "(c) <u>On any day between three ante meridiem and six ante meridiem, for a premises located within an international airport owned or operated by the Port Authority of New York and New Jersey. The provisions of this paragraph shall not be subject to change pursuant to subdivision eleven of section seventeen of this chapter.</u> "
Page 67,	Line 15,	After "to make a defense." Insert "\$ 7. Paragraph (a) of subdivision 16 of section 2 of the correction law, as amended by section 4 of chapter 681 of the laws of 1990 is amended to read as follows: 16. (a) "Local correctional facility". Any place operated by a county or the city of New York as a place for the confinement of persons duly committed to secure their attendance as witnesses in any criminal case, charged with crime and committed for trial or examination, awaiting the availability of a court, duly committed for any contempt or upon civil process, convicted of any offense and sentenced to imprisonment therein or awaiting transportation under sentence to imprisonment in a correctional facility, <u>or jail jointly maintained by more than one county pursuant to a</u>

Page	Line	Amendment
		<u>shared services agreement</u> , or pursuant to any other applicable provisions of law."
Page 67,	Line 16,	After "\$" strike out "7" and insert "8"
Page 108,	Between lines 28 and 29,	Insert Part WW(LBD #75026-01-0)
Page 108,	Line 39,	After "through" strike out "VV" and insert "WW"

the public buildings law, in relation to the leasing of real property (Part AA); to amend the state finance law, in relation to sexual harassment disclosure with respect to state contracts (Part BB); to amend the alcoholic beverage control law, in relation to creating a higher education institution license (Part CC); to amend the alcoholic beverage control law, in relation to allowing food that is typically found in a motion picture theatre to be deemed in compliance with food requirements to serve alcoholic beverages (Part DD); to amend the alcoholic beverage control law, in relation to tied house restrictions (Part EE); to amend the alcoholic beverage control law, in relation to establishing the hours during which alcoholic beverages may be sold in certain international airport property (Part FF); to amend the workers' compensation law, in relation to diversifying the New York state insurance fund's investment authority (Part GG); to amend the workers' compensation law, in relation to combatting the New York state insurance fund's surprise premium increases (Part HH); to amend the workers' compensation law, in relation to allowing the New York state insurance fund to enter into agreement with private insurance providers to cover out-of-state work (Part II); to amend the election law, in relation to triggering automatic manual recounts in elections that finish with a small margin of victory (Part JJ); to amend the state finance law, in relation to video lottery terminal aid (Part KK); to amend the general municipal law, in relation to enhancing flexibility within the county-wide shared services initiative (Part LL); to amend the local finance law, in relation to the voting requirements for the financial restructuring board for local governments (Part MM); to amend the tax law and the public authorities law, in relation to AIM-related sales tax payments in the counties of Nassau and Erie (Part NN); to amend the county law, the correction law and the judiciary law, in relation to authorizing shared county jails (Part OO); to amend the domestic relations law, in relation to consideration of the effects of domestic violence and other acts on future financial circumstances to determine equitable distribution of marital property (Part PP); to amend the public authorities law, in relation to ensuring pay equity at state and local public authorities (Part QQ); to amend the family court act and the criminal procedure law, in relation to orders of protection (Part RR); to amend the election law, in relation to banning campaign contributions from foreign corporations (Part SS); to amend the public officers law and the election law, in relation to requiring the disclosure of tax returns for certain elected officials and appointed employees (Part TT); to amend the executive law and the tax law, in relation to disclosure requirements for certain nonprofits (Part UU); ~~and~~ to provide for the administration of certain funds and accounts related to the 2020-2021 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003

budget, in relation to the issuance of certain bonds or notes; to amend the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the state finance law, in relation to payments of bonds; to amend the civil practice law and rules, in relation to an action related to a bond; and providing for the repeal of certain provisions upon expiration thereof. (Part VV) *LONG TITLE USE R1*

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

1 Section 1. This act enacts ^{WW} into law major components of legislation
 2 which are necessary to implement the state fiscal plan for the 2020-2021
 3 state fiscal year. Each component is wholly contained within a Part
 4 identified as Parts A through ~~VV~~^{WW}. The effective date for each particular
 5 provision contained within such Part is set forth in the last section of
 6 such Part. Any provision in any section contained within a Part, includ-
 7 ing the effective date of the Part, which makes a reference to a section
 8 "of this act", when used in connection with that particular component,
 9 shall be deemed to mean and refer to the corresponding section of the
 10 Part in which it is found. Section three of this act sets forth the
 11 general effective date of this act.

12 PART A

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

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

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

25 § 3. This act shall take effect on the first day of November next
 26 succeeding the date on which it shall have become a law, and shall
 27 remain in effect until the first day of September, [2020] 2022, when it
 28 shall expire and be deemed repealed.

29 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
 30 correction law and the penal law relating to prisoner furloughs in
 31 certain cases and the crime of absconding therefrom, as amended by
 32 section 3 of part O of chapter 55 of the laws of 2019, is amended to
 33 read as follows:

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 counties, 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 2007 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018 amending the criminal procedure law relating to pre-criminal proceeding settlements in the city of New York, in relation to the effectiveness thereof (Part A); to amend the correction law, in relation to expanding the definition of internet identifiers and establishing criminal personation by a sex offender (Part B); to amend the penal law, in relation to prohibiting the use of the intoxication of a victim as defense to a criminal charge for sex crimes (Part C); to amend section 7 of part Y of chapter 57 of the laws of 2018, amend-



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

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

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

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

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

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

36 § 10. This act shall take effect 30 days after it shall have become a
37 law and shall remain in effect until September 1, [2020] 2022, and
38 provided further that the commissioner of correctional services shall
39 report each January first, and July first, to the chairman of the senate
40 crime victims, crime and correction committee, the senate codes commit-
41 tee, the assembly correction committee, and the assembly codes commit-
42 tee, the number of eligible inmates in each facility under the custody
43 and control of the commissioner who have applied for participation in
44 any program offered under the provisions of work release, furlough, or
45 leave, and the number of such inmates who have been approved for partic-
46 ipation.

47 § 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994
48 relating to certain provisions which impact upon expenditure of certain
49 appropriations made by chapter 50 of the laws of 1994 enacting the state
50 operations budget, as amended by section 7 of part 0 of chapter 55 of
51 the laws of 2019, is amended to read as follows:

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



1 § 8. Subdivision h of section 74 of chapter 3 of the laws of 1995,
2 amending the correction law and other laws relating to the incarceration
3 fee, as amended by section 8 of part O of chapter 55 of the laws of
4 2019, is amended to read as follows:

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

21 § 9. Subdivision (c) of section 49 of subpart A of part C of chapter
22 62 of the laws of 2011, amending the correction law and the executive law
23 relating to merging the department of correctional services and division
24 of parole into the department of corrections and community supervision,
25 as amended by section 9 of part O of chapter 55 of the laws of 2019, is
26 amended to read as follows:

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

31 § 10. Subdivision (aa) of section 427 of chapter 55 of the laws of
32 1992, amending the tax law and other laws relating to taxes, surcharges,
33 fees and funding, as amended by section 10 of part O of chapter 55 of
34 the laws of 2019, is amended to read as follows:

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

38 § 11. Section 12 of chapter 907 of the laws of 1984, amending the
39 correction law, the New York city criminal court act and the executive
40 law relating to prison and jail housing and alternatives to detention
41 and incarceration programs, as amended by section 11 of part O of chap-
42 ter 55 of the laws of 2019, is amended to read as follows:

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

47 § 12. Subdivision (p) of section 406 of chapter 166 of the laws of
48 1991, amending the tax law and other laws relating to taxes, as amended
49 by section 12 of part O of chapter 55 of the laws of 2019, is amended to
50 read as follows:

51 (p) The amendments to section 1809 of the vehicle and traffic law made
52 by sections three hundred thirty-seven and three hundred thirty-eight of
53 this act shall not apply to any offense committed prior to such effec-
54 tive date; provided, further, that section three hundred forty-one of
55 this act shall take effect immediately and shall expire November 1, 1993
56 at which time it shall be deemed repealed; sections three hundred



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

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

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

14 § 3. This act shall take effect immediately, except that section one
15 of this act shall take effect on the first of January next succeeding
16 the date on which it shall have become a law, and shall remain in effect
17 until the first of September, [2020] 2022, upon which date this act
18 shall be deemed repealed and have no further force and effect; provided
19 that section one of this act shall only take effect with respect to any
20 compacting state which has enacted an interstate compact entitled
21 "Interstate compact for adult offender supervision" and having an iden-
22 tical effect to that added by section one of this act and provided
23 further that with respect to any such compacting state, upon the effec-
24 tive date of section one of this act, section 259-m of the executive law
25 is hereby deemed REPEALED and section 259-mm of the executive law, as
26 added by section one of this act, shall take effect; and provided
27 further that with respect to any state which has not enacted an inter-
28 state compact entitled "Interstate compact for adult offender super-
29 vision" and having an identical effect to that added by section one of
30 this act, section 259-m of the executive law shall take effect and the
31 provisions of section one of this act, with respect to any such state,
32 shall have no force or effect until such time as such state shall adopt
33 an interstate compact entitled "Interstate compact for adult offender
34 supervision" and having an identical effect to that added by section one
35 of this act in which case, with respect to such state, effective imme-
36 diately, section 259-m of the executive law is deemed repealed and
37 section 259-mm of the executive law, as added by section one of this
38 act, shall take effect.

39 § 22. Section 8 of part H of chapter 56 of the laws of 2009, amending
40 the correction law relating to limiting the closing of certain correc-
41 tional facilities, providing for the custody by the department of
42 correctional services of inmates serving definite sentences, providing
43 for custody of federal prisoners and requiring the closing of certain
44 correctional facilities, as amended by section 22 of part 0 of chapter
45 55 of the laws of 2019, is amended to read as follows:

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

49 § 23. Section 3 of part C of chapter 152 of the laws of 2001, amending
50 the military law relating to military funds of the organized militia, as
51 amended by section 23 of part 0 of chapter 55 of the laws of 2019, is
52 amended to read as follows:

53 § 3. This act shall take effect immediately; provided however that the
54 amendments made to subdivision 1 of section 221 of the military law by
55 section two of this act shall expire and be deemed repealed September 1,
56 [2020] 2022.



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

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

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

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

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

PART B

Insert
 PP6G
 11

27
 28 Section ²² Subdivision 18 of section 168-a of the correction law, as
 29 added by chapter 67 of the laws of 2008, is amended to read as follows:

30 18. "Internet identifiers" means [electronic mail addresses and desig-
 31 nations used for the purposes of chat, instant messaging, social
 32 networking or other similar internet communication] (a) person-specific
 33 designations, including but not limited to electronic mail addresses,
 34 phone numbers, account names, user names, screen names and gaming tags,
 35 as well as aliases used for the purposes of chatting, messaging, gaming,
 36 dating, networking, social media, file sharing, information sharing, or
 37 other internet communication or contact and (b) the name or names of
 38 internet applications, or other downloadable applications intended for
 39 use on a mobile device, sites, platforms or other software where such
 40 person-specific designations or aliases are used to engage in chat,
 41 messaging, gaming, dating, networking, social media, file sharing,
 42 information sharing, or other internet communication or contact.

3

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

45 10. The division shall, upon the request of any authorized internet
 46 entity, release to such entity internet identifiers that would enable
 47 such entity to prescreen or remove sex offenders from its services or,
 48 in conformity with state and federal law, advise law enforcement and/or
 49 other governmental entities of potential violations of law and/or
 50 threats to public safety. Before releasing any information the division
 51 shall require an authorized internet entity that requests information
 52 from the registry to submit to the division the name, address and tele-
 53 phone number of such entity and the specific legal nature and corporate
 54 status of such entity. Except for the purposes specified in this subdi-

1 vision, an authorized internet entity shall not publish or in any way
 2 disclose or redisclose any information provided to it by the division
 3 pursuant to this subdivision. An authorized internet entity or internet
 4 access provider shall review the information provided by the division
 5 pursuant to this section. Such authorized internet entity or internet
 6 access provider shall develop policies regarding the use of such infor-
 7 mation and publicly release such policies to its users, in accordance
 8 with rules and regulations promulgated by the division pursuant to this
 9 subdivision. The division may charge an authorized internet entity a fee
 10 for access to registered internet identifiers requested by such entity
 11 pursuant to this subdivision. The division shall promulgate rules and
 12 regulations relating to procedures for the release of information in the
 13 registry, including but not limited to, the disclosure and redisclosure
 14 of such information, and the imposition of any fees, and rules and regu-
 15 lations relating to criteria required for the policies to be developed
 16 by authorized internet entities and internet access providers.

4 ← 17 ~~§ 168-w~~ Section 168-w of the correction law, as relettered by chapter 604
 18 of the laws of 2005, is relettered section 168-x and a new section 168-w
 19 is added to read as follows:

20 § 168-w. Criminal personation by a sex offender. 1. A person is guilty
 21 of criminal personation by a sex offender when, being required to regis-
 22 ter or verify under the provisions of this article, he or she, for the
 23 purpose of engaging in chat, messaging, gaming, dating, networking,
 24 social media, file sharing, information sharing, or other internet
 25 communication or contact, knowingly misrepresents his or her actual
 26 name, gender, date of birth, address, or status as a sex offender to
 27 another person, with the intent to defraud, deceive or injure such
 28 person or another person.

29 2. Any sex offender required to register or to verify pursuant to the
 30 provisions of this article who commits the crime of criminal personation
 31 by a sex offender as defined in subdivision one of this section shall be
 32 guilty of a class E felony upon conviction for the first offense, and
 33 upon conviction for a second or subsequent offense shall be guilty of a
 34 class D felony. The commission of such offense shall also be the basis
 35 for revocation of parole pursuant to section two hundred fifty-nine-i of
 36 the executive law or the basis for revocation of probation pursuant to
 37 article four hundred ten of the criminal procedure law.

5 ← 38 ~~§ 168-w~~ This act shall take effect immediately.

39

PART C

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

42 6. "Mentally incapacitated" means that a person is rendered temporar-
 43 ily incapable of appraising or controlling his or her conduct owing to
 44 the influence of a narcotic or intoxicating substance administered to
 45 him or her without his or her consent, or to any other act committed
 46 upon him or her without his or her consent.

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

50 (d) Where the offense charged is sexual misconduct as defined in
 51 subdivisions one and two of section 130.20, rape in the third degree as
 52 defined in subdivision three of section 130.25, or criminal sexual act
 53 in the third degree as defined in subdivision three of section 130.40,
 54 in addition to forcible compulsion, circumstances under which, at the

1 ferree of such major component or unfinished frame or receiver. Such
2 transfer between the dealer and transferee must occur in person. Prior
3 to completing a transfer pursuant to this section the dealer in firearms
4 must verify the identity of the transferee by examining a valid state
5 identification document of the transferee issued by the department of
6 motor vehicles or, if such transferee is not a resident of the state of
7 New York, a valid identification document issued by such transferee's
8 state or country of residence containing a photograph of such transfer-
9 ee.

10 2. Every dealer in firearms shall keep a record book and enter at the
11 time of every transaction involving the transfer of a major component of
12 a firearm, rifle, or shotgun, or an unfinished frame or receiver, the
13 date, name, age, and residence of any person to whom such major compo-
14 nent or unfinished frame or receiver is delivered, and, in the case of a
15 receiver or a frame of a firearm, rifle, or shotgun, or an unfinished
16 frame or receiver, the serial number engraved, cast or stamped thereon
17 or, if none, the serial number assigned to the unfinished frame or
18 receiver pursuant to this section.

19 3. No dealer in firearms may complete a transfer pursuant to this
20 section unless (i) the frame or receiver of a firearm, rifle, or shot-
21 gun, or unfinished frame or receiver, is conspicuously engraved, cast,
22 or stamped with a unique serial number, or (ii) in the case of an unfin-
23 ished frame or receiver that lacks such a unique serial number, the
24 dealer in firearms first requests and obtains a unique serial number for
25 each unfinished frame or receiver pursuant to subdivision four of this
26 section and provides the unique serial number assigned to the unfinished
27 frame or receiver to the transferee.

28 4. Upon the request of a dealer in firearms made pursuant to subdivi-
29 sion three of this section, the division of ~~criminal justice services~~
30 shall issue a unique serial number for each unfinished frame or receiver,
31 transmit the serial number to the requesting dealer, and maintain a
32 record of each serial number issued, the date of issuance, and the iden-
33 tity of the requesting dealer.

← State
Police

34 5. Every transferee taking possession of an unfinished frame or
35 receiver shall ensure that the unique serial number assigned to such
36 unfinished frame or receiver pursuant to this section is permanently and
37 conspicuously engraved, cast, or stamped upon the unfinished frame or
38 receiver in a manner that meets or exceeds the requirements imposed on
39 licensed importers and licensed manufacturers of firearms pursuant to
40 subsection (i) of section 923 of title 18 of the United States Code and
41 regulations issued pursuant thereto, within thirty days of taking
42 possession of such unfinished frame or receiver.

43 6. Any person not a validly licensed dealer in firearms pursuant to
44 section 400.00 of this article or section 923 of title 18 of the United
45 States Code who violates subdivision one or five of this section shall
46 be guilty of a class D felony. Any dealer in firearms who violates
47 subdivision three of this section shall be guilty of a class B misdemea-
48 nor and any license of such dealer issued pursuant to section 400.00 of
49 this article shall be revoked. Any dealer in firearms who violates
50 subdivision one or two of this section, for a first offense, shall be
51 guilty of a violation and subject to the fine of one thousand dollars
52 and for a second offense, shall be guilty of a class B misdemeanor and
53 any license of such dealer issued pursuant to section 400.00 of this
54 article shall be revoked.

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

1 tronic stun gun, disguised gun, imitation weapon, shotgun, antique
 2 firearm, black powder rifle, black powder shotgun, or muzzle-loading
 3 firearm that is in plain sight or is discovered pursuant to a lawful
 4 search, and shall take temporary custody of any such weapon that is in
 5 the possession of any person arrested for the commission of such family
 6 offense or suspected of its commission. An officer who takes custody of
 7 any weapon pursuant to this paragraph shall also take custody of any
 8 license to carry, possess, repair, and dispose of such weapon issued to
 9 the person arrested or suspected of such family offense. The officer
 10 shall deliver such weapon and/or license to the appropriate law enforce-
 11 ment officer as provided in subparagraph (f) of paragraph one of subdi-
 12 vision a of section 265.20 of the penal law.

13 (b) Upon taking custody of weapons or a license described in paragraph
 14 (a) of this subdivision, the responding officer shall give the owner or
 15 person in possession of such weapons or license a receipt describing
 16 such weapons and/or license and indicating any identification or serial
 17 number on such weapons. Such receipt shall indicate where the weapons
 18 and/or license can be recovered and describe the process for recovery
 19 provided in paragraph (d) of this subdivision.

20 (c) A weapon described in paragraph (a) of this subdivision that is
 21 utilized in the commission of an offense, that is unlawfully possessed,
 22 or that a court orders to be surrendered pursuant to subdivision two or
 23 subdivision three of section eight hundred forty-two-a of the family
 24 court act shall be declared a nuisance as provided in subdivision one of
 25 section 400.05 of the penal law and either disposed of in the manner
 26 described in subdivision two or retained as provided in subdivision
 27 three of section 400.05 of the penal law.

28 ~~(d) Not less than forty-eight hours and not more than one hundred~~
 29 ~~twenty hours or, in the event that a Saturday, Sunday or legal holiday~~
 30 ~~occurs during such period, one hundred forty-four hours after a weapon,~~
 31 ~~other than a weapon described in paragraph (e) of this subdivision, is~~
 32 ~~taken into temporary custody as provided in paragraph (a) of this subdi-~~
 33 ~~vision, the owner or person who was in lawful possession of such weapon~~
 34 ~~shall have the right to arrange for the sale or transfer of such weapon~~
 35 ~~to a dealer, or to himself or herself, in the manner provided in subdi-~~
 36 ~~vision six of section 400.05 of the penal law.~~

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

39 7. (a) Upon investigating a report of a crime or offense between
 40 members of the same family or household as such terms are defined in
 41 section 530.11 of this chapter and section eight hundred twelve of the
 42 family court act, a law enforcement officer may, in the interest of the
 43 safety of members of the same family or household or other person or
 44 persons, take temporary custody of any firearm, rifle or shotgun or any
 45 other weapon that is in plain sight or is discovered pursuant to a
 46 lawful search.

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

52 (c) A weapon described in paragraph (a) of this subdivision that is
 53 used in the commission of an offense or is unlawfully possessed shall be
 54 declared a nuisance as provided in subdivision one of section 400.05 of
 55 the penal law and either disposed of in the manner described in subdivi-

*Insert
PPGG 22*

1 illegally using, carrying or possessing a pistol or other dangerous
 2 weapon; possession of burglar's tools; criminal possession of stolen
 3 property in the third degree; escape in the third degree; jostling;
 4 fraudulent accosting; endangering the welfare of a child; [the offenses
 5 defined in article two hundred thirty-five;] obscenity in the third
 6 degree; issuing abortional articles; permitting prostitution; promoting
 7 prostitution in the third degree; stalking in the fourth degree; stalk-
 8 ing in the third degree; [the offenses defined in article one hundred
 9 thirty; the offenses defined in article two hundred twenty] sexual
 10 misconduct; forcible touching; sexual abuse in the third degree; sexual
 11 abuse in the second degree; criminal possession of a controlled
 12 substance in the seventh degree; criminally possessing a hypodermic
 13 instrument; criminally using drug paraphernalia in the second degree;
 14 criminal possession of methamphetamine manufacturing material in the
 15 second degree; *and a hate crime defined in article four hundred eighty-five of this chapter*

16 [(b) any of the following offenses defined in the penal law: illegally
 17 using, carrying or possessing a pistol or other dangerous weapon;
 18 possession of burglar's tools; criminal possession of stolen property in
 19 the third degree; escape in the third degree; jostling; fraudulent
 20 accosting; endangering the welfare of a child; the offenses defined in
 21 article two hundred thirty-five; issuing abortional articles; permitting
 22 prostitution; promoting prostitution in the third degree; stalking in
 23 the third degree; stalking in the fourth degree; the offenses defined in
 24 article one hundred thirty; the offenses defined in article two hundred
 25 twenty.

26 (c) (b) any of the following offenses defined in the current penal
 27 law and any offense in any jurisdiction or in the former penal law that
 28 includes all of the essential elements of any of the following offenses,
 29 where the defendant and the person against whom the offense was commit-
 30 ted were members of the same family or household as defined in subdivi-
 31 sion one of section 530.11 of the criminal procedure law [and as estab-
 32 lished pursuant to section 370.15 of the criminal procedure law]:
 33 assault in the third degree; menacing in the third degree; menacing in
 34 the second degree; criminal obstruction of breathing or blood circula-
 35 tion; unlawful imprisonment in the second degree; coercion in the
 36 third degree; criminal tampering in the third degree; criminal contempt
 37 in the second degree; harassment in the first degree; aggravated harass-
 38 ment in the second degree; criminal trespass in the third degree; crimi-
 39 nal trespass in the second degree; arson in the fifth degree; or attempt
 40 to commit any of the above-listed offenses.

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

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

46 1-a. For purposes of subdivision one of this section, serious offense
 47 shall include an offense in any jurisdiction or the former penal law
 48 that includes all of the essential elements of a serious offense as
 49 defined by subdivision seventeen of section 265.00 of this chapter.
 50 Nothing in this subdivision shall preclude the denial of a license based
 51 on the commission of, arrest for or conviction of an offense in any
 52 other jurisdiction which does not include all of the essential elements
 53 of a serious offense.

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

1 integrated ballistic information network to determine whether the gun is
 2 associated or related to a crime, criminal event, or any individual
 3 associated or related to a crime or criminal event or reasonably
 4 believed to be associated or related to a crime or criminal event.

5 (b) Whenever a state or local law enforcement agency recovers any
 6 ammunition cartridge case that is of a type that is eligible for
 7 national integrated ballistic information network data entry and corre-
 8 lation at a crime scene, or has reason to believe that such recovered
 9 ammunition cartridge case is related to or associated with the commis-
 10 sion of a crime or the unlawful discharge of a gun, the agency shall, as
 11 soon as practicable, arrange for the ballistics information to be
 12 submitted to the national integrated ballistic information network.

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

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

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

21

PART P

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

26 13. to the state division of criminal justice services for the sole
 27 purposes of:

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

31 (ii) providing information to the criminal justice information
 32 services division of the federal bureau of investigation by the commis-
 33 sioner of mental health or the commissioner of developmental disabili-
 34 ties, for the purposes of responding to queries to the national instant
 35 criminal background check system regarding attempts to purchase or
 36 otherwise take possession of firearms, in accordance with applicable
 37 federal laws or regulations[.]; or Public
 38 (iii) providing information to ~~law enforcement~~ entities in states responsible for determining
 39 other than New York for the sole purpose of determining eligibility to eligibility for
 40 purchase, possess, or carry a firearm, provided that the law enforcement Purchase or possession
 41 entity obtains and provides a ~~confidentiality waiver~~ to the division of
 42 criminal justice services, where legally necessary. Patient Consent

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

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

48 (i) implementing the division's responsibilities and duties under
 49 sections 400.00 and 400.02 of the penal law[.]; or Public responsible

50 (ii) providing information to ~~law enforcement~~ entities in states other for determining
 51 than New York for the sole purpose of determining eligibility to eligibility for
 52 purchase, possess, or carry a firearm, provided that the law enforcement Purchase or
 53 entity obtains and provides a ~~confidentiality waiver~~ to the division of Possession
 54 criminal justice services, where legally necessary. Patient Consent

1 § 3. This act shall take effect immediately.

2 PART Q

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

5 § 120.65 Domestic violence.

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

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

12 2. commits the crime of assault in the third degree as defined in
13 subdivisions one and two of section 120.00 of this article, or criminal
14 obstruction of breathing or blood circulation as defined in section
15 121.11 of this title, forcible touching as defined in section 130.52 of
16 this title, or sexual abuse in the second degree as defined in section
17 130.60 of this title, or sexual abuse in the third degree as defined in
18 section 130.55 of this title, or unlawful imprisonment in the second
19 degree as defined in section 135.05 of this title and the person against
20 whom the offense is committed is a current or former spouse, parent, or
21 guardian of the victim, a person with whom the victim shares a child in
22 common, a person who is cohabiting with or has cohabited with the victim
23 as a spouse, parent, or guardian, or a person similarly situated to a
24 spouse, parent, or guardian of the victim.

Person
committing
the offense

Person
Committing
The offense

25 Domestic violence is a class A misdemeanor.

Person Committing
The offense

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

29 (c) any of the following offenses, where the defendant and the person
30 against whom the offense was committed were members of the same family
31 or household as defined in subdivision one of section 530.11 of the
32 criminal procedure law [and as established pursuant to section 370.15 of
33 the criminal procedure law]: assault in the third degree; menacing in
34 the third degree; menacing in the second degree; criminal obstruction of
35 breathing or blood circulation; unlawful imprisonment in the second
36 degree; coercion in the third degree; criminal tampering in the third
37 degree; criminal contempt in the second degree; harassment in the first
38 degree; aggravated harassment in the second degree; criminal trespass in
39 the third degree; criminal trespass in the second degree; arson in the
40 fifth degree; or attempt to commit any of the above-listed offenses.

Person
Committing the
offense

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

43 PART R

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

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

48 The legislature finds and determines as follows: criminal acts involv-
49 ing violence, intimidation and destruction of property based upon bias
50 and prejudice have become more prevalent in New York state in recent
51 years. The intolerable truth is that in these crimes, commonly and
52 justly referred to as "hate crimes", victims are intentionally selected,

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

3 16-a. Notwithstanding the provisions of subdivision sixteen of this
4 section, it shall be lawful for a retail licensee for off-premises
5 consumption to hold, directly or indirectly, an interest in a manufac-
6 turer or wholesaler, provided that:

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

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

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

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

19 16-b. The provisions of subdivisions sixteen and sixteen-a of this
20 section shall not apply to a retail licensee for off-premises consump-
21 tion with complete ownership of a manufacturer or wholesaler.

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

24 13-a. Notwithstanding the provisions of subdivision thirteen of this
25 section, it shall be lawful for a retail licensee for on-premises
26 consumption to hold, directly or indirectly, an interest in a manufac-
27 turer or wholesaler licensed under this chapter, provided that:

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

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

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

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

40 13-b. The provisions of paragraph a of subdivision thirteen and subdivi-
41 sion thirteen-a shall not apply to a retail licensee for on-premises
42 consumption with complete ownership of a manufacturer or wholesaler.

43 § 8. This act shall take effect immediately.

44

PART FF

Paragraphs (a) and

45 Section 1. Paragraph (b) of subdivision 5 of section 106 of the alco-
46 holic beverage control law, as amended by chapter 83 of the laws of
47 1995, is amended to read as follows:

*insert
PPGG 54
A*

48 ~~(b) [On] any other day between four ante meridiem and eight ante meri-~~
49 ~~diem, provided, however, for a premises located within an international~~
50 ~~airport owned or operated by the Port Authority of New York and New~~
51 ~~Jersey, or any other day between three ante meridiem and six ante meri-~~
52 ~~diem, provided further that such hours for a premises located within an~~
53 ~~international airport owned or operated by the Port Authority of New~~

and a new paragraph (c) is added,

*insert PPGG 54
B*

1 ~~Work and New Jersey shall not be subject to change pursuant to subdivi-~~
 2 ~~sion eleven of section seventeen of this chapter.~~
 3 ~~§ 2. This act shall take effect immediately.~~

PART GG

Insert
PPGG 55

5 Section 1. The section heading and subdivisions 1, 2, 3 and 7 of
 6 section 87 of the workers' compensation law, the section heading and
 7 subdivision 1 as amended and subdivisions 2, 3 and 7 as added by section
 8 20 of part GG of chapter 57 of the laws of 2013, are amended to read as
 9 follows:

10 [Investment of surplus or reserve] Investments. 1. Any of the reserve
 11 funds belonging to the state insurance fund, by order of the commis-
 12 sioners, approved by the superintendent of financial services, may be
 13 invested in the types of [securities] investments described in [subdivi-
 14 sions one, two, three, four, five, six, eleven, twelve, twelve-a, thir-
 15 teen, fourteen, fifteen, nineteen, twenty, twenty-one, twenty-one-a,
 16 twenty-four, twenty-four-a, twenty-four-b, twenty-four-c and twenty-five
 17 of section two hundred thirty-five of the banking law or in paragraph]
 18 paragraphs one through four of subsection (b) of section one thousand
 19 four hundred two of the insurance law and paragraphs one, two, three,
 20 four, five, six, seven, and eleven of subsection (a) of section one
 21 thousand four hundred four of the insurance law except that a minimum of
 22 [up to] five percent of such reserve funds [may] shall be invested in
 23 the types of securities [of any solvent American institution as]
 24 described in [such paragraph irrespective of the rating of such insti-
 25 tution's obligations or other similar qualitative standards described
 26 therein] paragraphs one through four of subsection (b) of section one
 27 thousand four hundred two of the insurance law.

28 2. Any [of the surplus] funds belonging to the state insurance fund
 29 exceeding seventy percent of the aggregate of loss reserves, loss
 30 expense reserves, and unearned premium reserves, by order of the commis-
 31 sioners, approved by the superintendent of financial services, may be
 32 invested in the types of [securities described in subdivisions one, two,
 33 three, four, five, six, eleven, twelve, twelve-a, thirteen, fourteen,
 34 fifteen, nineteen, twenty, twenty-one, twenty-one-a, twenty-four, twen-
 35 ty-four-a, twenty-four-b, twenty-four-c and twenty-five of section two
 36 hundred thirty-five of the banking law or, up to fifty percent of
 37 surplus funds, in the types of securities or] investments described in
 38 [paragraphs two, three, eight and ten of] paragraphs one through four of
 39 subsection (b) of section one thousand four hundred two of the insurance
 40 law and subsection (a) of section one thousand four hundred four of the
 41 insurance law, [except that up to ten percent of surplus funds may be
 42 invested in the securities of any solvent American institution as
 43 described in such paragraphs irrespective of the rating of such insti-
 44 tution's obligations or other similar qualitative standards described
 45 therein,] but such investments shall not be subject to the qualitative
 46 standards or quantitative limitations which are set forth with respect
 47 to any investment permitted by such subsection and, up to fifteen
 48 percent of [surplus] such funds, in [securities or] investments which do
 49 not otherwise qualify for investment under this section as shall be made
 50 with the care, prudence and diligence under the circumstances then
 51 prevailing that a prudent person acting in a like capacity and familiar
 52 with such matters would use in the conduct of an enterprise of a like
 53 character and with like aims as provided for the state insurance fund
 54 under this article, but shall not include any direct derivative instru-



1 both, in the discretion of the court. If the county jail in which the
2 court is sitting has entered into a shared services agreement to main-
3 tain a joint county jail, the person may be imprisoned in a jail in
4 another county that is a party to that agreement. Where the punishment
5 for contempt is based on a violation of an order of protection issued
6 under section 530.12 or 530.13 of the criminal procedure law, imprison-
7 ment may be for a term not exceeding three months. Where a person is
8 committed to jail, for the nonpayment of a fine, imposed under this
9 section, he must be discharged at the expiration of thirty days; but
10 where he is also committed for a definite time, the thirty days must be
11 computed from the expiration of the definite time.

12 Such a contempt, committed in the immediate view and presence of the
13 court, may be punished summarily; when not so committed, the party
14 charged must be notified of the accusation, and have a reasonable time
15 to make a defense. *Insert PPGG 67*

16 *8* § 17. This act shall take effect immediately; provided that the amend-
17 ments to subdivision 1 of section 500-c of the correction law made by
18 section three of this act shall not affect the repeal of such section
19 and shall be deemed repealed therewith.

20

PART PP

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

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

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

32

PART QQ

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

35 § 3. Pay equity. 1. In order to attract unusual merit and ability to
36 the service of public authorities in the state of New York, to stimulate
37 higher efficiency among the personnel, to provide skilled leadership in
38 administration, to reward merit and to insure the highest return in
39 services for the necessary costs of administration, it is hereby
40 declared that public authorities shall, consistent with the federal
41 Equal Pay Act of 1963 (29 U.S.C. § 206), the federal Civil Rights Act
42 (42 U.S.C. § 2000e-2), article fifteen of the executive law, and section
43 forty-c of the civil rights law, ensure a fair, non-biased compensation
44 structure for all employees in which status within one or more protected
45 class or classes is not considered either directly or indirectly in
46 determining the proper compensation for a title or in determining the
47 pay for any individual or group of employees, ensure that no employee
48 with status within one or more protected class or classes shall be paid
49 a wage at a rate less than the rate at which an employee without status
50 within the same protected class or classes in the same establishment is
51 paid for similar work or substantially similar work and provide regular

1 reimbursed, credited, repaid, and disallowed amount back to the original
2 appropriation and reduce expenditures in the year which such credit is
3 received regardless of the timing of the initial expenditure.

4 2. "Refunds". Funds received to the state resulting from the overpay-
5 ment of monies.

6 3. "Rebates". Funds received to the state resulting a from return of a
7 full or partial amount previously paid, as for goods or services, serv-
8 ing as a reduction, discount or rebate to the original payment amount.

9 4. "Reimbursements". Funds received to the state as repayment in an
10 equivalent amount for goods or services, including but not limited to
11 personal service costs, incurred by the state in the first instance
12 being provided to a third party for their benefit and partially or in
13 full financed by such third party.

14 5. "Credit". Monies made available to the state that reduce the amount
15 owed to a third party, including but not limited to billing errors,
16 rebates, and prior overpayments.

17 6. "Repayment". The return of monies as pay back for expenses
18 incurred.

19 7. "Disallowance". Monies made available to the state that were not
20 allowed or accepted officially by the intended recipient, based on a
21 determination the payment is not acceptable and/or valid.

22 § 53. This act shall take effect immediately and shall be deemed to
23 have been in full force and effect on and after April 1, 2020; provided,
24 however, that the provisions of sections one, one-a, two, three, four,
25 five, six, seven, eight, twelve, thirteen, fourteen, fifteen, sixteen,
26 seventeen, eighteen, nineteen, twenty-one, twenty-two, twenty-three, and
27 twenty-four of this act shall expire March 31, 2021 when upon such date
28 the provisions of such sections shall be deemed repealed.

29 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
30 sion, section or part of this act shall be adjudged by any court of
31 competent jurisdiction to be invalid, such judgment shall not affect,
32 impair, or invalidate the remainder thereof, but shall be confined in
33 its operation to the clause, sentence, paragraph, subdivision, section
34 or part thereof directly involved in the controversy in which such judg-
35 ment shall be rendered. It is hereby declared to be the intent of the
36 legislature that this act would have been enacted even if such invalid
37 provisions had not been included herein.

38 § 3. This act shall take effect immediately provided, however, that
39 the applicable effective date of Parts A through ~~VV~~ of this act shall be
40 as specifically set forth in the last section of such Parts.

WW

INSERT PART WW CLRD # 75026-01-0)

PPGG Inserts

LONG TITLE INSERT

; and to amend part E of chapter 60 of the laws of 2015, establishing a commission on legislative, judicial and executive compensation, and providing for the powers and duties of the commission and for the dissolution of the commission, in relation to the powers of the members of the commission (Part WW)

Insert PPGG 11

Section 1. Subdivision 16 of section 168-a of the correction law, as added by chapter 67 of the laws of 2008, is amended to read as follows:

16. "Authorized internet entity" means any business, organization or other entity providing or offering a service over the internet which permits persons [under eighteen years of age] to access, meet, congregate or communicate with other users for the purpose of social networking. This definition shall not include general e-mail services.

Insert PPGG 22

A firearm or other weapon described in paragraph (a) of this subdivision which is taken into temporary custody and which has not been declared a nuisance pursuant to paragraph (c) of this subdivision, shall be retained for a period not to exceed one year. Prior to the expiration of such time period, but no less than forty-eight hours after the firearm or weapon was taken into temporary custody, the owner shall have the right to reclaim the item or arrange for the sale or transfer of the item. Nothing in this subdivision authorizes the return of a firearm, rifle or shotgun to a person who is not authorized to possess a firearm, rifle or shotgun.

Insert PPGG 54 A

(a) Except as provided in paragraph (c) of this subdivision, on Sunday, from four ante meridiem to ten o'clock a.m., except pursuant to a permit issued under section ninety-nine-h of this chapter.

Insert PPGG 54 B

Except as provided in paragraph (c) of this subdivision, on

Insert PPGG 55

(c) On any day between three ante meridian and six ante meridian, for a premises located within an international airport owned or operated by the Port Authority of New York and New Jersey. The provisions of this paragraph shall not be subject to change pursuant to subdivision eleven of section seventeen of this chapter.

Insert PPGG 67

§ 7. Paragraph (a) of subdivision 16 of section 2 of the correction law, as amended by section 4 of chapter 681 of the laws of 1990 is amended to read as follows:

16. (a) "Local correctional facility". Any place operated by a county or the city of New York as a place for the confinement of persons duly committed to secure their attendance as witnesses in any criminal case, charged with crime and committed for trial or examination, awaiting the availability of a court, duly committed for any contempt or upon civil process, convicted of any offense and sentenced to imprisonment therein or awaiting transportation under sentence to imprisonment in a correctional facility, or jail jointly maintained by more than one county pursuant to a shared services agreement, or pursuant to any other applicable provisions of law.

DRAFT LBDC

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

AN ACT to amend part E of chapter 60 of the laws of 2015, establishing a commission on legislative, judicial and executive compensation, and providing for the powers and duties of the commission and for the dissolution of the commission, in relation to the powers of the members of the commission (Part);

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

1 PART ____

2 Section 1. Section 2 and subdivision 7 of section 3 of part E of chap-
3 ter 60 of the laws of 2015, establishing a commission on legislative,
4 judicial, and executive compensation, and providing for the powers and
5 duties of the commission and for the dissolution of the commission,
6 subdivision 7 of section 3 as amended by section 1 of part VVV of chap-
7 ter 59 of the laws of 2019, are amended to read as follows:

8 § 2. 1. (a) On the first of June of every fourth year, commencing June
9 1, 2015, there shall be established a commission on legislative, judi-
10 cial and executive compensation to examine, evaluate and make recommen-
11 dations with respect to adequate levels of compensation and non-salary
12 benefits for members of the legislature, judges and justices of the
13 state-paid courts of the unified court system, statewide elected offi-
14 cials, and those state officers referred to in section 169 of the execu-
15 tive law.

16 (b) Notwithstanding any provision of this act to the contrary, the
17 commission established in the year 2019 may examine, evaluate and make

1 recommendations with respect to adequate levels of compensation and
2 non-salary benefits for judges and justices of the state-paid courts of
3 the unified court system during its examination of and making recommen-
4 dations for legislative and executive compensation in the year 2020.

5 2. (a) In accordance with the provisions of this section, the commis-
6 sion shall examine: (1) the prevailing adequacy of pay levels and other
7 non-salary benefits received by members of the legislature, statewide
8 elected officials, and those state officers referred to in section 169
9 of the executive law; and

10 (2) the prevailing adequacy of pay levels and non-salary benefits
11 received by the judges and justices of the state-paid courts of the
12 unified court system and housing judges of the civil court of the city
13 of New York and determine whether any of such pay levels warrant adjust-
14 ment; and

15 (b) The commission shall determine whether: (1) for any of the four
16 years commencing on the first of April of such years, following the year
17 in which the commission is established or authorized by this act to
18 evaluate and make recommendations on such salaries, the annual salaries
19 for the judges and justices of the state-paid courts of the unified
20 court system and housing judges of the civil court of the city of New
21 York warrant an increase; and

22 (2) on the first of January after the November general election at
23 which members of the state legislature are elected following the year in
24 which the commission is established, and on the first of January follow-
25 ing the next such election, the like annual salaries and allowances of
26 members of the legislature, and salaries of statewide elected officials
27 and state officers referred to in section 169 of the executive law
28 warrant an increase.

1 3. In discharging its responsibilities under subdivision two of this
2 section, the commission shall take into account all appropriate factors
3 including, but not limited to: the overall economic climate; rates of
4 inflation; changes in public-sector spending; the levels of compensation
5 and non-salary benefits received by executive branch officials and
6 legislators of other states and of the federal government; the levels of
7 compensation and non-salary benefits received by professionals in
8 government, academia and private and nonprofit enterprise; and the
9 state's ability to fund increases in compensation and non-salary bene-
10 fits.

11 7. The commission shall make a report to the governor, the legislature
12 and the chief judge of the state of its findings, conclusions, determi-
13 nations and recommendations, if any, not later than the thirty-first of
14 December of the year in which the commission is established for judicial
15 compensation and the fifteenth of November the following year for legis-
16 lative and executive compensation; provided, however, the report made by
17 the commission in the year two thousand twenty regarding judicial,
18 legislative and executive compensation shall be issued not later than
19 November 15, 2020. Any findings, conclusions, determinations and recom-
20 mendations in the report must be adopted by a majority vote of the
21 commission and shall also be supported by at least one member appointed
22 by each appointing authority. Each recommendation made to implement a
23 determination pursuant to section two of this act shall have the force
24 of law, and shall supersede, where appropriate, inconsistent provisions
25 of article 7-B of the judiciary law, section 169 of the executive law,
26 and sections 5 and 5-a of the legislative law, unless modified or abro-
27 gated by statute prior to April first of the year as to which such
28 determination applies to judicial compensation and January first of the

- 1 year as to which such determination applies to legislative and executive
- 2 compensation.
- 3 § 2. This act shall take effect immediately.