

# STATE OF NEW YORK

---

S. 8305--A

A. 8805--A

## SENATE - ASSEMBLY

January 17, 2024

---

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to assault in the second degree of a retail worker (Part A); to amend the penal law, in relation to establishing the crime of fostering the sale of stolen goods (Part B); to amend the penal law, in relation to specified offenses that constitute a hate crime (Part C); relating to the closure of correctional facilities; and providing for the repeal of such provisions upon the expiration thereof (Part D); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part E); to amend the judiciary law, the penal law and the election law, in relation to increasing the safety and security of court officials and their immediate families (Part F); to amend the cannabis law, in relation to providing additional enforcement powers to the office of cannabis management and to authorize localities to create business registries for the purpose of combating illicit cannabis (Part G); to amend the alcoholic beverage control law, in relation to notifying municipalities of the filing of certain applications, changes of ownership of certain licensed businesses, and providing for certain temporary permits; and to repeal certain provisions of such law related thereto (Part H); to amend the alcoholic beverage control law, in relation to establishing a temporary wholesale permit and allowing multiple wholesale licenses owned by the same person or entity to be located at the same premises (Part I); to amend chapter 118 of the laws of 2012 amending the alcoholic beverage control law relating to the powers of the chairman and members of the authority, in relation to the effectiveness of certain provisions thereof (Part J); to amend chapter 396 of the laws of 2010 amending

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD12670-02-4

the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part K); to amend the alcoholic beverage control law, in relation to permitting the use of contiguous and non-contiguous municipal public space by certain licensees; and to repeal chapter 238 of the laws of 2021 (Part L); to amend the workers' compensation law, in relation to providing benefits for prenatal care (Part M); to amend the workers' compensation law and the insurance law, in relation to increasing short-term disability benefits (Part N); to amend the general business law, in relation to enacting the Stop Addictive Feeds Exploitation (SAFE) for Kids act prohibiting the provision of an addictive feed to a minor (Part O); to amend the general business law, in relation to establishing the New York child data protection act (Part P); to amend the state finance law, in relation to eliminating the alternate procedure for the payment of salaries for certain employees and the withholding of five days of salary for certain employees (Part Q); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgment and accrued claims (Part R); to amend the civil service law, in relation to reimbursement for medicare premium charges (Part S); to amend the civil service law, in relation to the ability to charge interest on past due balances for the New York state health insurance program, and to authorize the director of the budget to withhold certain state aid to participating employers with past due balances (Part T); to amend the general municipal law, in relation to county-wide shared services panels (Part U); to amend the public authorities law, in relation to bonds issued by the New York city transitional finance authority (Part V); to amend the state finance law, in relation to reforming the local government efficiency grant program (Part W); to provide for the administration of certain funds and accounts related to the 2023-2024 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts, and in relation to the effectiveness thereof; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the public authorities law, in relation to the issuance of bonds and notes by the dedicated highway and bridge trust fund, to amend the public authorities law, in relation to the issuance of bonds and notes for city university facilities; to amend the public authorities law, in relation to the issuance of bonds for library construction projects; to amend the public authorities law, in relation to the issuance of bonds for state university educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for locally sponsored community colleges; to amend chapter 392 of the laws of 1973, constituting the medical care facilities finance agency act, in relation to the issuance of mental health services facilities improvement bonds and notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of bonds and notes to finance capital costs related to homeland security; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes for purposes of funding office of information technol-



ogy services project costs; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of funds to the thruway authority; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes to fund costs for statewide equipment; to amend the public authorities law, in relation to the issuance of bonds for purposes of financing environmental infrastructure projects; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of bonds and notes for the youth facilities improvement fund; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing peace bridge projects and capital costs of state and local highways; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds for economic development initiatives; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of bonds and notes for the purpose of financing capital projects for the division of military and naval affairs; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds for special education and other educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing the construction of the New York state agriculture and markets food laboratory; to amend chapter 392 of the laws of 1973, constituting the medical care facilities finance agency act, in relation to including comprehensive psychiatric emergency programs and housing for mentally ill persons in the definition of mental health services facility; to amend the state finance law, in relation to the private sale of certain revenue bonds, and in relation to including assets that provide a long-term interest in land in the definition of fixed assets; to amend the public authorities law, in relation to bond issuance charges; to amend the state finance law, in relation to the redemption price of certain revenue bonds; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of personal income tax revenue anticipation notes; to amend the public authorities law, in relation to the issuance of bonds or notes for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities; and providing for the repeal of certain provisions upon expiration thereof (Part X); and to amend section 2 of part P of chapter 55 of the laws of 2022, amending the alcoholic beverage control law relating to authorizing retail licensees for on-premises consumption to sell and/or deliver alcoholic beverages for off-premises consumption, in relation to the effectiveness thereof (Part Y)

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

- 1 Section 1. This act enacts into law major components of legislation
- 2 necessary to implement the state public protection and general govern-
- 3 ment budget for the 2024-2025 state fiscal year. Each component is whol-

1 ly contained within a Part identified as Parts A through Y. The effec-  
2 tive date for each particular provision contained within such Part is  
3 set forth in the last section of such Part. Any provision in any section  
4 contained within a Part, including the effective date of the Part, which  
5 makes a reference to a section "of this act", when used in connection  
6 with that particular component, shall be deemed to mean and refer to the  
7 corresponding section of the Part in which it is found. Section three  
8 of this act sets forth the general effective date of this act.

9

## PART A

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

13 3. With intent to prevent a peace officer, a police officer, prosecu-  
14 tor as defined in subdivision thirty-one of section 1.20 of the criminal  
15 procedure law, registered nurse, licensed practical nurse, public health  
16 sanitarian, New York city public health sanitarian, sanitation enforce-  
17 ment agent, New York city sanitation worker, a firefighter, including a  
18 firefighter acting as a paramedic or emergency medical technician admin-  
19 istering first aid in the course of performance of duty as such fire-  
20 fighter, an emergency medical service paramedic or emergency medical  
21 service technician, or medical or related personnel in a hospital emer-  
22 gency department, a city marshal, a school crossing guard appointed  
23 pursuant to section two hundred eight-a of the general municipal law, a  
24 traffic enforcement officer, traffic enforcement agent [or], employee of  
25 any entity governed by the public service law in the course of perform-  
26 ing an essential service, or retail worker, from performing a lawful  
27 duty, by means including releasing or failing to control an animal under  
28 circumstances evincing the actor's intent that the animal obstruct the  
29 lawful activity of such peace officer, police officer, prosecutor as  
30 defined in subdivision thirty-one of section 1.20 of the criminal proce-  
31 dure law, registered nurse, licensed practical nurse, public health  
32 sanitarian, New York city public health sanitarian, sanitation enforce-  
33 ment agent, New York city sanitation worker, firefighter, paramedic,  
34 technician, city marshal, school crossing guard appointed pursuant to  
35 section two hundred eight-a of the general municipal law, traffic  
36 enforcement officer, traffic enforcement agent [or], employee of an  
37 entity governed by the public service law, or retail worker, he or she  
38 causes physical injury to such peace officer, police officer, prosecutor  
39 as defined in subdivision thirty-one of section 1.20 of the criminal  
40 procedure law, registered nurse, licensed practical nurse, public health  
41 sanitarian, New York city public health sanitarian, sanitation enforce-  
42 ment agent, New York city sanitation worker, firefighter, paramedic,  
43 technician or medical or related personnel in a hospital emergency  
44 department, city marshal, school crossing guard, traffic enforcement  
45 officer, traffic enforcement agent [or], employee of an entity governed  
46 by the public service law, or retail worker; or

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

49

## PART B

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

52 § 165.66 Fostering the sale of stolen goods.



1 A person is guilty of fostering the sale of stolen goods when such  
2 person:

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

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

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

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

9 PART C

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

13 3. A "specified offense" is an offense defined by any of the following  
14 provisions of this chapter: section 120.00 (assault in the third  
15 degree); section 120.05 (assault in the second degree); section 120.06  
16 (gang assault in the second degree); section 120.07 (gang assault in the  
17 first degree); section 120.10 (assault in the first degree); section  
18 120.12 (aggravated assault upon a person less than eleven years old);  
19 section 120.13 (menacing in the first degree); section 120.14 (menacing  
20 in the second degree); section 120.15 (menacing in the third degree);  
21 section 120.20 (reckless endangerment in the second degree); section  
22 120.25 (reckless endangerment in the first degree); section 121.11  
23 (criminal obstruction of breathing or blood circulation); section 121.12  
24 (strangulation in the second degree); section 121.13 (strangulation in  
25 the first degree); subdivision one of section 125.15 (manslaughter in  
26 the second degree); subdivision one, two or four of section 125.20  
27 (manslaughter in the first degree); section 125.25 (murder in the second  
28 degree); section 125.26 (aggravated murder); section 125.27 (murder in  
29 the first degree); section 120.45 (stalking in the fourth degree);  
30 section 120.50 (stalking in the third degree); section 120.55 (stalking  
31 in the second degree); section 120.60 (stalking in the first degree);  
32 [subdivision one of] section 130.20 (sexual misconduct); section 130.25  
33 (rape in the third degree); section 130.30 (rape in the second degree);  
34 section 130.35 (rape in the first degree); [subdivision one of] section  
35 130.40 (criminal sexual act in the third degree); section 130.45 (crimi-  
36 nal sexual act in the second degree); section 130.50 (criminal sexual  
37 act in the first degree); [subdivision one of] section 130.52 (forcible  
38 touching); section 130.53 (persistent sexual abuse); section 130.55  
39 (sexual abuse in the third degree); section 130.60 (sexual abuse in the  
40 second degree); section 130.65 (sexual abuse in the first degree);  
41 [paragraph (a) of subdivision one of] section 130.65-a (aggravated sexu-  
42 al abuse in the fourth degree); section 130.66 (aggravated sexual abuse  
43 in the third degree); section 130.67 (aggravated sexual abuse in the  
44 second degree); [paragraph (a) of subdivision one of] section 130.70  
45 (aggravated sexual abuse in the first degree); section 135.05 (unlawful  
46 imprisonment in the second degree); section 135.10 (unlawful imprison-  
47 ment in the first degree); section 135.20 (kidnapping in the second  
48 degree); section 135.25 (kidnapping in the first degree); section 135.35  
49 (labor trafficking); section 135.37 (aggravated labor trafficking);  
50 section 135.60 (coercion in the third degree); section 135.61 (coercion  
51 in the second degree); section 135.65 (coercion in the first degree);  
52 section 140.10 (criminal trespass in the third degree); section 140.15  
53 (criminal trespass in the second degree); section 140.17 (criminal tres-  
54 pass in the first degree); section 140.20 (burglary in the third

1 degree); section 140.25 (burglary in the second degree); section 140.30  
2 (burglary in the first degree); section 145.00 (criminal mischief in the  
3 fourth degree); section 145.05 (criminal mischief in the third degree);  
4 section 145.10 (criminal mischief in the second degree); section 145.12  
5 (criminal mischief in the first degree); section 145.60 (making graffiti);  
6 section 150.01 (arson in the fifth degree); section 150.05 (arson  
7 in the fourth degree); section 150.10 (arson in the third degree);  
8 section 150.15 (arson in the second degree); section 150.20 (arson in  
9 the first degree); section 155.25 (petit larceny); section 155.30 (grand  
10 larceny in the fourth degree); section 155.35 (grand larceny in the  
11 third degree); section 155.40 (grand larceny in the second degree);  
12 section 155.42 (grand larceny in the first degree); section 160.05  
13 (robbery in the third degree); section 160.10 (robbery in the second  
14 degree); section 160.15 (robbery in the first degree); section 165.25  
15 (jostling); section 230.34 (sex trafficking); section 230.34-a (sex  
16 trafficking of a child); section 240.25 (harassment in the first  
17 degree); subdivision one, two or four of section 240.30 (aggravated  
18 harassment in the second degree); section 240.50 (falsely reporting an  
19 incident in the third degree); section 240.55 (falsely reporting an  
20 incident in the second degree); section 240.60 (falsely reporting an  
21 incident in the first degree); section 260.10 (endangering the welfare  
22 of a child); subdivision two of section 265.01 (criminal possession of a  
23 weapon in the fourth degree); subdivision one of section 265.02 (crimi-  
24 nal possession of a weapon in the third degree); subdivision one of  
25 section 265.03 (criminal possession of a weapon in the second degree);  
26 subdivision one of section 265.04 (criminal possession of a weapon in  
27 the first degree); section 490.10 (soliciting or providing support for  
28 an act of terrorism in the second degree); section 490.15 (soliciting or  
29 providing support for an act of terrorism in the first degree); section  
30 490.20 (making a terroristic threat); section 490.25 (crime of terror-  
31 ism); section 490.30 (hindering prosecution of terrorism in the second  
32 degree); section 490.35 (hindering prosecution of terrorism in the first  
33 degree); section 490.37 (criminal possession of a chemical weapon or  
34 biological weapon in the third degree); section 490.40 (criminal  
35 possession of a chemical weapon or biological weapon in the second  
36 degree); section 490.45 (criminal possession of a chemical weapon or  
37 biological weapon in the first degree); section 490.47 (criminal use of  
38 a chemical weapon or biological weapon in the third degree); section  
39 490.50 (criminal use of a chemical weapon or biological weapon in the  
40 second degree); section 490.55 (criminal use of a chemical weapon or  
41 biological weapon in the first degree); or any attempt or conspiracy to  
42 commit any of the foregoing offenses.

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

45

## PART D

46 Section 1. Notwithstanding the provisions of sections 79-a and 79-b of  
47 the correction law, the governor is authorized to close up to five  
48 correctional facilities of the department of corrections and community  
49 supervision, in the state fiscal year 2024-2025, as the governor deter-  
50 mines to be necessary for the cost-effective and efficient operation of  
51 the correctional system, provided that the governor provides at least 90  
52 days notice prior to any such closures to the temporary president of the  
53 senate and the speaker of the assembly. Such notice shall include the  
54 list of facilities the governor plans to close, the number of incarcer-



1 ated individuals in said facilities, and the number of staff working in  
2 said facilities. The commissioner of corrections and community super-  
3 vision shall also report in detail to the temporary president of the  
4 senate and the speaker of the assembly on the results of staff relo-  
5 cation efforts within 60 days after such closure.

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

9

## PART E

10 Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax  
11 law, as amended by section 1 of part G of chapter 55 of the laws of  
12 2022, is amended to read as follows:

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

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

27

## PART F

28 Section 1. Legislative purpose. The objective of this act, which shall  
29 be referred to as the "New York State Judicial Security Act", is to  
30 improve the safety and security of judges of the courts of the unified  
31 court system and of the federal courts sitting in New York state, of  
32 certain other persons working in or with these courts, and of the imme-  
33 diate families of all of the foregoing. Greater confidence in their  
34 personal safety and security, and in that of their family members, will  
35 enable members of the judiciary to perform their duties fairly without  
36 fear of personal reprisal by litigants and others affected by the deci-  
37 sions of, judges and others who work in and with the courts.

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

44 This act shall be broadly construed to favor protections of the  
45 private information of those persons designated hereunder as "eligible  
46 individuals".

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

49

ARTICLE 22-C

50

NEW YORK STATE JUDICIAL SECURITY ACT

51

Section 859. New York state judicial security act.

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

3 (a) "Eligible individual" shall mean:

4 (i) an actively employed or former:

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

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

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

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

21 (ii) a federal judge or a senior, recalled, or retired federal judge  
22 sitting or maintaining chambers in New York, where such federal judge  
23 means:

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

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

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

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

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

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

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

39 (H) a judge of the United States Tax Court appointed under section  
40 7443 of the Internal Revenue Code of 1986; or

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

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

47 (c) "Personal information" shall include the following for an eligible  
48 individual and, if such individual so indicates as provided in subpara-  
49 graph (ii) of paragraph (a) of subdivision two of this section, for the  
50 members of their immediate family: (i) home address, including primary  
51 residence and secondary residences; (ii) unlisted telephone number;  
52 (iii) personal cell phone number; (iv) personal email address; (v)  
53 social security number; (vi) driver license number; (vii) license plate  
54 number; (viii) marital status and identity of any present and former  
55 spouse; (ix) identity of children under the age of twenty-six; (x) name  
56 and address of a school or day care facility attended by an immediate



1 family member; (xi) bank account number; (xii) credit or debit card  
2 number; (xiii) personal identification number (PIN); (xiv) automated or  
3 electronic signature; (xv) unique biometric data; and (xvi) account  
4 passwords.

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

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

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

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

22 (ii) using personal information internally, providing access to busi-  
23 nesses under common ownership or affiliated by corporate control, or  
24 selling or providing data for transaction or service requested by or  
25 concerning the individual whose personal information is being trans-  
26 ferred;

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

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

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

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

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

39 2. Written request; notification by chief administrator of the courts  
40 or employer. (a) This subdivision shall apply to every eligible individ-  
41 ual. An eligible individual or their representative may submit a writ-  
42 ten request to the chief administrator of the courts, if the eligible  
43 individual is an active or former judge, justice, judge of the housing  
44 part of the civil court of the city of New York, or nonjudicial employee  
45 of the unified court system, or, if not, to the eligible individual's  
46 employer or, if the eligible individual is no longer in service, to the  
47 person or office who would be their employer were such individual still  
48 in service. For purposes of this subdivision, the employer of a federal  
49 judge shall be the appropriate administrative authority for the court in  
50 which such federal judge serves. The written request shall specify:

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

53 (ii) the identity of members of the eligible individual's immediate  
54 family and whether, for purposes of the written request, their personal  
55 information should be deemed to include that of such immediate family  
56 members; and

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

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

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

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

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

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

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

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

40 3. Duration of notification. A notification issued by or on behalf of  
41 an eligible individual pursuant to subdivision two of this section  
42 expires on their death; provided, however, where a notification here-  
43 under bars making public the personal information of a member of an  
44 eligible individual's immediate family, that bar shall remain in effect  
45 until the death of such immediate family member unless that person or  
46 the eligible individual sooner rescinds it. If an eligible individual  
47 wishes to rescind such a notification, they or the chief administrator  
48 of the courts or the eligible individual's employer, as appropriate,  
49 upon request from the covered individual, may provide a person, busi-  
50 ness, association, or public or private agency with written permission  
51 to make public their personal information.

52 4. Recipient of notification not to make an eligible individual's  
53 personal information public; judicial relief available upon non-compli-  
54 ance. (a) After a person, business, association, or public or private  
55 agency has received a notification pursuant to paragraph (c) of subdivi-  
56 sion two of this section, they shall have (i) seventy-two hours to cease

1 making public the personal information of the eligible individual iden-  
2 tified in such notification, and (ii) twenty business days within which  
3 to delete or otherwise remove any existing postings on the internet and  
4 any display or publication in any medium accessible to the public  
5 containing such personal information.

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

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

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

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

31 § 120.09 Assault on a judge.

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

37 Assault on a judge is a class C felony.

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

40 § 120.09-a Aggravated assault on a judge.

41 A person is guilty of aggravated assault on a judge when, with intent  
42 to cause serious physical injury and prevent a judge from performing  
43 official judicial duties, such person causes serious physical injury to  
44 such judge.

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

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

48 § 120.41 Additional definitions.

49 For purposes of sections 120.09, 120.09-a, 120.45, 120.50, 120.55 and  
50 120.60 of this article:

51 1. "Social networking websites" shall mean websites on the internet  
52 that permit persons to be registered users for the purpose of establish-  
53 ing relationships with other users, where such persons (i) may create  
54 web pages or profiles that provide information about themselves and/or  
55 upload photos, video, written posts, and other content where such web  
56 pages or profiles are available to the public or to other users, and/or

1 (ii) may communicate with other users, such as through chat rooms,  
2 instant messenger, direct messaging, emailing, and/or message boards.

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

11 3. "Judge" shall include an employed or former judge or justice of the  
12 unified court system, a judge or former judge of the housing part of the  
13 civil court of the city of New York, and an actively employed or former  
14 federal judge or magistrate who sits in New York state (or, if a former  
15 federal judge or magistrate, who, while active, sat in New York state).

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

18 2. causes material harm to the mental or emotional health of such  
19 person, where such conduct consists of either (i) following, telephoning  
20 or initiating communication or contact with such person, a member of  
21 such person's immediate family or a third party with whom such person is  
22 acquainted, and the actor was previously clearly informed to cease that  
23 conduct, or (ii) disseminating personal information through or posting  
24 personal information on social networking websites about such person, a  
25 member of such person's immediate family or a third party with whom such  
26 person is acquainted; or

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

30 For the purposes of this section, it shall constitute presumptive  
31 evidence of "having no legitimate purpose" when (i) the victim of the  
32 conduct described under this section is an active or former judge, or a  
33 member of their immediate family, and (ii) the person charged pursuant  
34 to this section, or a member of such person's immediate family, was or  
35 is a party to a judicial proceeding pending before that judge. For  
36 purposes of subdivision two of this section, "following" shall include  
37 the unauthorized tracking of such person's movements or location through  
38 the use of a global positioning system or other device, and any posting  
39 on social networking websites of personal information shall be consid-  
40 ered a "course of conduct" when the defendant has been notified that the  
41 individual whose personal information has been posted has requested the  
42 dissemination cease and/or the posting be deleted or otherwise removed  
43 from online publication and seventy-two hours have elapsed without the  
44 defendant requesting or completing such cessation, deletion, or removal.

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

48 5. Commits the crime of stalking in the third degree, as defined in  
49 subdivision three of section 120.50 of this article, against ten or more  
50 persons, in ten or more separate transactions, for which the actor has  
51 not been previously convicted[.]; or

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

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

1 § 120.60 Stalking in the first degree.

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

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

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

10 [2.](b) commits a class A misdemeanor defined in article one hundred  
11 thirty of this chapter, or a class E felony defined in section 130.25,  
12 130.40 or 130.85 of this chapter, or a class D felony defined in section  
13 130.30 or 130.45 of this chapter; or

14 2. commits the crime of stalking in the second degree, as defined in  
15 subdivision six of section 120.55, and has previously been convicted of  
16 an offense defined under this section or section 120.45, 120.50, or  
17 120.55 of this article within the prior five years.

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

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

21 § 240.33 Aggravated harassment of a judge.

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

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

24 (a) communicates, anonymously or otherwise, by telephone, by computer  
25 or any other electronic means, or by mail, or by transmitting or deliv-  
26 ering any other form of communication, a threat to cause physical harm  
27 to, or unlawful harm to the property of, a person the actor knows or  
28 reasonably should know is a judge, or a member of such judge's immediate  
29 family, and the actor knows or reasonably should know that such communi-  
30 cation will cause such judge to reasonably fear harm to such judge's  
31 physical safety or property, or to the physical safety or property of a  
32 member of such judge's immediate family; or

33 (b) causes a communication to be initiated anonymously or otherwise,  
34 by telephone, by computer or any other electronic means, or by mail, or  
35 by transmitting or delivering any other form of communication, a threat  
36 to cause physical harm to, or unlawful harm to the property of, a person  
37 the actor knows or reasonably should know is a judge, or a member of  
38 such judge's immediate family, and the actor knows or reasonably should  
39 know that such communication will cause such judge to reasonably fear  
40 harm to such person's physical safety or property, or to the physical  
41 safety or property of a member of such judge's immediate family; or

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

46 3. With the intent to harass, annoy, threaten or alarm a person the  
47 actor knows or reasonably should know is a judge or a member of such  
48 judge's immediate family, the actor strikes, shoves, kicks, or otherwise  
49 subjects another person to physical contact, or attempts or threatens to  
50 do the same because of a belief or perception regarding such person's  
51 race, color, national origin, ancestry, gender, gender identity or  
52 expression, religion, religious practice, age, disability or sexual  
53 orientation, regardless of whether the belief or perception is correct;  
54 or

55 4. With the intent to harass, annoy, threaten or alarm a person the  
56 actor knows or reasonably should know is a judge or a member of such

1 judge's immediate family, the actor strikes, shoves, kicks or otherwise  
2 subjects another person to physical contact thereby causing physical  
3 injury to such person or to an immediate family member of such person;  
4 or

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

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

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

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

21 8. Where a board of elections receives a notification pursuant to  
22 paragraph (c) of subdivision two of section eight hundred fifty-nine of  
23 the judiciary law, such board of elections shall comply with such  
24 notification, except that where the notification requires the board of  
25 elections to cease making a person's address public, such board shall  
26 not comply therewith from the date of filing of any ballot access or  
27 related document containing such address until thirty days after the  
28 last day to commence a special proceeding or action with respect to such  
29 filing.

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

35 PART G

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

39 8. To conduct regulatory inspections during normal business hours of  
40 any place of business, including a vehicle or storage facility used for  
41 such business, where medical cannabis, adult-use cannabis, cannabis,  
42 cannabis product, cannabinoid hemp, hemp extract products, or any  
43 products marketed or labeled as such, are cultivated, processed, stored,  
44 distributed or sold by any person holding a registration, license, or  
45 permit under this chapter, or by any person who is engaging in activity  
46 for which a license would be required under this chapter. For the  
47 purposes of this subdivision, "place of business" shall not include a  
48 residence or other real property not otherwise held out as open to the  
49 public or otherwise being utilized in a business or commercial manner or  
50 any private vehicle or storage facility on or about the same such prop-  
51 erty, unless probable cause exists to believe that such residence, real  
52 property, or vehicle are being used in such business or commercial  
53 manner for the activity described herein.

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

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

17 5. To conduct regulatory inspections during normal business hours of  
18 any registered, licensed or permitted place of business, including a  
19 vehicle or storage facility used for such business, where medical canna-  
20 bis, adult-use cannabis, cannabinoid hemp, hemp extract products, or any  
21 products marketed or labeled as such, are cultivated, processed, stored,  
22 distributed or sold. For the purposes of this subdivision, "place of  
23 business" shall not include a residence or other real property not  
24 otherwise held out as open to the public or otherwise being utilized in  
25 a business or commercial manner or any private vehicle or storage facil-  
26 ity on or about the same such property, unless probable cause exists to  
27 believe that such residence, real property, or vehicle are being used in  
28 such business or commercial manner for the activity described herein.

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

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

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

40 § 16-a. Emergency relief. Following service of [a notice of violation  
41 and] an order requiring immediate cessation of unlicensed activity under  
42 this chapter, the office of cannabis management, or the attorney gener-  
43 al, at the request of and on behalf of the office, or any county attor-  
44 ney, corporation counsel, or local government authorized pursuant to  
45 subdivision eight of this section to bring and maintain a civil proceed-  
46 ing in accordance with the procedures set forth in this section, may  
47 bring and maintain a civil proceeding in the supreme court of the county  
48 in which the building or premises is located to permanently enjoin such  
49 unlicensed activity when conducted, maintained, or permitted in such  
50 building or premises, occupied as a place of business as described in  
51 subdivision eight of section ten of this chapter, in violation of subdi-  
52 vision one or one-a of section one hundred twenty-five of this chapter  
53 or subdivision eight of section one hundred thirty-two of this chapter,  
54 which shall constitute an unlicensed activity that presents a danger to  
55 the public health, safety, and welfare, and shall also enjoin the person

1 or persons conducting or maintaining such unlicensed activity, in  
2 accordance with the following procedures:

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

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

15 (c) In rem jurisdiction shall be complete over the building or prem-  
16 ises wherein the unlicensed activity is being conducted, maintained, or  
17 permitted by affixing the notice of petition or order to show cause to  
18 the door of the building or premises and by mailing the notice of peti-  
19 tion or order to show cause by certified or registered mail, return  
20 receipt requested, to one of the owners of some part of or interest in  
21 the property. Proof of service shall be filed [within two days] promptly  
22 thereafter with the clerk of the court designated in the notice of peti-  
23 tion or order to show cause. In any county where e-filing is unavail-  
24 able, proof of service may be mailed to the clerk. Service shall be  
25 complete upon such filing or mailing.

26 (d) Defendants, other than the building or premises wherein the unli-  
27 censed activity is being conducted, maintained, or permitted, shall be  
28 served with the notice of petition or order to show cause as provided in  
29 the civil practice law and rules or pursuant to court order. No more  
30 than thirty days prior to such service, the office shall mail a copy, by  
31 certified mail, of any [prior notice of violation or letter or] order to  
32 cease and desist relating to the unlicensed activity at the building or  
33 premises to the person in whose name the real estate affected by the  
34 proceeding is recorded in the office of the city register or the county  
35 clerk, as the case may be, who shall be presumed to be the owner there-  
36 of. Such mailing shall constitute notice to the owner and shall be  
37 deemed to be complete upon such mailing by the office as provided above.  
38 No more than fifteen days prior to such service, the office, [or] the  
39 attorney general, at the request of and on behalf of the office of  
40 cannabis management, or any local government authorized pursuant to  
41 subdivision eight of this section shall verify the ongoing occupancy of  
42 any natural person who is a tenant of record and alleged to have caused  
43 or permitted the unlicensed activity in the building or premises wherein  
44 the unlicensed activity is alleged to have been conducted, maintained,  
45 or permitted. [If at any time such defendants vacate such building or  
46 premises, any action or proceeding filed in accordance with these proce-  
47 dures relating to such building or premises shall be withdrawn.]

48 (e) With respect to any proceeding commenced or to be commenced pursu-  
49 ant to this section by the office of cannabis management or the attorney  
50 general, at the request of and on behalf of the office, may file a  
51 notice of pendency pursuant to the provisions of article sixty-five of  
52 the civil practice law and rules.

53 (f) The person in whose name the real estate affected by the proceed-  
54 ing is recorded in the office of the city register or the county clerk,  
55 as the case may be, shall be presumed to be the owner thereof. Upon  
56 being served in a proceeding under this section, such owner shall, to



1 the extent known, provide to the office of cannabis management, within  
2 three days, the names of any other owners, lessors and lessees of the  
3 building or premises that is the subject of the proceeding. Thereafter,  
4 such owners, lessors and lessees may be made parties to the proceeding.

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

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

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

19 (ii) If the responding party is a partnership, limited liability part-  
20 nership, limited liability company, or other unincorporated association,  
21 including a for profit or not-for-profit membership organization or  
22 club, the information required pursuant to subparagraph (i) of this  
23 paragraph for each of its partners or members, as well as the state or  
24 other jurisdiction of its formation;

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

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

40 (i) If a finding is made that the defendant has conducted, maintained,  
41 or permitted the unlicensed activity a penalty, to be included in the  
42 judgment, may be awarded in an amount not to exceed ten thousand dollars  
43 for each day it is found that the defendant intentionally conducted,  
44 maintained or permitted the unlicensed activity. With regard to any  
45 defendant conducting the referenced unlicensed activity, any such penal-  
46 ties may be awarded in addition to any penalties that may be imposed  
47 pursuant to section one hundred thirty-two of this chapter. Upon recov-  
48 ery, such penalty shall be paid to the office of cannabis management, or  
49 to the county attorney, corporation counsel, or local government that  
50 has been authorized pursuant to subdivision eight of this section to  
51 bring and maintain a civil proceeding in accordance with the procedures  
52 set forth in this section.

53 2. Preliminary injunction. (a) Pending a proceeding for a permanent  
54 injunction pursuant to this section the court may grant a preliminary  
55 injunction enjoining the unlicensed activity and the person or persons  
56 conducting, maintaining, or permitting the unlicensed activity from

1 further conducting, maintaining, or permitting the unlicensed activity,  
2 where the public health, safety or welfare immediately requires the  
3 granting of such injunction. A temporary closing order may be granted  
4 pending a hearing for a preliminary injunction where it appears by clear  
5 and convincing evidence that unlicensed activity within the scope of  
6 this section is being conducted, maintained, or permitted and that the  
7 public health, safety or welfare immediately requires the granting of a  
8 temporary closing order. A temporary restraining order may be granted  
9 pending a hearing for a preliminary injunction.

10 (b) A preliminary injunction shall be enforced by the office or, at  
11 the request of the office, the attorney general. At the request of the  
12 office, a police officer or peace officer with jurisdiction may also  
13 enforce the preliminary injunction.

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

17 3. Temporary closing order. (a) If, on a motion for a preliminary  
18 injunction alleging unlicensed activity as described in this section in  
19 a building or premises used for commercial purposes only, the office or  
20 the attorney general demonstrates by clear and convincing evidence that  
21 such unlicensed activity is being conducted, maintained, or permitted  
22 and that the public health, safety, or welfare immediately requires a  
23 temporary closing order, a temporary order closing such part of the  
24 building or premises wherein such unlicensed activity is being  
25 conducted, maintained, or permitted may be granted without notice, pend-  
26 ing order of the court granting or refusing the preliminary injunction  
27 and until further order of the court. Upon granting a temporary closing  
28 order, the court shall direct the holding of a hearing for the prelimi-  
29 nary injunction at the earliest possible time but no later than [three]  
30 ten business days from the granting of such order; a decision on the  
31 motion for a preliminary injunction shall be rendered by the court with-  
32 in [three business] thirty calendar days after the conclusion of the  
33 hearing.

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

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

41 (d) No temporary closing order shall be issued against any building  
42 or premises where, in addition to the unlicensed activity which is  
43 alleged, activity that is licensed or otherwise lawful remains in place  
44 and the unlicensed activity is merely a de minimis part of the business.  
45 In assessing whether unlicensed activity within a building or premises  
46 is more than de minimis, the court shall consider such factors as: (i)  
47 the presence of signs or symbols, indoors or out, advertising unlicensed  
48 activity or otherwise indicating that cannabis is sold on the premises;  
49 (ii) information shared in any advertisements or other marketing  
50 content, including but not limited to social media, in connection with  
51 the unlicensed activity; (iii) the layout of the business with regard to  
52 lawful and unlicensed activities occurring on the premises; and (iv) an  
53 assessment of the volume of cannabis, cannabis products, cannabinoid  
54 hemp, hemp extract product, or any product marketed or labeled as such  
55 at such place of business. In addition, no temporary closing order shall  
56 be issued against any building or premises which is used in part as

1 residence and pursuant to local law or ordinance is zoned and lawfully  
2 occupied as a residence.

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

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

30 5. Temporary closing order; temporary restraining order; additional  
31 enforcement procedures. (a) If on a motion for a preliminary injunction,  
32 the office of cannabis management or the attorney general submits  
33 evidence warranting both a temporary closing order and a temporary  
34 restraining order, the court shall grant both orders.

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

41 (c) The police officer or peace officer serving a temporary closing  
42 order or a temporary restraining order shall forthwith make and return  
43 to the court an inventory of personal property situated in and used in  
44 conducting, maintaining, or permitting the unlicensed activity within  
45 the scope of this chapter and shall enter upon the building or premises  
46 for such purpose. Such inventory shall be taken in any manner which is  
47 deemed likely to evidence a true and accurate representation of the  
48 personal property subject to such inventory including, but not limited  
49 to photographing such personal property, except that any cash found on  
50 the premises during such inventory shall be inventoried, seized, and  
51 secured off premises pending further order of the court. Any police  
52 officer or peace officer, or any representative of the office, shall be  
53 permitted to review and copy records, including electronic records  
54 stored on cloud platforms.

55 (d) The police officer or peace officer serving a temporary closing  
56 order shall, upon service of the order, command all persons present in

1 the building or premises to vacate the premises forthwith. Upon the  
2 building or premises being vacated, the premises shall be securely  
3 locked and all keys delivered to the officer serving the order who there-  
4 after [shall] may deliver the keys to the fee owner, lessor, or lessee  
5 of the building or premises involved. If the fee owner, lessor, or  
6 lessee is not at the building or premises when the order is being  
7 executed, the officer shall securely padlock the premises and retain the  
8 keys until the fee owner, lessor, or lessee of the building is ascer-  
9 tained, in which event, the officer [shall] may deliver the keys to such  
10 owner, lessor, or lessee or retain them pending further order of the  
11 court.

12 (e) Upon service of a temporary closing order or a temporary restrain-  
13 ing order, the police officer or peace officer shall post a copy thereof  
14 in a conspicuous place or upon one or more of the principal doors at  
15 entrances of such premises where the unlicensed activity is being  
16 conducted, maintained, or permitted. In addition, where a temporary  
17 closing order has been granted, the officer shall affix, in a conspicu-  
18 ous place or upon one or more of the principal doors at entrances of  
19 such premises, a printed notice that the premises have been closed by  
20 court order, which notice shall contain the legend "closed by court  
21 order" in block lettering of sufficient size to be observed by anyone  
22 intending or likely to enter the premises, the date of the order, the  
23 court from which issued, and the name of the officer or agency posting  
24 the notice. In addition, where a temporary restraining order has been  
25 granted, the police officer or peace officer shall affix, in the same  
26 manner, a notice similar to the notice provided for in relation to a  
27 temporary closing order except that the notice shall state that certain  
28 described activity is prohibited by court order and that removal of  
29 property is prohibited by court order. Mutilation or removal of such a  
30 posted order or such a posted notice while it remains in force, in addi-  
31 tion to any other punishment prescribed by law, shall be punishable, on  
32 conviction, by a fine of not more than five thousand dollars or by  
33 imprisonment not exceeding ninety days, or by both, provided such order  
34 or notice contains therein a notice of such penalty. Any police officer  
35 or peace officer with jurisdiction may, upon the request of the office,  
36 assist in the enforcement of this section.

37 6. Temporary closing order; temporary restraining order; defendant's  
38 remedies. (a) A temporary closing order or a temporary restraining order  
39 [shall] may be vacated, upon notice to the office and to any county  
40 attorney, corporation counsel, or local government that may have been  
41 authorized pursuant to subdivision eight of this section to bring and  
42 maintain the proceeding in accordance with the procedures set forth in  
43 this section, if [the] a defendant who is the fee owner, lessor, or  
44 lessee of the building or premises shows by affidavit and such other  
45 proof as may be submitted that the unlicensed activity within the scope  
46 of this chapter has been abated and that they are also not affiliated  
47 with the person who is conducting the unlicensed activity. An order  
48 vacating a temporary closing order or a temporary restraining order  
49 shall include a provision authorizing the office, or any county attor-  
50 ney, corporation counsel, or local government, as applicable, to inspect  
51 the building or premises which is the subject of a proceeding pursuant  
52 to this subdivision, periodically without notice, during the pendency of  
53 the proceeding for the purpose of ascertaining whether or not the unli-  
54 censed activity has been resumed. Any police officer or peace officer  
55 with jurisdiction may, upon the request of the office, assist in the

1 enforcement of an inspection provision of an order vacating a temporary  
2 closing order or temporary restraining order.

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

21 7. Permanent injunction. (a) A judgment awarding a permanent injunc-  
22 tion pursuant to this chapter shall direct that any illicit cannabis,  
23 cannabis product, cannabinoid hemp or hemp extract product, or any prod-  
24 uct marketed or labeled as such seized shall be turned over to the  
25 office of cannabis management or their authorized representative. The  
26 judgment may further direct any police officer or peace officer with  
27 jurisdiction to seize and remove from the building or premises all mate-  
28 rial, equipment, and instrumentalities used in the creation and mainte-  
29 nance of the unlicensed activity and shall direct the sale by the sher-  
30 iff of any such property in the manner provided for the sale of personal  
31 property under execution pursuant to the provisions of the civil prac-  
32 tice law and rules, if the estimated value of the property exceeds the  
33 estimated lawful expenses of such sale, or the disposal of the property  
34 if the estimated value of the property does not exceed the estimated  
35 lawful expenses of such sale. The net proceeds of any such sale, after  
36 deduction of the lawful expenses involved, shall be paid to the general  
37 fund of the state.

38 (b) A judgment awarding a permanent injunction pursuant to this chap-  
39 ter may direct the closing of the building or premises by any police  
40 officer or peace officer with jurisdiction to the extent necessary to  
41 abate the unlicensed activity and shall direct any police officer or  
42 peace officer with jurisdiction to post a copy of the judgment and a  
43 printed notice of such closing conforming to the requirements of this  
44 chapter. The closing directed by the judgment shall be for such period  
45 as the court may direct but in no event shall the closing be for a peri-  
46 od of more than one year from the posting of the judgment provided for  
47 in this section. If the owner shall file a bond in the value of the  
48 property ordered to be closed and submits proof to the court that the  
49 unlicensed activity has been abated and will not be created, maintained,  
50 or permitted for such period of time as the building or premises has  
51 been directed to be closed in the judgment, and also submits proof that  
52 they are also not affiliated with the person who is conducting the unli-  
53 censed activity, the court may vacate the provisions of the judgment  
54 that direct the closing of the building or premises. A closing by a  
55 police officer or peace officer with jurisdiction pursuant to the  
56 provisions of this section shall not constitute an act of possession,

1 ownership, or control by such police officer or peace officer of the  
2 closed premises.

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

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

18 (e) A judgment awarding a permanent injunction pursuant to this chap-  
19 ter shall provide, in addition to the costs and disbursements allowed by  
20 the civil practice law and rules, upon satisfactory proof by affidavit  
21 or such other evidence as may be submitted, the actual costs, expenses  
22 and disbursements of the office and the attorney general, or of any  
23 county attorney, corporation counsel, or local government authorized  
24 pursuant to subdivision eight of this section to bring and maintain a  
25 civil proceeding in accordance with the procedures set forth in this  
26 section, in bringing and maintaining the proceeding.

27 8. Civil proceedings. In addition to the authority granted in this  
28 section to the office of cannabis management and the attorney general,  
29 any county attorney, corporation counsel, or local government in which  
30 such building or premises is located may, after the office of cannabis  
31 management grants permission in writing, bring and maintain a civil  
32 proceeding in the supreme court of the county in which the building or  
33 premises is located to permanently enjoin the unlicensed activity  
34 described in this section and the person or persons conducting or main-  
35 taining such unlicensed activity, in accordance with the procedures set  
36 forth in this section. The office shall be permitted to intervene as of  
37 right in any such proceeding. Any such governmental entity which obtains  
38 a permanent injunction pursuant to this chapter shall be awarded, in  
39 addition to the costs and disbursements allowed by the civil practice  
40 law and rules, upon satisfactory proof by affidavit or such other  
41 evidence as may be submitted, any penalties awarded pursuant to para-  
42 graph (h) of subdivision one or paragraph (e) of subdivision five of  
43 this section and the actual costs, expenses and disbursements in bring-  
44 ing and maintaining the proceeding. The authority provided by this  
45 subdivision shall be in addition to, and shall not be deemed to diminish  
46 or reduce, any rights of the parties described in this section under  
47 existing law for any violation pursuant to this chapter or any other  
48 law.

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

52 3. Notice and right of hearing as provided in the state administrative  
53 procedure act shall be served at least fifteen days prior to the date of  
54 the hearing, provided that, whenever because of danger to the public  
55 health, safety or welfare it appears prejudicial to the interests of the  
56 people of the state to delay action for fifteen days or with respect to

1 a violation of subdivision one or one-a of section one hundred twenty-  
2 five of this chapter, the board may serve the respondent with an order  
3 requiring certain action [or], the cessation of certain activities, or  
4 the sealing of a premises immediately or within a specified period of  
5 less than fifteen days. Whenever a notice of violation or order has been  
6 served, the respondent shall be provided an opportunity to request a  
7 hearing pursuant to the procedures established by the office and in  
8 accordance with the state administrative procedure act and the  
9 provisions of this chapter.

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

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

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

24 (b) If the responding party is a partnership, limited liability part-  
25 nership, limited liability company, or other unincorporated association,  
26 including a for profit or not-for-profit membership organization or  
27 club, the information required pursuant to paragraph (a) of this subdivi-  
28 vision for all of its partners or members, as well as the state or other  
29 jurisdiction of its formation;

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

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

45 6. Prior to a hearing, the office may, at its discretion, request a  
46 stay of any proceeding and the board or those designated by them shall  
47 grant such request. The initiation of any action, by or on behalf of the  
48 office, in state or federal court on matters directly or indirectly  
49 related to the subject of any pending administrative proceeding shall,  
50 upon a request by the office, provide sufficient basis for an immediate  
51 stay of such administrative proceeding.

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

55 8. Following a hearing, the board may make appropriate determinations  
56 and issue a final order in accordance therewith. Any such order may

1 include financial penalties as well as injunctive relief, including an  
2 order to seal a premises in accordance with section one hundred thirty-  
3 eight-b of this chapter. The respondent and the office shall have thirty  
4 days to submit a written appeal to the board. If [the respondent does  
5 not] any party fails to submit a written appeal within thirty days of  
6 the determination of the board the order shall be final.

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

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

15 1-b. Any activity conducted in violation of subdivision one or one-a  
16 of this section creates a significant risk of imminent physical harm to  
17 natural persons, presents a danger to public health, safety, or welfare,  
18 and constitutes a public nuisance.

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

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

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

33 (b) establish civil penalties for any persons engaging in selling  
34 cannabis, cannabis products, or any product marketed or labeled as such  
35 in a place of business without appearing on the local registry adopted  
36 pursuant to local law or ordinance, or any indirect retail sales, which  
37 may include fees, fines or other financial penalties or other remedies,  
38 including closures of the premises or building where such retail sales  
39 or indirect retail sales are taking place, and a process for adjudicat-  
40 ing any hearings required in connection with the issuance of such penal-  
41 ties;

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

46 (d) designate a local official who shall serve as the liaison to the  
47 office and who shall be required to receive local registry updates from  
48 the office, immediately adopt such updates, coordinate with the office  
49 on such local enforcement efforts, and send monthly reports to the  
50 office in a manner and format prescribed by the office detailing recent  
51 enforcement efforts and, when executing closure orders, the amount and  
52 nature of the cannabis products seized; and

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



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

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

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

37 (b) If a person engaging in the conduct described in paragraph (a) of  
38 this subdivision[, ] or subdivision one-a of this section refuses to  
39 permit the office or the board from performing a regulatory inspection,  
40 such person may be assessed a civil penalty of up to [four] twenty thou-  
41 sand dollars for a first refusal and up to [eight] forty thousand  
42 dollars for a second or subsequent refusal within three years of a prior  
43 refusal. If the office or board is not permitted access for a regulatory  
44 inspection pursuant to section ten or section eleven of this chapter, as  
45 applicable, by such person, the attorney general, upon the request of  
46 the office or the board, shall be authorized to apply, without notice to  
47 such person, to the supreme court in the county in which the place of  
48 business is located for an order granting the office or board access to  
49 such place of business. The court may grant such an order if it deter-  
50 mines, based on evidence presented by the attorney general, that there  
51 is reasonable cause to believe that such place of business is a place of  
52 business which does not possess a valid registration, license, or permit  
53 issued by the office or board.

54 (c) In assessing the civil penalties under this subdivision or subdi-  
55 vision one-a of this section, the board or office shall take into  
56 consideration the nature of such violation and shall assess a penalty

1 that is proportionate to the violation; provided, however, that an affi-  
2 davit from a representative of the office, the office of the attorney  
3 general, or a local government, or a local police officer confirming the  
4 presence of conduct described in this subdivision or subdivision one-a  
5 following an inspection by the office after the office has ordered such  
6 conduct to cease shall be sufficient to establish a prima facie case  
7 that such conduct had been continuing for each business day between the  
8 initial inspection and the last observed or otherwise documented  
9 conduct, and shall require the imposition of the maximum per day penalty  
10 permitted under paragraph (a) of this subdivision, and the documented  
11 presence of such conduct upon or at the completion of an administrative  
12 inspection or investigation shall require the assessment of the maximum  
13 penalty permitted under paragraph (b) of this subdivision.

14 1-a. Any person [found to have] who engaged in indirect retail sale in  
15 violation of subdivision one-a of section one hundred twenty-five of  
16 this [chapter] article, shall be subject to a civil penalty in an amount  
17 equaling the lesser of three times the revenue for such indirect retail  
18 sales or up to two thousand five hundred dollars for each such sale,  
19 provided, however, that where such conduct also constitutes a violation  
20 of subdivision one of this section, such person may only be subject to  
21 the civil penalties under one such subdivision, and provided, further,  
22 that where such person has been ordered to cease such conduct pursuant  
23 to subdivision one of section one hundred thirty-eight-a of this arti-  
24 cle, such person may be assessed a civil penalty of up to five thousand  
25 dollars for each day during which such violation continues in addition  
26 to any civil penalties set forth above.

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

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

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

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

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

48 7. in connection with any action or proceeding authorized by this  
49 chapter, request that the attorney general or any police officer or  
50 peace officer seize or remove all material, equipment, and instrumental-  
51 ities used in the creation and maintenance of the conduct described in  
52 subdivision one of this section;

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

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

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

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

13 12. upon receipt of one or more complaints that a person is engaged in  
14 conduct described in subdivision one of this section, apply or request  
15 that the attorney general apply, without notice to such person, to the  
16 supreme court in the county in which the place of business is located  
17 for an order granting the office or board access to such place of busi-  
18 ness. The court may grant such an order if it determines, based on  
19 evidence presented by the attorney general, that there is reasonable  
20 cause to believe that such place of business is the same place of busi-  
21 ness for which the office has received such complaints. Upon inspection,  
22 such person may be assessed a civil penalty of up to ten thousand  
23 dollars unless the person provides books and records to the office indi-  
24 cating that all transactions at the place of business do not constitute  
25 activities described in subdivision one of this section; and

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

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

35 § 138-b. Orders to seal. 1. In addition to any other authority  
36 conferred in this chapter, pursuant to the provisions of this section,  
37 the board or the office shall have the authority to seal the building or  
38 premises, including the storage facility, of any businesses engaged in  
39 unlicensed activity, when such activity is conducted, maintained, or  
40 permitted in such building or premises, occupied as a place of business  
41 as described in subdivision eight of section ten of this chapter, in  
42 violation of subdivision one or one-a of section one hundred twenty-five  
43 or subdivisions one or eight of section one hundred thirty-two of this  
44 article.

45 2. Upon service of a notice of violation and order requiring immediate  
46 cessation of unlicensed activity pursuant to section one hundred thir-  
47 ty-eight-a of this article, the office may issue an order to seal any  
48 building or premises involved in the unlicensed activity in accordance  
49 with subdivision one of this section. Such order to seal shall be served  
50 and posted in accordance with the provisions of this chapter and regu-  
51 lations promulgated by the board, shall be made effective on the  
52 fifteenth calendar day after the delivery and posting of such order, and  
53 shall contain notice of the right to request a hearing within fourteen  
54 days of delivery and posting of such order to seal. If a hearing is  
55 requested within such fourteen-day period, the order shall be effective  
56 as set forth in the determination of the board or their designee. If no

1 hearing is requested within such fourteen-day period, the order shall be  
2 effective as noticed on the order.

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

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

14 (a) documented sales to minors;

15 (b) unlicensed processing of cannabis products at the building or  
16 premises;

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

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

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

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

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

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

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

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

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

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

49 (a) the presence of signs or symbols, indoors or out, advertising the  
50 sale of cannabis or otherwise indicating that cannabis is sold on the  
51 premises;

52 (b) information shared in any advertisements or other marketing  
53 content in connection with the unlicensed business and any direct or  
54 indirect sales of cannabis or other conduct in violation of this chap-  
55 ter; and

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

1     8. Upon a request by the office, any police officer or peace officer  
2 with jurisdiction may assist in the enforcement of an order to seal  
3 issued by the office or the board, in accordance with the following  
4 procedures:

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

14     (b) The police officer or peace officer serving and executing the  
15 order to seal shall enter the building or premises and, upon service of  
16 the order, command all persons present in the building or premises to  
17 vacate the premises forthwith. Upon the building or premises being  
18 vacated, the premises shall be securely locked and all keys delivered to  
19 the officer serving the order who thereafter shall deliver the keys to  
20 the fee owner, lessor, or lessee of the building or premises involved.  
21 If the fee owner, lessor, or lessee is not at the building or premises  
22 when the order is being executed, the officer shall securely padlock the  
23 premises and retain the keys until the fee owner, lessor, or lessee of  
24 the building is ascertained, in which event, the officer shall deliver  
25 the keys to such fee owner, lessor, or lessee.

26     (c) Upon service and execution of the order to seal, the police offi-  
27 cer or peace officer shall post a copy thereof in a conspicuous place or  
28 upon one or more of the principal doors at entrances of such premises  
29 where the unlicensed activity is being conducted, maintained, or permit-  
30 ted. In addition, the officer shall affix, in a conspicuous place or  
31 upon one or more of the principal doors at entrances of such premises, a  
32 printed notice that the premises have been closed by order of the canna-  
33 bis control board, and the name of the officer or agency posting the  
34 notice.

35     (d) Mutilation or removal of such a posted order or such a posted  
36 notice while it remains in force, in addition to any other punishment  
37 prescribed by law, shall be punishable, on conviction, by a fine of not  
38 more than five thousand dollars or by imprisonment not exceeding ninety  
39 days, or by both, provided such order or notice contains therein a  
40 notice of such penalty. Such penalty shall be enforced by the board or,  
41 upon a request by the office, the office of the attorney general or by a  
42 court of competent jurisdiction.

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

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

48     9. Any order to seal issued by the office or the board shall be effec-  
49 tive for one year from the posting of the judgment provided for in this  
50 section. An order to seal may be vacated by the office or the board,  
51 upon notice to the office, if the respondent shows by affidavit and such  
52 other proof as may be submitted by the respondent that the unlicensed  
53 activity has been abated. An order vacating a previously issued order to  
54 seal shall include a provision authorizing the office, or any police  
55 officer or peace officer who assisted with the execution of the order to  
56 seal, to inspect the building or premises periodically without notice

1 for the purpose of ascertaining whether or not the unlicensed activity  
2 has been resumed. Any police officer or peace officer with jurisdiction  
3 may, upon the request of the office, assist in the enforcement of an  
4 inspection provision of an order vacating an order to seal.

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

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

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

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

26

## PART H

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

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

34 § 2. The opening paragraph of subdivision 2 of section 99-d of the  
35 alcoholic beverage control law, as amended by chapter 560 of the laws of  
36 2011, is amended to read as follows:

37 Before any change in the members of a limited liability company or the  
38 transfer or assignment of a membership interest in a limited liability  
39 company or any corporate change in stockholders, stockholdings, alcohol-  
40 ic beverage officers, officers or directors, except officers and direc-  
41 tors of a premises licensed as a club or a luncheon club under this  
42 chapter can be effectuated for the purposes of this chapter, there shall  
43 be filed with the liquor authority an application for permission to make  
44 such change and there shall be paid to the liquor authority in advance  
45 upon filing of the application a fee of one hundred twenty-eight  
46 dollars. Such application shall be deemed approved and in effect if not  
47 disapproved by the authority prior to the expiration of ninety days  
48 after receipt by the authority.

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

52 1. The liquor authority is hereby authorized to issue to a retail  
53 licensee for on-premises consumption or a licensed off-premises caterer  
54 furnishing provisions and service for use at a particular function,



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

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

20 1. The liquor authority is hereby authorized to issue temporary  
21 permits effective for a period not to exceed twenty-four consecutive  
22 hours to authorize the sale of beer [and], wine [manufactured in New  
23 York state], cider, mead and/or braggot, and liquor at outdoor or indoor  
24 gatherings, functions, occasions or events, within the hours fixed by or  
25 pursuant to subdivision five of section one hundred six of this chapter,  
26 during which alcoholic beverages may lawfully be sold or served upon  
27 premises licensed to sell alcoholic beverages at retail for on-premises  
28 consumption in the community in which is located the premises in which  
29 such gathering, function, occasion or event is held. The fee for such  
30 permit shall be twenty-six dollars. Such permit and the exercise of the  
31 privilege granted thereby shall be subject to such rules of the liquor  
32 authority as it deems necessary.

33 § 5. Subdivision 2 of section 105 of the alcoholic beverage control  
34 law is REPEALED.

35 § 6. This act shall take effect immediately, and shall apply to all  
36 applications received by the state liquor authority on and after such  
37 date. Effective immediately, the addition, amendment and/or repeal of  
38 any rule or regulation by the state liquor authority necessary for the  
39 implementation of this act on its effective date are authorized to be  
40 made and completed on or before such effective date.

41

## PART I

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

44 § 97-d. Temporary wholesale permit. 1. Any person may apply to the  
45 liquor authority for a temporary permit to operate any alcoholic bever-  
46 age wholesale facility as may be licensed under this chapter. Such  
47 application shall be in writing and verified and shall contain informa-  
48 tion as the liquor authority shall require. Such application shall be  
49 accompanied by a check or draft in the amount of one hundred twenty-five  
50 dollars for such permit.

51 2. Upon application, the liquor authority may issue such temporary  
52 permit when:



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

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

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

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

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

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

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

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

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

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

29 7. Notwithstanding any provision of law to the contrary, a temporary  
30 wholesale permit may be summarily cancelled or suspended at any time if  
31 the liquor authority determines that good cause for cancellation or  
32 suspension exists. The liquor authority shall promptly notify the  
33 permittee in writing of such cancellation or suspension and shall set  
34 forth the reasons for such action.

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

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

42 4. Notwithstanding any other provision of this chapter to the contra-  
43 ry, the authority may issue a cider producer or wholesaler's license,  
44 beer wholesaler's license, wine wholesaler's license, or liquor whole-  
45 saler's license to the holder of any wholesaler's license issued pursu-  
46 ant to this chapter for use at such licensee's existing licensed prem-  
47 ises. The liquor authority is hereby authorized to adopt such rules as  
48 it may deem necessary to carry out the purposes of this subdivision.

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

51

## PART J

52 Section 1. Section 4 of chapter 118 of the laws of 2012 amending the  
53 alcoholic beverage control law relating to the powers of the chairman



1 and members of the authority, as amended by chapter 124 of the laws of  
2 2021, is amended to read as follows:

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

5 § 2. This act shall take effect immediately.

6

#### PART K

7 Section 1. Section 5 of chapter 396 of the laws of 2010 amending the  
8 alcoholic beverage control law relating to liquidator's permits and  
9 temporary retail permits, as amended by section 1 of part O of chapter  
10 55 of the laws of 2023, is amended to read as follows:

11 § 5. This act shall take effect on the sixtieth day after it shall  
12 have become a law, provided that paragraph (b) of subdivision 1 of  
13 section 97-a of the alcoholic beverage control law as added by section  
14 two of this act shall expire and be deemed repealed October 12, [2024]  
15 2025.

16 § 2. This act shall take effect immediately.

17

#### PART L

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

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

21 § 111-a. Use of contiguous and non-contiguous municipal public space  
22 for on-premises alcoholic beverage sales by certain licensees. 1. The  
23 holder of a retail on-premises license issued pursuant to sections  
24 fifty-five, sixty-four, sixty-four-a, sixty-four-c, sixty-four-d, eight-  
25 y-one, or eighty-one-a of this chapter or a manufacturing license that  
26 includes a privilege to sell and/or serve alcoholic beverages at retail  
27 for on-premises consumption on the licensed premises issued pursuant to  
28 section thirty, thirty-one, fifty-one, fifty-one-a, fifty-eight, fifty-  
29 eight-c, subdivision two-c of section sixty-one, section seventy-six,  
30 seventy-six-a, seventy-six-c, or seventy-six-d of this chapter may file  
31 an alteration application with the authority pursuant to subdivision one  
32 of section ninety-nine-d of this chapter for permission to add municipal  
33 public space that is either contiguous or non-contiguous to the licensed  
34 premises. Upon approval of such alteration application, such a licensee  
35 may exercise the privilege to sell and/or serve alcoholic beverages at  
36 retail for on-premises consumption on contiguous municipal public space  
37 or non-contiguous municipal public space provided:

38 (a) the municipality in which the licensed premises is located issues  
39 a permit or the responsible municipal regulatory body or agency issues  
40 written authorization to the licensee to sell and/or serve food on such  
41 contiguous municipal public space or non-contiguous municipal public  
42 space;

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

46 (c) the licensee submits to the liquor authority a copy of the permit  
47 application submitted to the municipality to obtain the municipal permit  
48 or other written authorization from the municipality along with the  
49 alteration application;

50 (d) the licensee submits to the liquor authority a diagram depicting  
51 both the licensed premises and the contiguous municipal public space or

1 non-contiguous municipal public space to be used by the licensee with  
2 the alteration application;

3 (e) the licensee submits to the liquor authority proof that it has  
4 provided community notification to the municipality, including municipi-  
5 palities outside the city of New York, in a manner consistent with or  
6 required by subdivision two of section one hundred ten-b of this article  
7 as required for the city of New York; and

8 (f) use of any such contiguous or non-contiguous municipal public  
9 space meets all applicable federal, state or local laws, rules, requ-  
10 lations, guidance, conditions or requirements.

11 2. For the purposes of this section: (a) "non-contiguous municipal  
12 public space" shall mean space that: (i) is located in front of, behind,  
13 or to the side of the licensed premises; (ii) is within the property  
14 boundaries of the licensed premises as extended out; or within the prop-  
15 erty boundaries of the nearest adjacent properties on either side; (iii)  
16 does not extend further than the midline of any public roadway; (iv) is  
17 separated from the licensed premises only by one or more of the follow-  
18 ing: a pedestrian thoroughfare, a thoroughfare primarily restricted to  
19 use by bicycles, or a portion of a thoroughfare with such restrictions;  
20 and (v) otherwise complies with all applicable federal, state and local  
21 requirements.

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

28 3. Licensees choosing to utilize non-contiguous municipal public space  
29 that includes a thoroughfare primarily restricted to use by bicycles, or  
30 a portion of a thoroughfare with such restrictions, shall post a sign or  
31 poster in said municipal outdoor space with conspicuous lettering in at  
32 least seventy-two point bold face font that states: "CAUTION: BICYCLE  
33 LANE" prior to and while utilizing any such municipal space for on-prem-  
34 ises alcoholic beverage sales to patrons. Such licensees shall be solely  
35 responsible for production of and maintenance of such signage. Compli-  
36 ance by the licensee with the provisions of any local law requiring  
37 posting of warning signs regarding bicycle lanes enacted on or before  
38 the effective date of this section shall be deemed to be in compliance  
39 with the provisions of this section. Nothing contained herein, however,  
40 shall be deemed to exempt any licensee not otherwise subject to the  
41 provisions of any such local law from complying with the provisions of  
42 this section.

43 4. If at any time the municipality revokes, cancels or suspends or  
44 otherwise terminates the licensee's authorization to use such contiguous  
45 municipal public space or non-contiguous municipal public space, the  
46 licensee shall immediately cease exercising the privilege to sell and/or  
47 serve alcoholic beverages at retail for consumption on such municipal  
48 public space. The licensee shall then file a new alteration application  
49 removing the municipal public space from its licensed premises. The  
50 failure to file a new alteration application with the authority within  
51 ten business days of the revocation, cancellation, suspension, or other  
52 termination by the local municipality of the licensee's authorization to  
53 use such contiguous or non-contiguous municipal public space shall be  
54 cause for revocation, cancellation, suspension and/or imposition of a  
55 civil penalty against the license in accordance with section one hundred  
56 eighteen of this article.

1 5. The authority may promulgate guidance, rules and/or regulations  
2 necessary to implement the provisions of this section. Notwithstanding  
3 existing provisions of this chapter, the authority is authorized to  
4 provide simplified applications and notification procedures for licen-  
5 sees seeking to utilize municipal space for on-premises alcoholic bever-  
6 age sales whenever possible or appropriate. Nothing in this section  
7 shall prohibit the authority from requesting additional information from  
8 any applicant seeking to use new municipal space or renewal of existing  
9 municipal space.

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

15 PART M

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

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

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

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

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

42 (a) The weekly benefit for family leave that occurs (i) on or after  
43 January first, two thousand eighteen shall not exceed eight weeks during  
44 any fifty-two week calendar period and shall be fifty percent of the  
45 employee's average weekly wage but shall not exceed fifty percent of the  
46 state average weekly wage, (ii) on or after January first, two thousand  
47 nineteen shall not exceed ten weeks during any fifty-two week calendar  
48 period and shall be fifty-five percent of the employee's average weekly  
49 wage but shall not exceed fifty-five percent of the state average weekly  
50 wage, (iii) on or after January first, two thousand twenty shall not  
51 exceed ten weeks during any fifty-two week calendar period and shall be  
52 sixty percent of the employee's average weekly wage but shall not exceed  
53 sixty percent of the state average weekly wage, and (iv) on or after  
54 January first of each succeeding year, shall not exceed twelve weeks

1 during any fifty-two week calendar period and shall be sixty-seven  
2 percent of the employee's average weekly wage but shall not exceed  
3 sixty-seven percent of the New York state average weekly wage in effect.  
4 On or after January first, two thousand twenty-five, the benefit for  
5 prenatal care shall not exceed forty hours during any fifty-two week  
6 calendar period and such leave for prenatal care may be taken in hourly  
7 increments and in addition to any other family leave benefits the  
8 employee may be eligible for during the same fifty-two week period. The  
9 superintendent of financial services shall have discretion to delay the  
10 increases in the family leave benefit level provided in subparagraphs  
11 (ii), (iii), and (iv) of this paragraph by one or more calendar years.  
12 In determining whether to delay the increase in the family leave benefit  
13 for any year, the superintendent of financial services shall consider:  
14 (1) the current cost to employees of the family leave benefit and any  
15 expected change in the cost after the benefit increase; (2) the current  
16 number of insurers issuing insurance policies with a family leave bene-  
17 fit and any expected change in the number of insurers issuing such poli-  
18 cies after the benefit increase; (3) the impact of the benefit increase  
19 on employers' business and the overall stability of the program to the  
20 extent that information is readily available; (4) the impact of the  
21 benefit increase on the financial stability of the disability and family  
22 leave insurance market and carriers; and (5) any additional factors that  
23 the superintendent of financial services deems relevant. If the super-  
24 intendent of financial services delays the increase in the family leave  
25 benefit level for one or more calendar years, the family leave benefit  
26 level that shall take effect immediately following the delay shall be  
27 the same benefit level that would have taken effect but for the delay.  
28 The weekly benefits for family leave that occurs on or after January  
29 first, two thousand eighteen shall not be less than one hundred dollars  
30 per week except that if the employee's wages at the time of family leave  
31 are less than one hundred dollars per week, the employee shall receive  
32 his or her full wages. Benefits may be payable to employees for paid  
33 family leave taken intermittently or for less than a full work week in  
34 increments of one full day or one fifth of the weekly benefit. Notwith-  
35 standing the foregoing, family leave benefits under paragraph (d) of  
36 subdivision fifteen of section two hundred one of this article may be  
37 payable to employees in hourly increments.

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

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

44 (a) For more than twenty-six weeks minus any days taken for family  
45 leave during any fifty-two consecutive calendar weeks during a period of  
46 fifty-two consecutive calendar weeks or during any one period of disa-  
47 bility, or for more than twenty-six weeks; provided, however, that fami-  
48 ly leave under paragraph (d) of subdivision fifteen of section two  
49 hundred one of this article shall not reduce this amount;

50 (b) for any period of disability during which an employee is not under  
51 the care of a duly licensed physician or with respect to disability  
52 resulting from a condition of the foot which may lawfully be treated by  
53 a duly registered and licensed podiatrist of the state of New York or  
54 with respect to a disability resulting from a condition which may  
55 lawfully be treated by a duly registered and licensed chiropractor of  
56 the state of New York or with respect to a disability resulting from a

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

16 2. No employee shall be entitled to family leave benefits under this  
17 article:

18 (a) For more than twelve weeks, or the maximum duration permitted as  
19 set forth in paragraph (a) of subdivision two of section two hundred  
20 four of this article, during a period of fifty-two consecutive calendar  
21 weeks, or for any period in which the family leave combined with the  
22 disability benefits previously paid exceeds twenty-six weeks during the  
23 same fifty-two consecutive calendar weeks; provided, however, that fami-  
24 ly leave under paragraph (d) of subdivision fifteen of section two  
25 hundred one of this article shall not reduce this amount;

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

33 (c) As a condition of an employee's initial receipt of family leave  
34 benefits during any fifty-two consecutive calendar weeks in which an  
35 employee is eligible for these benefits, an employer may offer an  
36 employee who has accrued but unused vacation time or personal leave  
37 available at the time of use of available family leave to choose whether  
38 to charge all or part of the family leave time to accrued but unused  
39 vacation or personal leave, and receive full salary, or to not charge  
40 time to accrued but unused vacation or personal leave, and receive the  
41 benefit as set forth in section two hundred four of this article. An  
42 employer that pays full salary during a period of family leave may  
43 request reimbursement in accordance with section two hundred thirty-sev-  
44 en of this article. With the election of either option, the employee  
45 shall receive the full protection of the reinstatement provision set  
46 forth in section two hundred three-b of this article, and shall concur-  
47 rently use available family medical leave act and paid family leave  
48 credits. In no event can an employee utilize family leave beyond twelve  
49 weeks, or the maximum duration permitted as set forth in paragraph (a)  
50 of subdivision two of section two hundred four of this article, per any  
51 fifty-two week period set forth in this article; provided, however, that  
52 family leave under paragraph (d) of subdivision fifteen of section two  
53 hundred one of this article shall not reduce this amount. This paragraph  
54 may not be construed in a manner that relieves an employer of any duty  
55 of collective bargaining the employer may have with respect to the  
56 subject matter of this paragraph.

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

3 (a) for any disability occasioned by the wilful intention of the  
4 employee to bring about injury to or the sickness of himself or another,  
5 or resulting from any injury or sickness sustained in the perpetration  
6 by the employee of an illegal act;

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

11 (c) for any day of disability or family leave for which the employee  
12 is entitled to receive from his or her employer, or from a fund to which  
13 the employer has contributed, remuneration or maintenance in an amount  
14 equal to or greater than that to which he or she would be entitled under  
15 this article; but any voluntary contribution or aid which an employer  
16 may make to an employee or any supplementary benefit paid to an employee  
17 pursuant to the provisions of a collective bargaining agreement or from  
18 a trust fund to which contributions are made pursuant to the provisions  
19 of a collective bargaining agreement shall not be considered as contin-  
20 ued remuneration or maintenance for this purpose;

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

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

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

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

31 5. In any case in which the necessity for family leave is foreseeable  
32 based on an expected birth or placement, the employee shall provide the  
33 employer with not less than thirty days notice before the date the leave  
34 is to begin, of the employee's intention to take family leave under this  
35 article, except that if the date of the birth or placement requires  
36 leave to begin in less than thirty days, the employee shall provide such  
37 notice as is practicable. In any case in which the necessity for family  
38 leave is foreseeable based on planned medical treatment, the employee  
39 shall provide the employer with not less than thirty days notice, before  
40 the date the leave is to begin, of the employees intention to take fami-  
41 ly leave under this article, except that if the date of the treatment  
42 requires leave to begin in less than thirty days, the employee shall  
43 provide such notice as is practicable.

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

47 (d) With the exception of leave for prenatal care which may be taken  
48 in hourly increments, for any day in which claimant works at least part  
49 of that day for remuneration or profit for the covered employer or for  
50 any other employer while working for remuneration or profit, for him or  
51 herself, or another person or entity, during the same or substantially  
52 similar working hours as those of the covered employer from which family  
53 leave benefits are claimed, except that occasional scheduling adjust-  
54 ments with respect to secondary employments shall not prevent receipt of  
55 family leave benefits.

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

4 1. Benefits provided under this article shall be paid periodically and  
5 promptly and, except as to a contested period of disability or family  
6 leave, without any decision by the board, or designee of the chair  
7 pursuant to section two hundred twenty-one of this article. The first  
8 payment of benefits shall be due on the fourteenth day of disability or  
9 family leave and benefits for that period shall be paid directly to the  
10 employee within four business days thereafter or within four business  
11 days after the filing of required proof of claim, whichever is the  
12 later. Family leave benefits for prenatal care may be paid in hourly  
13 installments or, upon election of the employer or insurance carrier and  
14 upon notice to the employee at the time of the request for such family  
15 leave, in an aggregate payment that corresponds to the hours in the  
16 employee's regular workday upon submission of proof of leave for prena-  
17 tal care for such hours and within fourteen days of the last hourly  
18 increment and four business days after such submission. If the employer  
19 or carrier rejects an initial claim for family leave benefits, the  
20 employer or carrier must notify the employee in a manner prescribed by  
21 the chair within eighteen days of filing of the proof of claim. Failure  
22 to timely reject shall constitute a waiver of objection to the family  
23 leave claim. Thereafter benefits shall be due and payable bi-weekly in  
24 like manner. The chair or chair's designee, pursuant to section two  
25 hundred twenty-one of this article, may determine that benefits may be  
26 paid monthly or semi-monthly if wages were so paid, and may authorize  
27 deviation from the foregoing requirements to facilitate prompt payment  
28 of benefits. Any inquiry which requires the employee's response in order  
29 to continue benefits uninterrupted or unmodified shall provide a reason-  
30 able time period in which to respond and include a clear and prominent  
31 statement of the deadline for responding and consequences of failing to  
32 respond.

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

36 1. Written notice and proof of disability or proof of need for family  
37 leave shall be furnished to the employer by or on behalf of the employee  
38 claiming benefits or, in the case of a claimant under section two  
39 hundred seven of this article, to the chair, within thirty days after  
40 commencement of the period of disability or family leave, or for family  
41 leave for prenatal care within thirty days of the last hour for such  
42 leave period as prescribed in subdivision one of section two hundred  
43 eight of this article. Additional proof shall be furnished thereafter  
44 from time to time as the employer or carrier or chair may require but  
45 not more often than once each week. Such proof shall include a statement  
46 of disability by the employee's attending physician or attending podia-  
47 trist or attending chiropractor or attending dentist or attending  
48 psychologist or attending certified nurse midwife or family leave care  
49 recipient's health care provider, or in the case of an employee who  
50 adheres to the faith or teachings of any church or denomination, and who  
51 in accordance with its creed, tenets or principles depends for healing  
52 upon prayer through spiritual means alone in the practice of religion,  
53 by an accredited practitioner, containing facts and opinions as to such  
54 disability in compliance with regulations of the chair. Failure to  
55 furnish notice or proof within the time and in the manner above provided  
56 shall not invalidate the claim but no benefits shall be required to be

1 paid for any period more than two weeks prior to the date on which the  
2 required proof is furnished unless it shall be shown to the satisfaction  
3 of the chair not to have been reasonably possible to furnish such notice  
4 or proof and that such notice or proof was furnished as soon as possi-  
5 ble; provided, however, that no benefits shall be paid unless the  
6 required proof of disability is furnished within the period of actual  
7 disability or family leave that does not exceed the statutory maximum  
8 period permitted under section two hundred four of this article. No  
9 limitation of time provided in this section shall run as against any  
10 disabled employee who is mentally incompetent, or physically incapable  
11 of providing such notice as a result of a serious medical condition, or  
12 a minor so long as such person has no guardian of the person and/or  
13 property.

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

15

#### PART N

16 Section 1. Section 200 of the workers' compensation law, as amended by  
17 section 1 of part SS of chapter 54 of the laws of 2016, is amended to  
18 read as follows:

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

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

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

30 15. "Family leave" shall mean any leave taken by an employee from  
31 work: (a) to participate in providing care, including physical or  
32 psychological care, for a family member of the employee made necessary  
33 by a serious health condition of the family member; or (b) to bond with  
34 the employee's child during the first twelve months after the child's  
35 birth, or the first twelve months after the placement of the child for  
36 adoption or foster care with the employee; or (c) because of any quali-  
37 fying exigency as interpreted under the family and medical leave act, 29  
38 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R. S.825.126[(a)(1)-(8)], arising out  
39 of the fact that the spouse, domestic partner, child, or parent of the  
40 employee is on active duty (or has been notified of an impending call or  
41 order to active duty) in the armed forces of the United States.

42 22. "Health care provider" shall mean for the purpose of [family  
43 leave] this article, a person licensed under article one hundred thir-  
44 ty-one, one hundred thirty-one-B, one hundred thirty-two, one hundred  
45 thirty-three, one hundred thirty-six, one hundred thirty-nine, one  
46 hundred forty-one, one hundred forty-three, one hundred forty-four, one  
47 hundred fifty-three, one hundred fifty-four, one hundred fifty-six or  
48 one hundred fifty-nine of the education law or a person licensed under  
49 the public health law, article one hundred forty of the education law or  
50 article one hundred sixty-three of the education law.

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



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

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

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

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

23 § 5. Section 203-c of the workers' compensation law, as added by  
24 section 4 of part SS of chapter 54 of the laws of 2016, is amended to  
25 read as follows:

26 § 203-c. Health insurance during [family] leave. In accordance with  
27 the Family and Medical Leave Act (29 U.S.C. §§ 2601-2654), during any  
28 period of family or disability leave the employer shall maintain any  
29 existing health benefits of the employee in force for the duration of  
30 such leave as if the employee had continued to work from the date [he or  
31 she] they commenced family or disability leave until the date [he or she  
32 returns] they return to employment.

33 § 6. Section 204 of the workers' compensation law, as amended by  
34 section 5 of part SS of chapter 54 of the laws of 2016, is amended to  
35 read as follows:

36 § 204. Disability and family leave during employment. 1. Disability  
37 benefits shall be payable to an eligible employee for disabilities,  
38 beginning with the eighth day of disability and thereafter during the  
39 continuance of disability, subject to the limitations as to maximum and  
40 minimum amounts and duration and other conditions and limitations in  
41 this section and in sections two hundred five and two hundred six of  
42 this article. Family leave benefits shall be payable to an eligible  
43 employee for the first full day when family leave is required and there-  
44 after during the continuance of the need for family leave, subject to  
45 the limitations as to maximum and minimum amounts and duration and other  
46 conditions and limitations in this section and in sections two hundred  
47 five and two hundred six of this article. Successive periods of disabil-  
48 ity or family leave caused by the same or related injury or sickness or  
49 qualifying event shall shall be deemed a single period of disability or  
50 family leave only if separated by less than three months.

51 2. (a) The weekly benefit for family leave that occurs (i) on or after  
52 January first, two thousand eighteen shall not exceed eight weeks during  
53 any fifty-two week calendar period and shall be fifty percent of the  
54 employee's average weekly wage but shall not exceed fifty percent of the  
55 state average weekly wage, (ii) on or after January first, two thousand  
56 nineteen shall not exceed ten weeks during any fifty-two week calendar

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

38 (b) The weekly benefit which the disabled employee is entitled to  
39 receive for the first twelve weeks of disability commencing: (i) on or  
40 after January first, two thousand twenty-five shall be fifty percent of  
41 the employee's average weekly wage but shall not exceed four hundred  
42 dollars; (ii) on or after January first, two thousand twenty-six shall  
43 be fifty percent of the employee's average weekly wage but shall not  
44 exceed six hundred thirty dollars; (iii) on or after January first, two  
45 thousand twenty-seven shall be fifty percent of the employee's average  
46 weekly wage but shall not exceed fifty percent of the state average  
47 weekly wage; (iv) on or after January first, two thousand twenty-eight  
48 shall be sixty percent of the employee's weekly average wage but shall  
49 not exceed sixty percent of the state average weekly wage; and (v) on or  
50 after January first of each succeeding year, shall be sixty-seven  
51 percent of the employee's average weekly wage but shall not exceed  
52 sixty-seven percent of the state average weekly wage. The superintendent  
53 of financial services shall have discretion to delay the increases in  
54 the disability benefit level provided in subparagraphs (ii), (iii), (iv)  
55 and (v) of this paragraph by one or more calendar years. In determining  
56 whether to delay the increase in the disability benefit for any year,

1 the superintendent of financial services shall consider: (1) the current  
2 cost to employees and employers of the benefit and any expected change  
3 in the cost after the benefit increase; (2) the current number of insur-  
4 ers issuing insurance policies with a disability benefit and any  
5 expected change in the number of insurers issuing such policies after  
6 the benefit increase; (3) the impact of the benefit increase on employ-  
7 ers' business and the overall stability of the program to the extent  
8 that information is readily available; (4) the impact of the benefit  
9 increase on the financial stability of the disability and family leave  
10 insurance market and carriers; and (5) any additional factors that the  
11 superintendent of financial services deems relevant. If the superinten-  
12 dent of financial services delays the increase in the disability benefit  
13 level for one or more calendar years, the disability benefit level that  
14 shall take effect immediately following the delay shall be the same  
15 benefit level that would have taken effect but for the delay. The weekly  
16 benefit which the disabled employee is entitled to receive for the peri-  
17 ods of disability after the twelfth week of disability and through the  
18 twenty-sixth week of disability (A) on or after January first, two thou-  
19 sand twenty-five shall be fifty percent of the employee's average weekly  
20 wage but shall not exceed two hundred eighty dollars per week; (B) on or  
21 after January first, two thousand twenty-eight shall be sixty percent of  
22 the employee's average weekly wage but shall not exceed two hundred  
23 eighty per week; and (C) on or after January first, two thousand twen-  
24 ty-nine and each succeeding year shall be sixty-seven percent of the  
25 employee's average weekly wage but shall not exceed two hundred eighty  
26 dollars per week. The weekly benefit which the disabled employee is  
27 entitled to receive for disability leave that occurs on or after January  
28 first, two thousand twenty-five shall not be less than one hundred  
29 dollars per week except that if the employee's wages at the time of  
30 family leave are less than one hundred dollars per week, the employee  
31 shall receive their full wages. The weekly benefit which the disabled  
32 employee is entitled to receive for disability commencing on or after  
33 May first, nineteen hundred eighty-nine and prior to January first, two  
34 thousand twenty-five shall be one-half of the employee's weekly wage,  
35 but in no case shall such benefit exceed one hundred seventy dollars;  
36 except that if the employee's average weekly wage is less than twenty  
37 dollars, the benefit shall be such average weekly wage. The weekly bene-  
38 fit which the disabled employee is entitled to receive for disability  
39 commencing on or after July first, nineteen hundred eighty-four shall be  
40 one-half of the employee's weekly wage, but in no case shall such bene-  
41 fit exceed one hundred forty-five dollars; except that if the employee's  
42 average weekly wage is less than twenty dollars, the benefit shall be  
43 such average weekly wage. The weekly benefit which the disabled employee  
44 is entitled to receive for disability commencing on or after July first,  
45 nineteen hundred eighty-three and prior to July first, nineteen hundred  
46 eighty-four shall be one-half of the employee's average weekly wage, but  
47 in no case shall such benefit exceed one hundred thirty-five dollars nor  
48 be less than twenty dollars; except that if the employee's average week-  
49 ly wage is less than twenty dollars the benefit shall be such average  
50 weekly wage. The weekly benefit which the disabled employee is entitled  
51 to receive for disability commencing on or after July first, nineteen  
52 hundred seventy-four, and prior to July first, nineteen hundred eighty-  
53 three, shall be one-half of the employee's average weekly wage, but in  
54 no case shall such benefit exceed ninety-five dollars nor be less than  
55 twenty dollars; except that if the employee's average weekly wage is  
56 less than twenty dollars, the benefit shall be such average weekly wage.



1 The weekly benefit which the disabled employee is entitled to receive  
2 for disability commencing on or after July first, nineteen hundred  
3 seventy and prior to July first, nineteen hundred seventy-four shall be  
4 one-half of the employee's average weekly wage, but in no case shall  
5 such benefit exceed seventy-five dollars nor be less than twenty  
6 dollars; except that if the employee's average weekly wage is less than  
7 twenty dollars the benefit shall be such average weekly wage. For any  
8 period of disability less than a full week, the benefits payable shall  
9 be calculated by dividing the weekly benefit by the number of the  
10 employee's normal work days per week and multiplying the quotient by the  
11 number of normal work days in such period of disability. The weekly  
12 benefit for a disabled employee who is concurrently eligible for bene-  
13 fits in the employment of more than one covered employer shall, within  
14 the maximum and minimum herein provided, be one-half of the total of the  
15 employee's average weekly wages received from all such covered employ-  
16 ers, and shall be allocated in the proportion of their respective aver-  
17 age weekly wage payments.

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

21 2. If an employee who is eligible for disability benefits under  
22 section two hundred three or two hundred seven of this article is disa-  
23 bled and has claimed or subsequently claims workers' compensation bene-  
24 fits under this chapter or benefits under the volunteer firefighters'  
25 benefit law or the volunteer ambulance workers' benefit law, and such  
26 claim is controverted on the ground that the employee's disability was  
27 not caused by an accident that arose out of and in the course of [his]  
28 their employment or by an occupational disease, or by an injury in line  
29 of duty as a volunteer firefighter or volunteer ambulance worker, the  
30 employee shall be entitled in the first instance to receive benefits  
31 under this article for [his or her] their disability. If benefits have  
32 been paid under this article in respect to a disability alleged to have  
33 arisen out of and in the course of the employment or by reason of an  
34 occupational disease, or in line of duty as a volunteer firefighter or a  
35 volunteer ambulance worker, the employer or carrier or the chair making  
36 such payment may, at any time before award of workers' compensation  
37 benefits, or volunteer firefighters' benefits or volunteer ambulance  
38 workers' benefits, is made, file with the board a claim for reimburse-  
39 ment out of the proceeds of such award to the employee for the period  
40 for which disability benefits were paid to the employee under this arti-  
41 cle, and shall have a lien against the full award for reimbursement,  
42 notwithstanding the provisions of section thirty-three of this chapter  
43 or section twenty-three of the volunteer firefighters' benefit law or  
44 section twenty-three of the volunteer ambulance workers' benefit law  
45 provided the insurance carrier liable for payment of the award receives,  
46 before such award is made, a copy of the claim for reimbursement from  
47 the employer, carrier or chair who paid disability benefits, or provided  
48 the board's decision and award directs such reimbursement therefrom.

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

52 (a) Disability benefits. The contribution of each such employee to the  
53 cost of disability benefits provided by this article shall be one-half  
54 of one per centum of the employee's wages paid to him or her on and  
55 after July first, nineteen hundred fifty, but not in excess of sixty  
56 cents per week. Beginning January first, two thousand twenty-five, the

1 maximum employee contribution that a covered employer is authorized to  
2 collect from each employee for the cost of disability benefits provided  
3 by this article shall be one-half of one per centum of the employee's  
4 wages but shall not exceed forty percent of the average of the combina-  
5 tion of all employee and employer contributions to disability benefits  
6 provided pursuant to paragraph (b) of subdivision two of section two  
7 hundred four of this article during the prior calendar year, as deter-  
8 mined annually by the superintendent of financial services pursuant to  
9 subsection (n) of section four thousand two hundred thirty-five of the  
10 insurance law. A self-insurer shall submit reports to the superinten-  
11 dent of financial services for the purpose of determining forty percent  
12 of the average of the combination of all employee and employer contrib-  
13 utions to disability benefits provided pursuant to paragraph (b) of  
14 subdivision two of section two hundred four of this article during the  
15 prior calendar year, pursuant to subsection (n) of section four thousand  
16 two hundred thirty-five of the insurance law.

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

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

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

35 § 10. Subdivision 1 of section 217 of the workers' compensation law,  
36 as amended by section 16 of part SS of chapter 54 of the laws of 2016,  
37 is amended to read as follows:

38 1. Written notice and proof of disability or proof of need for family  
39 leave shall be furnished to the employer by or on behalf of the employee  
40 claiming benefits or, in the case of a claimant under section two  
41 hundred seven of this article, to the chair, within thirty days after  
42 commencement of the period of disability. Additional proof shall be  
43 furnished thereafter from time to time as the employer or carrier or  
44 chair may require but not more often than once each week. Such proof  
45 shall include a statement of disability by the employee's [attending  
46 physician or attending podiatrist or attending chiropractor or attending  
47 dentist or attending psychologist or attending certified nurse midwife  
48 or family leave care recipient's health care provider, or in the case of  
49 an employee who adheres to the faith or teachings of any church or  
50 denomination, and who in accordance with its creed, tenets or principles  
51 depends for healing upon prayer through spiritual means alone in the  
52 practice of religion, by an accredited practitioner,] health care  
53 provider containing facts and opinions as to such disability in compli-  
54 ance with regulations of the chair. Failure to furnish notice or proof  
55 within the time and in the manner above provided shall not invalidate  
56 the claim but no benefits shall be required to be paid for any period

1 more than two weeks prior to the date on which the required proof is  
2 furnished unless it shall be shown to the satisfaction of the chair not  
3 to have been reasonably possible to furnish such notice or proof and  
4 that such notice or proof was furnished as soon as possible; provided,  
5 however, that no benefits shall be paid unless the required proof [of  
6 disability] is furnished within the period of actual disability or fami-  
7 ly leave that does not exceed the statutory maximum period permitted  
8 under section two hundred four of this article. No limitation of time  
9 provided in this section shall run as against any disabled employee who  
10 is mentally incompetent, or physically incapable of providing such  
11 notice as a result of a serious medical condition, or a minor so long as  
12 such person has no guardian of the person and/or property.

13 § 11. Section 218 of the workers' compensation law, as added by chap-  
14 ter 600 of the laws of 1949, subdivision 2 as amended by chapter 809 of  
15 the laws of 1985, is amended to read as follows:

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

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

27 § 12. Section 221 of the workers' compensation law, as amended by  
28 section 19 of part SS of chapter 54 of the laws of 2016, is amended to  
29 read as follows:

30 § 221. Determination of contested claims for disability and family  
31 leave benefits. In accordance with regulations adopted by the chair,  
32 within twenty-six weeks of written notice of rejection of claim, the  
33 employee may file with the chair a notice that [his or her] their claim  
34 for disability or family leave benefits has not been paid, and the  
35 employee shall submit proof of disability or entitlement to family leave  
36 and of [his or her] their employment, wages and other facts reasonably  
37 necessary for determination of the employee's right to such benefits.  
38 Failure to file such notice within the time provided, may be excused if  
39 it can be shown not to have been reasonably possible to furnish such  
40 notice and that such notice was furnished as soon as possible. On demand  
41 the employer or carrier shall forthwith deliver to the board the  
42 original or a true copy of the health care provider's report, wage and  
43 employment data and all other documentation in the possession of the  
44 employer or carrier with respect to such claim.

45 The chair or designee, shall have full power and authority to deter-  
46 mine all issues in relation to every such claim for disability benefits  
47 required or provided under this article, and shall file its decision in  
48 the office of the chairman. Upon such filing, the chairman shall send to  
49 the parties a copy of the decision. Either party may present evidence  
50 and be represented by counsel at any hearing on such claim. The decision  
51 of the board shall be final as to all questions of fact and, except as  
52 provided in section twenty-three of this chapter, as to all questions of  
53 law. Every decision shall be complied with in accordance with its terms  
54 within ten days thereafter except as permitted by law upon the filing of  
55 a request for review, and any payments due under such decision shall  
56 draw simple interest from thirty days after the making thereof at the

1 rate provided in section five thousand four of the civil practice law  
2 and rules. The chair shall adopt rules and regulations to carry out the  
3 provisions of this article including but not limited to resolution of  
4 contested claims and requests for review thereof, and payment of costs  
5 for resolution of disputed claims by carriers. Any designated process  
6 shall afford the parties the opportunity to present evidence and to be  
7 represented by counsel in any such proceeding. The chair shall have the  
8 authority to provide for alternative dispute resolution procedures for  
9 claims arising under disability and family leave, including but not  
10 limited to referral and submission of disputed claims to a neutral arbi-  
11 trator under the auspices of an alternative dispute resolution associ-  
12 ation pursuant to article seventy-five of the civil practice law and  
13 rules. Neutral arbitrator shall mean an arbitrator who does not have a  
14 material interest in the outcome of the arbitration proceeding or an  
15 existing and substantial relationship, including but not limited to  
16 pecuniary interests, with a party, counsel or representative of a party.  
17 Any determination made by alternative dispute resolution shall not be  
18 reviewable by the board and the venue for any appeal shall be to a court  
19 of competent jurisdiction.

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

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

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

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

34 (4)(A) The superintendent shall establish by September first of each  
35 year the maximum employee contribution that a covered employer, as  
36 defined in section two hundred two of the workers' compensation law, is  
37 authorized to collect from each employee for the cost of disability  
38 benefits provided pursuant to article nine of the workers' compensation  
39 law through a group accident and health insurance policy or through a  
40 self-funded employer for its employees. Beginning January first, two  
41 thousand twenty-five, the maximum employee contribution amount shall be  
42 one-half of one percent of the employee's wages but shall not exceed  
43 forty percent of the average of the combination of all employee and  
44 employer contributions to disability benefits provided pursuant to para-  
45 graph (b) of subdivision two of section two hundred four of the workers'  
46 compensation law during the prior calendar year, which the superinten-  
47 dent shall determine and publish on the department's website.

48 (B) A self-funded employer shall submit reports to the superintendent  
49 for the purpose of determining forty percent of the average of the  
50 combination of all employee and employer contributions to disability  
51 benefits provided pursuant to paragraph (b) of subdivision two of  
52 section two hundred four of the workers' compensation law. A self-fund-  
53 ed employer shall submit a report to the superintendent by July first,  
54 two thousand twenty-four that sets forth employee and employer contrib-  
55 utions to disability benefits provided pursuant to paragraph (b) of  
56 subdivision two of section two hundred four of the workers' compensation



1 law for the year-ending two thousand twenty-three, in a format deter-  
 2 mined by the superintendent. Beginning April first, two thousand twen-  
 3 ty-five, and annually thereafter, a self-funded employer shall submit a  
 4 report to the superintendent that sets forth employee and employer  
 5 contributions to disability benefits provided pursuant to paragraph (b)  
 6 of subdivision two of section two hundred four of the workers' compen-  
 7 sation law for the prior calendar year, in a format determined by the  
 8 superintendent.

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

30 § 15. Section 2605 of the insurance law is amended to read as follows:  
 31 § 2605. Penalty for violating workers' compensation law. The super-  
 32 intendent may impose a penalty not to exceed twenty-five hundred dollars  
 33 per violation upon any insurer required to be licensed under the  
 34 provisions of this chapter, if, after notice to and a hearing of such  
 35 insurer, [he] the superintendent finds it has unreasonably failed to  
 36 comply with the workers' compensation law.

37 § 16. This act shall take effect immediately and shall apply to all  
 38 policies issued, renewed, modified, altered, or amended on or after  
 39 January 1, 2025.

40

## PART O

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

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

ARTICLE 45SAFE FOR KIDS ACT

47 Section 1500. Definitions.

48 1501. Prohibition of addictive feeds.

49 1502. Time controls.

50 1503. Age flags.

51 1504. Nondiscrimination.

52 1505. Rulemaking authority.

53 1506. Scope.

54 1507. Remedies.





1 § 1500. Definitions. For the purposes of this article, the following  
2 terms shall have the following meanings:

3 1. "Addictive feed" shall mean a website, online service, online  
4 application, or mobile application, or a portion thereof, in which  
5 multiple pieces of media generated or shared by users of a website,  
6 online service, online application, or mobile application, either  
7 concurrently or sequentially, are recommended, selected, or prioritized  
8 for display to a user based, in whole or in part, on information associ-  
9 ated with the user or the user's device, unless any of the following  
10 conditions are met, alone or in combination with one another:

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

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

17 (c) the user expressly and unambiguously requested the specific media  
18 or media by the author, creator, or poster of the media, provided that  
19 the media is not recommended, selected, or prioritized for display  
20 based, in whole or in part, on other information associated with the  
21 user or the user's device that is not otherwise permissible under this  
22 subdivision;

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

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

27 2. "Addictive social media platform" shall mean a website, online  
28 service, online application, or mobile application, that offers or  
29 provides users an addictive feed that is not incidental to the provision  
30 of such website, online service, online application, or mobile applica-  
31 tion.

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

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

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

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

39 7. "Operator" shall mean any person who operates or provides a website  
40 on the internet, an online service, an online application, or a mobile  
41 application.

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

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

44 § 1501. Prohibition of addictive feeds. 1. It shall be unlawful for  
45 the operator of an addictive social media platform to provide an addic-  
46 tive feed to a covered user unless:

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

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

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

54 3. Nothing in this section shall be construed as requiring the opera-  
55 tor of an addictive social media platform to give a parent who grants

1 verifiable parental consent any additional or special access to or  
2 control over the data or accounts of their child.

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

9 § 1502. Time controls. 1. It shall be unlawful for the operator of an  
10 addictive social media platform to, between the hours of 12 AM Eastern  
11 and 6 AM Eastern, send notifications concerning an addictive social  
12 media platform to a covered minor unless the operator has obtained veri-  
13  fiable parental consent to send such nighttime notifications.

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

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

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

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

24 § 1503. Age flags. For the purposes of this article, the operator of  
25 an addictive social medial platform shall treat a user as a minor if the  
26 user's device communicates or signals that the user is or shall be  
27 treated as a minor, including through a browser plug-in or privacy  
28 setting, device setting, or other mechanism.

29 § 1504. Nondiscrimination. An operator of an addictive social media  
30 platform shall not withhold, degrade, lower the quality, or increase the  
31 price of any product, service, or feature, other than as required by  
32 this article, to a covered user due to the operator not being permitted  
33 to provide an addictive feed to such covered user under subdivision one  
34 of section fifteen hundred one of this article or not being permitted to  
35 provide such covered user access to or send notifications concerning an  
36 addictive social media platform between the hours of 12 AM Eastern and 6  
37 AM Eastern under section fifteen hundred two of this article.

38 § 1505. Rulemaking authority. The attorney general may promulgate such  
39 rules and regulations as are necessary to effectuate and enforce the  
40 provisions of this article.

41 § 1506. Scope. 1. This article shall apply to conduct that occurs in  
42 whole or in part in New York. For purposes of this article, conduct  
43 takes place wholly outside of New York if the addictive social media  
44 platform is accessed by a user who is physically located outside of New  
45 York.

46 2. Nothing in this article shall be construed to impose liability for  
47 commercial activities or actions by operators subject to 15 U.S.C. §  
48 6501 that is inconsistent with the treatment of such activities or  
49 actions under 15 U.S.C. § 6502.

50 § 1507. Remedies. 1. Whenever it appears to the attorney general,  
51 either upon complaint or otherwise, that any person, within or outside  
52 the state, has engaged in or is about to engage in any of the acts or  
53 practices stated to be unlawful in this article, the attorney general  
54 may bring an action or special proceeding in the name and on behalf of  
55 the people of the state of New York to enjoin any violation of this  
56 article, to obtain restitution of any moneys or property obtained

1 directly or indirectly by any such violation, to obtain disgorgement of  
2 any profits or gains obtained directly or indirectly by any such  
3 violation, including but not limited to the destruction of unlawfully  
4 obtained data and algorithms trained on such data, to obtain damages  
5 caused directly or indirectly by any such violation, to obtain civil  
6 penalties of up to five thousand dollars per violation, and to obtain  
7 any such other and further relief as the court may deem proper, includ-  
8 ing preliminary relief.

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

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

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

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

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

18 4. The court shall award reasonable attorneys' fees to a prevailing  
19 plaintiff.

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

38 § 3. Severability. If any clause, sentence, paragraph, subdivision,  
39 section or part of this act shall be adjudged by any court of competent  
40 jurisdiction to be invalid, such judgment shall not affect, impair, or  
41 invalidate the remainder thereof, but shall be confined in its operation  
42 to the clause, sentence, paragraph, subdivision, section or part thereof  
43 directly involved in the controversy in which such judgment shall have  
44 been rendered. It is hereby declared to be the intent of the legislature  
45 that this act would have been enacted even if such invalid provisions  
46 had not been included herein.

47 § 4. This act shall take effect on the one hundred eightieth day after  
48 the office of the attorney general shall promulgate rules and regu-  
49 lations necessary to effectuate the provisions of this act; provided  
50 that the office of the attorney general shall notify the legislative  
51 bill drafting commission upon the occurrence of the enactment of the  
52 rules and regulations necessary to effectuate and enforce the  
53 provisions of section two of this act in order that the commission may  
54 maintain an accurate and timely effective data base of the official text  
55 of the laws of the state of New York in furtherance of effectuating the  
56 provisions of section 44 of the legislative law and section 70-b of the

1 public officers law. Effective immediately, the addition, amendment  
2 and/or repeal of any rule or regulation necessary for the implementation  
3 of this act on its effective date are authorized to be made and  
4 completed on or before such effective date.

5 PART P

6 Section 1. The general business law is amended by adding a new article  
7 39-FF to read as follows:

8 ARTICLE 39-FF

9 NEW YORK CHILD DATA PROTECTION ACT

10 Section 899-ee. Definitions.

11 899-ff. Privacy protection by default.

12 899-gg. Third parties.

13 899-hh. Ongoing safeguards.

14 899-ii. Respecting user-provided age flags.

15 899-jj. Protections for third-party operators.

16 899-kk. Rulemaking authority.

17 899-ll. Scope.

18 899-mm. Remedies.

19 § 899-ee. Definitions. For purposes of this article, the following  
20 terms shall have the following meanings:

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

24 (a) actually known by the operator of such website, online service,  
25 online application, mobile application, or connected device to be a  
26 minor; or

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

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

30 3. "Operator" shall mean any person:

31 (a) who operates or provides a website on the internet, online  
32 service, online application, mobile application, or connected device;  
33 and

34 (b) who:

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

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

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

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

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

48 5. "Process" or "processing" shall mean an operation or set of oper-  
49 ations performed on personal data, including but not limited to the  
50 collection, use, access, sharing, sale, monetization, analysis,  
51 retention, creation, generation, derivation, recording, organization,  
52 structuring, storage, disclosure, transmission, disposal, licensing,  
53 destruction, deletion, modification, or deidentification of personal  
54 data.

1 6. "Primarily directed to minors" shall mean a website, online  
2 service, online application, mobile application, or connected device, or  
3 a portion thereof, that is targeted to minors. A website, online  
4 service, online application, mobile application, or connected device, or  
5 portion thereof, shall not be deemed directed primarily to minors solely  
6 because such website, online service, online application, mobile appli-  
7 cation, or connected device, or portion thereof refers or links to any  
8 other website, online service, online application, mobile application,  
9 or connected device directed to minors by using information location  
10 tools, including a directory, index, reference, pointer, or hypertext  
11 link. A website, online service, online application, mobile application,  
12 or connected device, or portion thereof, shall be deemed directed to  
13 minors when it has actual knowledge that it is collecting personal data  
14 of users directly from users of another website, online service, online  
15 application, mobile application, or connected device primarily directed  
16 to minors.

17 7. "Sell" shall mean to share personal data for monetary or other  
18 valuable consideration. "Selling" shall not include the sharing of  
19 personal data for monetary or other valuable consideration to another  
20 person as an asset that is part of a merger, acquisition, bankruptcy, or  
21 other transaction in which that person assumes control of all or part of  
22 the operator's assets.

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

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

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

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

31 § 899-ff. Privacy protection by default. 1. Except as provided for in  
32 subdivision six of this section and section eight hundred ninety-nine-ff  
33 of this article, an operator shall not process, or allow a third party  
34 to process, the personal data of a covered user collected through the  
35 use of a website, online service, online application, mobile applica-  
36 tion, or connected device unless and to the extent:

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

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

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

46 (a) providing or maintaining a specific product or service requested  
47 by the covered user;

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

54 (c) identifying and repairing technical errors that impair existing or  
55 intended functionality;

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

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

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

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

8 (h) detecting, responding to, or preventing security incidents or  
9 threats; or

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

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

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

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

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

26 (iv) clearly and conspicuously state that the processing is optional,  
27 and that the covered user may decline without preventing continued use  
28 of the website, online service, online application, mobile application,  
29 or connected device; and

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

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

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

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

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

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

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

53 (a) dispose of, destroy, or delete all personal data of such covered  
54 user that it maintains, unless processing such personal data is permit-  
55 ted under 15 U.S.C. § 6502 and its implementing regulations, is strictly  
56 necessary for an activity listed in subdivision two of this section, or

1 informed consent is obtained as set forth in subdivision three of this  
2 section; and

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

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

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

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

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

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

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

32 (d) allow, and cooperate with, reasonable assessments by the operator  
33 or the operator's designated assessor for purposes of evaluating compli-  
34 ance with the obligations of this article. Alternatively, the third  
35 party may arrange for a qualified and independent assessor to conduct an  
36 assessment of the third-party's policies and technical and organiza-  
37 tional measures in support of the obligations under this article using  
38 an appropriate and accepted control standard or framework and assessment  
39 procedure for such assessments. The third party shall provide a report  
40 of such assessment to the operator upon request; and

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

45 § 899-hh. Ongoing safeguards. Upon learning that a user is no longer a  
46 covered user, an operator may not process the personal data of such  
47 person in a manner not previously permitted unless and until it receives  
48 informed consent pursuant to subdivision three of section eight hundred  
49 ninety-nine-ff of this article.

50 § 899-ii. Respecting user-provided age flags. 1. For the purposes of  
51 this article, an operator shall treat a user as a covered user if the  
52 user's device communicates or signals that the user is or shall be  
53 treated as a minor, including through a browser plug-in or privacy  
54 setting, device setting, or other mechanism.

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

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

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

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

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

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

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

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

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

40 § 899-mm. Remedies. 1. Whenever it appears to the attorney general,  
41 either upon complaint or otherwise, that any person, within or outside  
42 the state, has engaged in or is about to engage in any of the acts or  
43 practices stated to be unlawful in this article, the attorney general  
44 may bring an action or special proceeding in the name and on behalf of  
45 the people of the state of New York to enjoin any violation of this  
46 article, to obtain restitution of any moneys or property obtained  
47 directly or indirectly by any such violation, to obtain disgorgement of  
48 any profits or gains obtained directly or indirectly by any such  
49 violation, including but not limited to the destruction of unlawfully  
50 obtained data and algorithms trained on such data, to obtain damages  
51 caused directly or indirectly by any such violation, to obtain civil  
52 penalties of up to five thousand dollars per violation, and to obtain  
53 any such other and further relief as the court may deem proper, includ-  
54 ing preliminary relief.

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



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

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

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

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

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

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

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

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

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

44

## PART Q

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

47 2. Notwithstanding the provisions of subdivision one of this section,  
48 where the state and an employee organization representing state officers  
49 and employees who are in positions which are in collective negotiating  
50 units established pursuant to article fourteen of the civil service law  
51 enter into an agreement providing for an alternative procedure for the  
52 payment of salaries to such employees or where the director of employee  
53 relations shall authorize an alternative procedure for the payment of  
54 salaries to state officers or employees in the executive branch who are

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

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

30 (c) For officers and employees hired after the effective date of this  
31 act, the withholding of five days of salary shall be accomplished in the  
32 same manner provided in paragraph (a) of this section provided, however,  
33 such withholding shall be taken on the first five payment dates in which  
34 such new employees would otherwise have received their salary. Notwith-  
35 standing any other provision of law to the contrary, where the state and  
36 an employee organization representing officers and employees in the  
37 executive branch who are in positions which are in collective negotiat-  
38 ing units established pursuant to article fourteen of the civil service  
39 law enter into an agreement, or where the director of employee relations  
40 shall authorize for officers or employees in the executive branch who  
41 are in positions which are not in collective negotiating units, officers  
42 and employees hired on or after July first, two thousand twenty-four,  
43 shall not be subject to the withholding of five days of salary on their  
44 first five payment dates as specified herein. Such withholding shall not  
45 be taken for: (i) nonjudicial officers and employees of the unified  
46 court system hired on or after July first, two thousand twenty-four, if  
47 the chief administrator of the courts so elects; (ii) employees of the  
48 senate hired on or after July first, two thousand twenty-four, if the  
49 temporary president of the senate so elects; (iii) employees of the  
50 assembly hired on or after July first, two thousand twenty-four, if the  
51 speaker of the assembly so elects; and (iv) employees of joint legisla-  
52 tive employers hired on or after July first, two thousand twenty-four,  
53 if the temporary president of the senate and the speaker of the assembly  
54 mutually so elect for all such joint legislative employers. Any  
55 election made pursuant to subparagraph (i), (ii), (iii), or (iv) of this

1 paragraph shall be in writing and filed with the state comptroller not  
2 later than thirty days after the enactment of this legislation.

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

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

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

26

#### PART R

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

30 (a) [Interest shall be at the rate of nine per centum per annum,  
31 except where otherwise provided by statute; provided] Notwithstanding  
32 any other provision of law or regulation to the contrary, including any  
33 law or regulation that limits the annual rate of interest to be paid on  
34 a judgment or accrued claim, the annual rate of interest to be paid on a  
35 judgment or accrued claim shall be calculated at the one-year United  
36 States treasury bill rate. For purposes of this section, the "one-year  
37 United States treasury bill rate" means the weekly average one-year  
38 constant maturity treasury yield, as published by the board of governors  
39 of the federal reserve system, for the calendar week preceding the date  
40 of the entry of the judgment awarding damages; provided however, that  
41 this section shall not apply to any provision of the tax law which  
42 provides for the annual rate of interest to be paid on a judgment or  
43 accrued claim. Provided, however, the annual rate of interest to be paid  
44 in an action arising out of a consumer debt where a natural person is a  
45 defendant shall be two per centum per annum (i) on a judgment or accrued  
46 claim for judgments entered on or after the effective date of [the]  
47 chapter eight hundred thirty-one of the laws of two thousand twenty-one  
48 [which amended this section], and (ii) for interest upon a judgment  
49 pursuant to section five thousand three of this article from the date of  
50 the entry of judgment on any part of a judgment entered before the  
51 effective date of [the] chapter eight hundred thirty-one of the laws of  
52 two thousand twenty-one [which amended this section] that is unpaid as  
53 of such effective date.



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

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

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

16

## PART S

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

20 § 167-a. Reimbursement for medicare premium charges. Upon exclusion  
21 from the coverage of the health benefit plan of supplementary medical  
22 insurance benefits for which an active or retired employee or a depend-  
23 ent covered by the health benefit plan is or would be eligible under the  
24 federal old-age, survivors and disability insurance program, an amount  
25 equal to the standard medicare premium charge for such supplementary  
26 medical insurance benefits for such active or retired employee and his  
27 or her dependents, if any, shall be paid monthly or at other intervals  
28 to such active or retired employee from the health insurance fund.  
29 Furthermore, effective January first, two thousand twenty-five there  
30 shall be no payment whatsoever for the income related monthly adjustment  
31 amount incurred on or after January first, two thousand twenty-four to  
32 any active or retired employee and his or her dependents, if any. Where  
33 appropriate, such standard medicare premium amount may be deducted from  
34 contributions payable by the employee or retired employee; or where  
35 appropriate in the case of a retired employee receiving a retirement  
36 allowance, such standard medicare premium amount may be included with  
37 payments of his or her retirement allowance. All state employer, employ-  
38 ee, retired employee and dependent contributions to the health insurance  
39 fund, including contributions from public authorities, public benefit  
40 corporations or other quasi-public organizations of the state eligible  
41 for participation in the health benefit plan as authorized by subdivi-  
42 sion two of section one hundred sixty-three of this article, shall be  
43 adjusted as necessary to cover the cost of reimbursing federal old-age,  
44 survivors and disability insurance program premium charges under this  
45 section. This cost shall be included in the calculation of premium or  
46 subscription charges for health coverage provided to employees and  
47 retired employees of the state, public authorities, public benefit  
48 corporations or other quasi-public organizations of the state; provided,  
49 however, the state, public authorities, public benefit corporations or  
50 other quasi-public organizations of the state shall remain obligated to  
51 pay no less than its share of such increased cost consistent with its  
52 share of premium or subscription charges provided for by this article.  
53 All other employer contributions to the health insurance fund shall be  
54 adjusted as necessary to provide for such payments.



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

4

## PART T

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

8 2. The contract or contracts shall provide for health benefits for  
9 retired employees of the state and of the state colleges of agriculture,  
10 home economics, industrial labor relations and veterinary medicine, the  
11 state agricultural experiment station at Geneva, and any other institu-  
12 tion or agency under the management and control of Cornell university as  
13 the representative of the board of trustees of the state university of  
14 New York, and the state college of ceramics under the management and  
15 control of Alfred university as the representative of the board of trus-  
16 tees of the state university of New York, and their spouses and depend-  
17 ent children as defined by the regulations of the president, on such  
18 terms as the president may deem appropriate, and the president may  
19 authorize the inclusion in the plan of the employees and retired employ-  
20 ees of public authorities, public benefit corporations, school  
21 districts, special districts, district corporations, municipal corpo-  
22 rations excluding active employees and retired employees of cities  
23 having a population of one million or more inhabitants whose compen-  
24 sation is or was before retirement paid out of the city treasury, or  
25 other appropriate agencies, subdivisions or quasi-public organizations  
26 of the state, including active members of volunteer fire and volunteer  
27 ambulance companies serving one or more municipal corporations pursuant  
28 to subdivision seven of section ninety-two-a of the general municipal  
29 law, and their spouses and dependent children as defined by the regu-  
30 lations of the president. Notwithstanding any law or regulation to the  
31 contrary, active members of volunteer ambulance companies serving one or  
32 more municipal corporations pursuant to subdivision seven of section  
33 ninety-two-a of the general municipal law shall be eligible for health  
34 benefits regardless of the amount of funds derived from public sources.  
35 Any such corporation, district, agency or organization electing to  
36 participate in the plan shall be required to pay: (a) its proportionate  
37 share of the expenses of administration of the plan in such amounts and  
38 at such times as determined and fixed by the president; and (b) at the  
39 president's discretion, if such amount is not paid on the date due,  
40 interest for such late payment, as determined and fixed by the president  
41 and which in no case shall be greater than the interest incurred by the  
42 health insurance plan as a result of such late payment. For any amounts  
43 past due as of the effective date of this paragraph, interest shall be  
44 calculated on such amounts commencing thirty days after the effective  
45 date of this paragraph. All amounts payable for such expenses of admin-  
46 istration shall be paid to the commissioner of taxation and finance and  
47 shall be applied to the reimbursement of funds previously advanced for  
48 such purposes. Neither the state nor any other participant in the plan  
49 shall be charged with the particular experience attributable to the  
50 employees of the participant, and all dividends or retroactive rate  
51 credits shall be distributed pro-rata based upon the number of employees  
52 of such participant covered by the plan.



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

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

15 § 3. This act shall take effect immediately.

16

#### PART U

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

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

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

26 b. "County CEO" shall mean the county executive, county manager or  
27 other chief executive of the county, or, where none, the chair of the  
28 county legislative body.

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

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

33 2. County-wide shared services panels. a. There [shall] may be a coun-  
34 ty-wide shared services panel in each county consisting of the county  
35 CEO, and one representative from each city, town and village in the  
36 county. The chief executive officer of each town, city and village shall  
37 be the representative to a panel and shall be the mayor, if a city or a  
38 village, or shall be the supervisor, if a town. The county CEO shall  
39 serve as chair. [All panels established in each county pursuant to part  
40 BBB of chapter fifty-nine of the laws of two thousand seventeen, and  
41 prior to the enactment of this article, shall continue in satisfaction  
42 of this section in such form as they were established, provided that the  
43 county CEO may alter the membership of the panel consistent with para-  
44 graph b of this subdivision.]

45 b. The county CEO may invite any school district, board of cooperative  
46 educational services, fire district, fire protection district, or  
47 special improvement district in the county to join a panel. Upon such  
48 invitation, the governing body of such school district, board of cooper-  
49 ative educational services, fire district, fire protection district, or  
50 other special district may accept such invitation by selecting a repre-  
51 sentative of such governing body, by majority vote, to serve as a member  
52 of the panel. [Such school district, board of cooperative educational  
53 services, fire district, fire protection district or other special  
54 district shall maintain such representation until the panel either

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

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

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

28 4. While revising or updating a previously approved plan, or while  
29 developing a new plan, the county CEO shall regularly consult with, and  
30 take recommendations from, the representatives: on the panel; of each  
31 collective bargaining unit of the county and the cities, towns, and  
32 villages; and of each collective bargaining unit of any participating  
33 school district, board of cooperative educational services, fire  
34 district, fire protection district, or special improvement district.

35 5. The county CEO, the county legislative body and a panel shall  
36 accept input from the public, civic, business, labor and community lead-  
37 ers on any proposed plan. The county CEO shall cause to be conducted a  
38 minimum of three public hearings prior to submission of a plan to a vote  
39 of a panel. All such public hearings shall be conducted within the coun-  
40 ty, and public notice of all such hearings shall be provided at least  
41 one week prior in the manner prescribed in subdivision one of section  
42 one hundred four of the public officers law. Civic, business, labor, and  
43 community leaders, as well as members of the public, shall be permitted  
44 to provide public testimony at any such hearings.

45 6. a. The county CEO shall submit each plan, accompanied by a certifi-  
46 cation as to the accuracy of the savings contained therein, to the  
47 county legislative body at least forty-five days prior to a vote by the  
48 panel.

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

55 7. a. A panel shall duly consider any plan properly submitted to the  
56 panel by the county CEO and may approve such plan by a majority vote of

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

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

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

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

25 8. For each county, new shared services actions in an approved and  
26 submitted plan pursuant to this section or part BBB of chapter fifty-  
27 nine of the laws of two thousand seventeen, may be eligible for funding  
28 to match savings from such action, subject to available appropriation.  
29 Savings that are actually and demonstrably realized by the participating  
30 local governments are eligible for matching funding. For actions that  
31 are part of an approved plan transmitted to the secretary of state in  
32 accordance with paragraph b of subdivision seven of this section,  
33 savings achieved during either: (i) January first through December thir-  
34 ty-first from new actions implemented on or after January first through  
35 December thirty-first of the year immediately following an approved and  
36 transmitted plan, or (ii) July first of the year immediately following  
37 an approved and transmitted plan through June thirtieth of the subse-  
38 quent year from new actions implemented July first of the year imme-  
39 diately following an approved plan through June thirtieth of the subse-  
40 quent year may be eligible for matching funding. Only net savings  
41 between local governments for each action would be eligible for matching  
42 funding. Savings from internal efficiencies or any other action taken by  
43 a local government without the participation of another local government  
44 are not eligible for matching funding. Each county and all of the local  
45 governments within the county that are part of any action to be imple-  
46 mented as part of an approved plan must collectively apply for the  
47 matching funding and agree on the distribution and use of any matching  
48 funding in order to qualify for matching funding.

49 9. The department of state shall prepare a report to the governor, the  
50 temporary president of the senate and the speaker of the assembly on the  
51 county-wide shared services plans approved by the county-wide shared  
52 services panels created pursuant to part BBB of chapter fifty-nine of  
53 the laws of two thousand seventeen and this article and shall post the  
54 report on the department's website. Such report shall be provided on or  
55 before June thirtieth, two thousand twenty-five and shall include, but  
56 not be limited to, the following:



1 a. a detailed summary of projects included in county-wide shared  
2 services plans by category, such as:  
3 (1) public health and insurance;  
4 (2) emergency services;  
5 (3) sewer, water, and waste management systems;  
6 (4) energy procurement and efficiency;  
7 (5) parks and recreation;  
8 (6) education and workforce training;  
9 (7) law and courts;  
10 (8) shared equipment, personnel, and services;  
11 (9) joint purchasing;  
12 (10) governmental reorganization;  
13 (11) transportation and highway departments; and  
14 (12) records management and administrative functions.

15 b. for each of the counties the following information:  
16 (1) a detailed summary of each of the savings plans, including  
17 revisions and updates submitted each year or the statement explaining  
18 why the county did not approve a plan in any year;  
19 (2) the anticipated savings for each plan;  
20 (3) the number of cities, towns and villages in the county;  
21 (4) the number of cities, towns and villages that participated in a  
22 panel, as reported in a plan;  
23 (5) the number of school districts, boards of cooperative educational  
24 services, fire districts, fire protection districts, or other special  
25 districts in the county; and  
26 (6) the number of school districts, boards of cooperative educational  
27 services, fire districts, fire protection districts, or other special  
28 districts that participated in a panel, as reported in a plan.

29 10. The secretary of state may solicit, and the panels may provide at  
30 her or his request, advice and recommendations concerning matters  
31 related to the operations of local governments and shared services  
32 initiatives, including, but not limited to, making recommendations  
33 regarding grant proposals incorporating elements of shared services,  
34 government dissolutions, government and service consolidations, or prop-  
35 erty taxes and such other grants where the secretary deems the input of  
36 the panels to be in the best interest of the public. The panel shall  
37 advance such advice or recommendations by a vote of the majority of the  
38 members present at such meeting.

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

44 12. Notwithstanding any other provision of law to the contrary, monies  
45 constituting the funds of the village incorporation commission estab-  
46 lished pursuant to section 2-259 of the village law shall be deposited  
47 with the state comptroller and held for the purposes of the village  
48 incorporation commission established in article two of the village law;  
49 provided, however, that such monies shall be derived from the appropri-  
50 ation dedicated to the matching funds program pursuant to subdivision  
51 eight of this section and provided further, that such funding for such  
52 entity shall not be subject to the requirements of subdivision eight of  
53 this section related to savings.]

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

1

## PART V

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

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

12 The aggregate principal amount of such bonds, notes or other obli-  
13 gations outstanding shall not exceed [thirteen billion, five hundred  
14 million dollars (\$13,500,000,000)], beginning July first, two thousand  
15 twenty-four, nineteen billion five hundred million dollars  
16 (\$19,500,000,000), and beginning July first, two thousand twenty-five,  
17 twenty-five billion five hundred million dollars (\$25,500,000,000),  
18 excluding bonds, notes or other obligations issued pursuant to sections  
19 twenty-seven hundred ninety-nine-ss and twenty-seven hundred ninety-  
20 nine-tt of this title; provided, however, that upon any refunding or  
21 repayment of bonds (which term shall not, for this purpose, include bond  
22 anticipation notes), the total aggregate principal amount of outstanding  
23 bonds, notes or other obligations may be greater than [thirteen billion,  
24 five hundred million dollars (\$13,500,000,000)], beginning July first,  
25 two thousand twenty-four, nineteen billion five hundred million dollars  
26 (\$19,500,000,000), and beginning July first, two thousand twenty-five,  
27 twenty-five billion five hundred million dollars (\$25,500,000,000), only  
28 if the refunding or repayment bonds, notes or other obligations were  
29 issued in accordance with the provisions of subparagraph (a) of subdivi-  
30 sion two of paragraph b of section 90.10 of the local finance law, as  
31 amended from time to time. Notwithstanding the foregoing, bonds, notes  
32 or other obligations issued by the authority may be outstanding in an  
33 amount greater than the amount permitted by the preceding sentence,  
34 provided that such additional amount at issuance, together with the  
35 amount of indebtedness contracted by the city of New York, shall not  
36 exceed the limit prescribed by section 104.00 of the local finance law.  
37 The authority shall have the power from time to time to refund any bonds  
38 of the authority by the issuance of new bonds whether the bonds to be  
39 refunded have or have not matured, and may issue bonds partly to refund  
40 bonds of the authority then outstanding and partly to pay the cost of  
41 any project pursuant to section twenty-seven hundred ninety-nine-ff of  
42 this title. Bonds issued by the authority shall be payable solely out of  
43 particular revenues or other moneys of the authority as may be desig-  
44 nated in the proceedings of the authority under which the bonds shall be  
45 authorized to be issued, subject to any agreements entered into between  
46 the authority and the city, and subject to any agreements with the hold-  
47 ers of outstanding bonds pledging any particular revenues or moneys.

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

50

## PART W

51 Section 1. Paragraphs t, u and v of subdivision 10 of section 54 of  
52 the state finance law, paragraph v as relettered by section 3 of part K

1 of chapter 55 of the laws of 2013, are relettered paragraphs u, v and w  
2 and a new paragraph t is added to read as follows:

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

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

34 (ii) Within the annual amounts appropriated therefor, the secretary of  
35 state may award competitive grants to municipalities to cover costs  
36 associated with local government efficiency projects, including, but not  
37 limited to, planning for or implementation of a municipal consolidation  
38 or dissolution, a functional consolidation, a city or county charter  
39 revision that includes functional consolidation, shared or cooperative  
40 services, and regionalized delivery of services; provided, however, that  
41 such local government efficiency projects must demonstrate new opportu-  
42 nities for financial savings and operational efficiencies; provided,  
43 further, that eligible local government efficiency projects shall not  
44 include studies and plans for a local government re-organization eligi-  
45 ble to receive a local government citizens re-organization empowerment  
46 grant pursuant to paragraph q of this subdivision. The secretary of  
47 state may focus the grant program in specific functional areas, within  
48 distressed communities and areas of historically high local government  
49 costs and property taxes, or in areas of unique opportunity, in which  
50 case such areas of focus shall be detailed in a request for applica-  
51 tions.

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

55 (iv) Local government efficiency grants may be used to cover costs  
56 including, but not limited to, legal and consultant services, capital

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

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

25 (vi) Local matching funds equal to at least fifty percent of the total  
26 cost of activities under the grant work plan approved by the department  
27 of state shall be required for planning grants, and local matching funds  
28 equal to at least ten percent of the total cost of activities under the  
29 grant work plan approved by the department of state shall be required  
30 for implementation grants. In the event an applicant is implementing a  
31 project that the applicant developed through a successfully completed  
32 planning grant funded under the local government efficiency grant  
33 program or the shared municipal services incentive grant program, the  
34 local matching funds required shall be reduced by the local matching  
35 funds required by such successfully completed planning grant up to the  
36 amount of local matching funds required for the implementation grant.

37 (vii) In the selection of grant awards, the secretary of state shall  
38 give the highest priority to applications: (1) that would result in the  
39 dissolution or consolidation of municipalities; (2) that would implement  
40 the complete functional consolidation of a municipal service; or (3) by  
41 local governments with historically high costs of local government or  
42 sustained increases in property taxes. Priority will also be given to  
43 municipalities that have previously completed a planning grant pursuant  
44 to this program or the shared municipal services incentive grant  
45 program, and to local governments currently involved in regional devel-  
46 opment projects that have received funds through state community and  
47 infrastructure development programs.

48 (viii) Within one week of the receipt of an application, the depart-  
49 ment of state shall review the application to ensure the applicant has  
50 filed the correct application, and to determine if any required sections  
51 of the application contain no information. Within one business day of  
52 determining an applicant has filed an incorrect application, or deter-  
53 mining an application contains no information in a section required to  
54 contain information, the department shall so notify the applicant.  
55 Applicants shall be permitted to amend an application found to be miss-  
56 ing information, and such application shall be reconsidered for approval

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

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

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

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

25

## PART X

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

- 30 1. DOL-Child performer protection account (20401).
- 31 2. Local government records management account (20501).
- 32 3. Child health plus program account (20810).
- 33 4. EPIC premium account (20818).
- 34 5. Education - New (20901).
- 35 6. VLT - Sound basic education fund (20904).
- 36 7. Sewage treatment program management and administration fund  
37 (21000).
- 38 8. Hazardous bulk storage account (21061).
- 39 9. Utility environmental regulatory account (21064).
- 40 10. Federal grants indirect cost recovery account (21065).
- 41 11. Low level radioactive waste account (21066).
- 42 12. Recreation account (21067).
- 43 13. Public safety recovery account (21077).
- 44 14. Environmental regulatory account (21081).
- 45 15. Natural resource account (21082).
- 46 16. Mined land reclamation program account (21084).
- 47 17. Great lakes restoration initiative account (21087).
- 48 18. Environmental protection and oil spill compensation fund (21200).
- 49 19. Public transportation systems account (21401).
- 50 20. Metropolitan mass transportation (21402).
- 51 21. Operating permit program account (21451).
- 52 22. Mobile source account (21452).
- 53 23. Statewide planning and research cooperative system account  
54 (21902).



- 1 24. New York state thruway authority account (21905).
- 2 25. Financial control board account (21911).
- 3 26. Regulation of racing account (21912).
- 4 27. State university dormitory income reimbursable account (21937).
- 5 28. Criminal justice improvement account (21945).
- 6 29. Environmental laboratory reference fee account (21959).
- 7 30. Training, management and evaluation account (21961).
- 8 31. Clinical laboratory reference system assessment account (21962).
- 9 32. Indirect cost recovery account (21978).
- 10 33. Multi-agency training account (21989).
- 11 34. Bell jar collection account (22003).
- 12 35. Industry and utility service account (22004).
- 13 36. Real property disposition account (22006).
- 14 37. Parking account (22007).
- 15 38. Courts special grants (22008).
- 16 39. Asbestos safety training program account (22009).
- 17 40. Batavia school for the blind account (22032).
- 18 41. Investment services account (22034).
- 19 42. Surplus property account (22036).
- 20 43. Financial oversight account (22039).
- 21 44. Regulation of Indian gaming account (22046).
- 22 45. Rome school for the deaf account (22053).
- 23 46. Seized assets account (22054).
- 24 47. Administrative adjudication account (22055).
- 25 48. New York City assessment account (22062).
- 26 49. Cultural education account (22063).
- 27 50. Local services account (22078).
- 28 51. DHCR mortgage servicing account (22085).
- 29 52. Housing indirect cost recovery account (22090).
- 30 53. Voting Machine Examinations account (22099).
- 31 54. DHCR-HCA application fee account (22100).
- 32 55. Low income housing monitoring account (22130).
- 33 56. Restitution account (22134).
- 34 57. Corporation administration account (22135).
- 35 58. New York State Home for Veterans in the Lower-Hudson Valley
- 36 account (22144).
- 37 59. Deferred compensation administration account (22151).
- 38 60. Rent revenue other New York City account (22156).
- 39 61. Rent revenue account (22158).
- 40 62. Transportation aviation account (22165).
- 41 63. Tax revenue arrearage account (22168).
- 42 64. New York State Campaign Finance Fund account (22211).
- 43 65. New York state medical indemnity fund account (22240).
- 44 66. Behavioral health parity compliance fund (22246).
- 45 67. Pharmacy benefit manager regulatory fund (22255).
- 46 68. State university general income offset account (22654).
- 47 69. Lake George park trust fund account (22751).
- 48 70. Highway safety program account (23001).
- 49 71. DOH drinking water program account (23102).
- 50 72. NYCCC operating offset account (23151).
- 51 73. Commercial gaming revenue account (23701).
- 52 74. Commercial gaming regulation account (23702).
- 53 75. Highway use tax administration account (23801).
- 54 76. New York state secure choice administrative account (23806).
- 55 77. New York state cannabis revenue fund (24800).
- 56 78. Fantasy sports administration account (24951).



1 79. Mobile sports wagering fund (24955).  
2 80. Highway and bridge capital account (30051).  
3 81. State university residence hall rehabilitation fund (30100).  
4 82. State parks infrastructure account (30351).  
5 83. Clean water/clean air implementation fund (30500).  
6 84. Hazardous waste remedial cleanup account (31506).  
7 85. Youth facilities improvement account (31701).  
8 86. Housing assistance fund (31800).  
9 87. Housing program fund (31850).  
10 88. Highway facility purpose account (31951).  
11 89. New York racing account (32213).  
12 90. Capital miscellaneous gifts account (32214).  
13 91. Information technology capital financing account (32215).  
14 92. New York environmental protection and spill remediation account  
15 (32219).  
16 93. Mental hygiene facilities capital improvement fund (32300).  
17 94. Correctional facilities capital improvement fund (32350).  
18 95. New York State Storm Recovery Capital Fund (33000).  
19 96. OGS convention center account (50318).  
20 97. Empire Plaza Gift Shop (50327).  
21 98. Unemployment Insurance Benefit Fund, Interest Assessment Account  
22 (50651).  
23 99. Centralized services fund (55000).  
24 100. Archives records management account (55052).  
25 101. Federal single audit account (55053).  
26 102. Civil service administration account (55055).  
27 103. Civil service EHS occupational health program account (55056).  
28 104. Banking services account (55057).  
29 105. Cultural resources survey account (55058).  
30 106. Neighborhood work project account (55059).  
31 107. Automation & printing chargeback account (55060).  
32 108. OFT NYT account (55061).  
33 109. Data center account (55062).  
34 110. Intrusion detection account (55066).  
35 111. Domestic violence grant account (55067).  
36 112. Centralized technology services account (55069).  
37 113. Labor contact center account (55071).  
38 114. Human services contact center account (55072).  
39 115. Tax contact center account (55073).  
40 116. Department of law civil recoveries account (55074).  
41 117. Executive direction internal audit account (55251).  
42 118. CIO Information technology centralized services account (55252).  
43 119. Health insurance internal service account (55300).  
44 120. Civil service employee benefits division administrative account  
45 (55301).  
46 121. Correctional industries revolving fund (55350).  
47 122. Employees health insurance account (60201).  
48 123. Medicaid management information system escrow fund (60900).  
49 124. Virtual currency assessments account.  
50 125. Animal shelter regulation account.  
51 126. Department of financial services IT modernization capital  
52 account.  
53 § 2. The state comptroller is hereby authorized and directed to loan  
54 money in accordance with the provisions set forth in subdivision 5 of  
55 section 4 of the state finance law to any account within the following  
56 federal funds, provided the comptroller has made a determination that

1 sufficient federal grant award authority is available to reimburse such  
2 loans:

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

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

17 Economic Development and Public Authorities:

- 18 1. \$2,175,000 from the miscellaneous special revenue fund, underground  
19 facilities safety training account (22172), to the general fund.
- 20 2. An amount up to the unencumbered balance from the miscellaneous  
21 special revenue fund, business and licensing services account (21977),  
22 to the general fund.
- 23 3. \$19,810,000 from the miscellaneous special revenue fund, code  
24 enforcement account (21904), to the general fund.
- 25 4. \$3,000,000 from the general fund to the miscellaneous special  
26 revenue fund, tax revenue arrearage account (22168).

27 Education:

- 28 1. \$2,792,000,000 from the general fund to the state lottery fund,  
29 education account (20901), as reimbursement for disbursements made from  
30 such fund for supplemental aid to education pursuant to section 92-c of  
31 the state finance law that are in excess of the amounts deposited in  
32 such fund for such purposes pursuant to section 1612 of the tax law.
- 33 2. \$1,096,000,000 from the general fund to the state lottery fund, VLT  
34 education account (20904), as reimbursement for disbursements made from  
35 such fund for supplemental aid to education pursuant to section 92-c of  
36 the state finance law that are in excess of the amounts deposited in  
37 such fund for such purposes pursuant to section 1612 of the tax law.
- 38 3. \$121,600,000 from the general fund to the New York state commercial  
39 gaming fund, commercial gaming revenue account (23701), as reimbursement  
40 for disbursements made from such fund for supplemental aid to education  
41 pursuant to section 97-nnnn of the state finance law that are in excess  
42 of the amounts deposited in such fund for purposes pursuant to section  
43 1352 of the racing, pari-mutuel wagering and breeding law.
- 44 4. \$995,000,000 from the general fund to the mobile sports wagering  
45 fund, education account (24955), as reimbursement for disbursements made  
46 from such fund for supplemental aid to education pursuant to section  
47 92-c of the state finance law that are in excess of the amounts deposit-  
48 ed in such fund for such purposes pursuant to section 1367 of the  
49 racing, pari-mutuel wagering and breeding law.
- 50 5. \$25,000,000 from the interactive fantasy sports fund, fantasy  
51 sports education account (24950), to the state lottery fund, education  
52 account (20901), as reimbursement for disbursements made from such fund  
53 for supplemental aid to education pursuant to section 92-c of the state  
54 finance law.
- 55 6. An amount up to the unencumbered balance in the fund on March 31,  
56 2025 from the charitable gifts trust fund, elementary and secondary



1 education account (24901), to the general fund, for payment of general  
2 support for public schools pursuant to section 3609-a of the education  
3 law.

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

8 8. \$300,000 from the New York state local government records manage-  
9 ment improvement fund, local government records management account  
10 (20501), to the New York state archives partnership trust fund, archives  
11 partnership trust maintenance account (20351).

12 9. \$900,000 from the general fund to the miscellaneous special revenue  
13 fund, Batavia school for the blind account (22032).

14 10. \$900,000 from the general fund to the miscellaneous special reven-  
15 ue fund, Rome school for the deaf account (22053).

16 11. \$343,400,000 from the state university dormitory income fund  
17 (40350) to the miscellaneous special revenue fund, state university  
18 dormitory income reimbursable account (21937).

19 12. \$79,100,000 from the state university income fund, state universi-  
20 ty hospitals income reimbursable account (22656) to the general fund for  
21 hospital debt service for the period April 1, 2024 through March 31,  
22 2025.

23 13. \$24,000,000 from any of the state education department's special  
24 revenue and internal service funds to the miscellaneous special revenue  
25 fund, indirect cost recovery account (21978).

26 14. \$4,200,000 from any of the state education department's special  
27 revenue or internal service funds to the capital projects fund (30000).

28 15. \$30,013,000 from the general fund to the miscellaneous special  
29 revenue fund, HESC-insurance premium payments account (21960).

30 Environmental Affairs:

31 1. \$16,000,000 from any of the department of environmental conserva-  
32 tion's special revenue federal funds, and/or federal capital funds, to  
33 the environmental conservation special revenue fund, federal indirect  
34 recovery account (21065).

35 2. \$5,000,000 from any of the department of environmental conserva-  
36 tion's special revenue federal funds, and/or federal capital funds, to  
37 the conservation fund (21150) or Marine Resources Account (21151) as  
38 necessary to avoid diversion of conservation funds.

39 3. \$3,000,000 from any of the office of parks, recreation and historic  
40 preservation capital projects federal funds and special revenue federal  
41 funds to the miscellaneous special revenue fund, federal grant indirect  
42 cost recovery account (22188).

43 4. \$1,000,000 from any of the office of parks, recreation and historic  
44 preservation special revenue federal funds to the miscellaneous capital  
45 projects fund, I love NY water account (32212).

46 5. \$100,000,000 from the general fund to the environmental protection  
47 fund, environmental protection fund transfer account (30451).

48 6. \$6,000,000 from the general fund to the hazardous waste remedial  
49 fund, hazardous waste oversight and assistance account (31505).

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



- 1 8. \$1,800,000 from the miscellaneous special revenue fund, public  
2 service account (22011) to the miscellaneous special revenue fund, util-  
3 ity environmental regulatory account (21064).
- 4 9. \$7,000,000 from the general fund to the enterprise fund, state fair  
5 account (50051).
- 6 10. \$10,000,000 from the waste management & cleanup account (21053) to  
7 the general fund.
- 8 11. \$3,000,000 from the waste management & cleanup account (21053) to  
9 the environmental protection fund transfer account (30451).
- 10 12. \$10,000,000 from the general fund to the miscellaneous special  
11 revenue fund, patron services account (22163).
- 12 13. \$15,000,000 from the enterprise fund, golf account (50332) to the  
13 state park infrastructure fund, state park infrastructure account  
14 (30351).
- 15 Family Assistance:
- 16 1. \$7,000,000 from any of the office of children and family services,  
17 office of temporary and disability assistance, or department of health  
18 special revenue federal funds and the general fund, in accordance with  
19 agreements with social services districts, to the miscellaneous special  
20 revenue fund, office of human resources development state match account  
21 (21967).
- 22 2. \$4,000,000 from any of the office of children and family services  
23 or office of temporary and disability assistance special revenue federal  
24 funds to the miscellaneous special revenue fund, family preservation and  
25 support services and family violence services account (22082).
- 26 3. \$18,670,000 from any of the office of children and family services,  
27 office of temporary and disability assistance, or department of health  
28 special revenue federal funds and any other miscellaneous revenues  
29 generated from the operation of office of children and family services  
30 programs to the general fund.
- 31 4. \$205,000,000 from any of the office of temporary and disability  
32 assistance or department of health special revenue funds to the general  
33 fund.
- 34 5. \$2,500,000 from any of the office of temporary and disability  
35 assistance special revenue funds to the miscellaneous special revenue  
36 fund, office of temporary and disability assistance program account  
37 (21980).
- 38 6. \$35,000,000 from any of the office of children and family services,  
39 office of temporary and disability assistance, department of labor, and  
40 department of health special revenue federal funds to the office of  
41 children and family services miscellaneous special revenue fund, multi-  
42 agency training contract account (21989).
- 43 7. \$205,000,000 from the miscellaneous special revenue fund, youth  
44 facility per diem account (22186), to the general fund.
- 45 8. \$621,850 from the general fund to the combined gifts, grants, and  
46 bequests fund, WB Hoyt Memorial account (20128).
- 47 9. \$5,000,000 from the miscellaneous special revenue fund, state  
48 central registry (22028), to the general fund.
- 49 10. \$900,000 from the general fund to the Veterans' Remembrance and  
50 Cemetery Maintenance and Operation account (20201).
- 51 11. \$5,000,000 from the general fund to the housing program fund  
52 (31850).
- 53 12. \$10,000,000 from any of the office of children and family services  
54 special revenue federal funds to the office of the court administration  
55 special revenue other federal iv-e funds account.
- 56 General Government:

- 1 1. \$9,000,000 from the general fund to the health insurance revolving  
2 fund (55300).
- 3 2. \$292,400,000 from the health insurance reserve receipts fund  
4 (60550) to the general fund.
- 5 3. \$150,000 from the general fund to the not-for-profit revolving loan  
6 fund (20650).
- 7 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the  
8 general fund.
- 9 5. \$3,000,000 from the miscellaneous special revenue fund, surplus  
10 property account (22036), to the general fund.
- 11 6. \$19,000,000 from the miscellaneous special revenue fund, revenue  
12 arrearage account (22024), to the general fund.
- 13 7. \$3,326,000 from the miscellaneous special revenue fund, revenue  
14 arrearage account (22024), to the miscellaneous special revenue fund,  
15 authority budget office account (22138).
- 16 8. \$1,000,000 from the miscellaneous special revenue fund, parking  
17 account (22007), to the general fund, for the purpose of reimbursing the  
18 costs of debt service related to state parking facilities.
- 19 9. \$11,460,000 from the general fund to the agencies internal service  
20 fund, central technology services account (55069), for the purpose of  
21 enterprise technology projects.
- 22 10. \$10,000,000 from the general fund to the agencies internal service  
23 fund, state data center account (55062).
- 24 11. \$12,000,000 from the miscellaneous special revenue fund, parking  
25 account (22007), to the centralized services, building support services  
26 account (55018).
- 27 12. \$33,000,000 from the general fund to the internal service fund,  
28 business services center account (55022).
- 29 13. \$8,000,000 from the general fund to the internal service fund,  
30 building support services account (55018).
- 31 14. \$1,500,000 from the combined expendable trust fund, plaza special  
32 events account (20120), to the general fund.
- 33 15. \$50,000,000 from the New York State cannabis revenue fund (24800)  
34 to the general fund.
- 35 16. A transfer from the general fund to the miscellaneous special  
36 revenue fund, New York State Campaign Finance Fund Account (22211), up  
37 to an amount equal to total reimbursements due to qualified candidates.
- 38 17. \$6,000,000 from the miscellaneous special revenue fund, standards  
39 and purchasing account (22019), to the general fund.
- 40 18. \$5,600,000 from the banking department special revenue fund  
41 (21970) funded by the assessment to defray operating expenses authorized  
42 by section 206 of the financial services law to the IT Modernization  
43 Capital Fund.
- 44 19. \$8,400,000 from the insurance department special revenue fund  
45 (21994) funded by the assessment to defray operating expenses authorized  
46 by section 206 of the financial services law to the IT Modernization  
47 Capital Fund.
- 48 20. \$500,000 from the pharmacy benefits bureau special revenue fund  
49 (22255) funded by the assessment to defray operating expenses authorized  
50 by section 206 of the financial services law, to the IT Modernization  
51 Capital Fund.
- 52 21. \$500,000 from the virtual currency special revenue fund (22262)  
53 funded by the assessment to defray operating expenses authorized by  
54 section 206 of the financial services law, to the IT Modernization Capi-  
55 tal Fund.
- 56 Health:



- 1 1. A transfer from the general fund to the combined gifts, grants and  
2 bequests fund, breast cancer research and education account (20155), up  
3 to an amount equal to the monies collected and deposited into that  
4 account in the previous fiscal year.
- 5 2. A transfer from the general fund to the combined gifts, grants and  
6 bequests fund, prostate cancer research, detection, and education  
7 account (20183), up to an amount equal to the moneys collected and  
8 deposited into that account in the previous fiscal year.
- 9 3. A transfer from the general fund to the combined gifts, grants and  
10 bequests fund, Alzheimer's disease research and assistance account  
11 (20143), up to an amount equal to the moneys collected and deposited  
12 into that account in the previous fiscal year.
- 13 4. \$3,600,000 from the miscellaneous special revenue fund, certificate  
14 of need account (21920), to the miscellaneous capital projects fund,  
15 healthcare IT capital subfund (32216).
- 16 5. \$4,000,000 from the miscellaneous special revenue fund, vital  
17 health records account (22103), to the miscellaneous capital projects  
18 fund, healthcare IT capital subfund (32216).
- 19 6. \$6,000,000 from the miscellaneous special revenue fund, profes-  
20 sional medical conduct account (22088), to the miscellaneous capital  
21 projects fund, healthcare IT capital subfund (32216).
- 22 7. \$131,000,000 from the HCRA resources fund (20800) to the capital  
23 projects fund (30000).
- 24 8. \$6,550,000 from the general fund to the medical cannabis trust  
25 fund, health operation and oversight account (23755).
- 26 9. An amount up to the unencumbered balance from the charitable gifts  
27 trust fund, health charitable account (24900), to the general fund, for  
28 payment of general support for primary, preventive, and inpatient health  
29 care, dental and vision care, hunger prevention and nutritional assist-  
30 ance, and other services for New York state residents with the overall  
31 goal of ensuring that New York state residents have access to quality  
32 health care and other related services.
- 33 10. \$500,000 from the miscellaneous special revenue fund, New York  
34 State cannabis revenue fund (24800), to the miscellaneous special reven-  
35 ue fund, environmental laboratory fee account (21959).
- 36 11. An amount up to the unencumbered balance from the public health  
37 emergency charitable gifts trust fund (23816), to the general fund, for  
38 payment of goods and services necessary to respond to a public health  
39 disaster emergency or to assist or aid in responding to such a disaster.
- 40 12. \$1,000,000,000 from the general fund to the health care transfor-  
41 mation fund (24850).
- 42 13. \$2,590,000 from the miscellaneous special revenue fund, patient  
43 safety center account (22140), to the general fund.
- 44 14. \$1,000,000 from the miscellaneous special revenue fund, nursing  
45 home receivership account (21925), to the general fund.
- 46 15. \$130,000 from the miscellaneous special revenue fund, quality of  
47 care account (21915), to the general fund.
- 48 16. \$2,200,000 from the miscellaneous special revenue fund, adult home  
49 quality enhancement account (22091), to the general fund.
- 50 17. \$22,113,000 from the general fund, to the miscellaneous special  
51 revenue fund, helen hayes hospital account (22140).
- 52 18. \$4,850,000 from the general fund, to the miscellaneous special  
53 revenue fund, New York city veterans' home account (22141).
- 54 19. \$3,675,000 from the general fund, to the miscellaneous special  
55 revenue fund, New York state home for veterans' and their dependents at  
56 oxford account (22142).



- 1 20. \$2,055,000 from the general fund, to the miscellaneous special  
2 revenue fund, western New York veterans' home account (22143).
- 3 21. \$6,451,000 from the general fund, to the miscellaneous special  
4 revenue fund, New York state for veterans in the lower-hudson valley  
5 account (22144).
- 6 Labor:
- 7 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and  
8 penalty account (21923), to the child performer's protection fund, child  
9 performer protection account (20401).
- 10 2. \$11,700,000 from the unemployment insurance interest and penalty  
11 fund, unemployment insurance special interest and penalty account  
12 (23601), to the general fund.
- 13 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-  
14 ment insurance special interest and penalty account (23601), and public  
15 work enforcement account (21998), to the general fund.
- 16 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator  
17 safety program fund (22252) to the miscellaneous special revenue fund,  
18 DOL fee and penalty account (21923).
- 19 Mental Hygiene:
- 20 1. \$3,800,000 from the general fund, to the agencies internal service  
21 fund, civil service EHS occupational health program account (55056).
- 22 2. \$2,000,000 from the general fund, to the mental hygiene facilities  
23 capital improvement fund (32300).
- 24 3. \$20,000,000 from the opioid settlement fund (23817) to the miscel-  
25 laneous capital projects fund, opioid settlement capital account  
26 (32200).
- 27 4. \$20,000,000 from the miscellaneous capital projects fund, opioid  
28 settlement capital account (32200) to the opioid settlement fund  
29 (23817).
- 30 Public Protection:
- 31 1. \$1,350,000 from the miscellaneous special revenue fund, emergency  
32 management account (21944), to the general fund.
- 33 2. \$2,587,000 from the general fund to the miscellaneous special  
34 revenue fund, recruitment incentive account (22171).
- 35 3. \$23,773,000 from the general fund to the correctional industries  
36 revolving fund, correctional industries internal service account  
37 (55350).
- 38 4. \$2,000,000,000 from any of the division of homeland security and  
39 emergency services special revenue federal funds to the general fund.
- 40 5. \$115,420,000 from the state police motor vehicle law enforcement  
41 and motor vehicle theft and insurance fraud prevention fund, state  
42 police motor vehicle enforcement account (22802), to the general fund  
43 for state operation expenses of the division of state police.
- 44 6. \$138,272,000 from the general fund to the correctional facilities  
45 capital improvement fund (32350).
- 46 7. \$5,000,000 from the general fund to the dedicated highway and  
47 bridge trust fund (30050) for the purpose of work zone safety activities  
48 provided by the division of state police for the department of transpor-  
49 tation.
- 50 8. \$10,000,000 from the miscellaneous special revenue fund, statewide  
51 public safety communications account (22123), to the capital projects  
52 fund (30000).
- 53 9. \$9,830,000 from the miscellaneous special revenue fund, legal  
54 services assistance account (22096), to the general fund.
- 55 10. \$1,000,000 from the general fund to the agencies internal service  
56 fund, neighborhood work project account (55059).

- 1 11. \$7,980,000 from the miscellaneous special revenue fund, finger-  
2 print identification & technology account (21950), to the general fund.
- 3 12. \$1,100,000 from the state police motor vehicle law enforcement and  
4 motor vehicle theft and insurance fraud prevention fund, motor vehicle  
5 theft and insurance fraud account (22801), to the general fund.
- 6 13. \$38,938,000 from the general fund to the miscellaneous special  
7 revenue fund, criminal justice improvement account (21945).
- 8 14. \$6,000,000 from the general fund to the miscellaneous special  
9 revenue fund, hazard mitigation revolving loan account.
- 10 15. \$234,000,000 from the indigent legal services fund, indigent legal  
11 services account (23551) to the general fund.
- 12 Transportation:
  - 13 1. \$20,000,000 from the general fund to the mass transportation oper-  
14 ating assistance fund, public transportation systems operating assist-  
15 ance account (21401), of which \$12,000,000 constitutes the base need for  
16 operations.
  - 17 2. \$727,500,000 from the general fund to the dedicated highway and  
18 bridge trust fund (30050).
  - 19 3. \$244,250,000 from the general fund to the MTA financial assistance  
20 fund, mobility tax trust account (23651).
  - 21 4. \$5,000,000 from the miscellaneous special revenue fund, transporta-  
22 tion regulation account (22067) to the dedicated highway and bridge  
23 trust fund (30050), for disbursements made from such fund for motor  
24 carrier safety that are in excess of the amounts deposited in the dedi-  
25 cated highway and bridge trust fund (30050) for such purpose pursuant to  
26 section 94 of the transportation law.
  - 27 5. \$477,000 from the miscellaneous special revenue fund, traffic adju-  
28 dication account (22055), to the general fund.
  - 29 6. \$5,000,000 from the miscellaneous special revenue fund, transporta-  
30 tion regulation account (22067) to the general fund, for disbursements  
31 made from such fund for motor carrier safety that are in excess of the  
32 amounts deposited in the general fund for such purpose pursuant to  
33 section 94 of the transportation law.
- 34 Miscellaneous:
  - 35 1. \$500,000,000 from the general fund to any funds or accounts for the  
36 purpose of reimbursing certain outstanding accounts receivable balances.
  - 37 2. \$500,000,000 from the general fund to the debt reduction reserve  
38 fund (40000).
  - 39 3. \$450,000,000 from the New York state storm recovery capital fund  
40 (33000) to the revenue bond tax fund (40152).
  - 41 4. \$15,500,000 from the general fund, community projects account GG  
42 (10256), to the general fund, state purposes account (10050).
  - 43 5. \$100,000,000 from any special revenue federal fund to the general  
44 fund, state purposes account (10050).
  - 45 6. \$3,650,000,000 from the special revenue federal fund, ARPA-Fiscal  
46 Recovery Fund (25546) to the general fund, state purposes account  
47 (10050) to cover eligible costs incurred by the state.
  - 48 7. \$1,000,000,000 from the general fund to the hazardous waste over-  
49 sight and assistance account (31505), State parks infrastructure account  
50 (30351), environmental protection fund transfer account (30451), the  
51 correctional facilities capital improvement fund (32350), housing  
52 program fund (31850), or the Mental hygiene facilities capital improve-  
53 ment fund (32300), up to an amount equal to certain outstanding accounts  
54 receivable balances.



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

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

10 2. Upon request of the commissioner of agriculture and markets, up to  
11 \$3,000,000 from any special revenue fund or enterprise fund within the  
12 department of agriculture and markets to the general fund, to pay appro-  
13 priate administrative expenses.

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

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

23 5. Upon request of the commissioner of health up to \$13,694,000 from  
24 revenues credited to any of the department of health's special revenue  
25 funds, to the miscellaneous special revenue fund, administration account  
26 (21982).

27 6. Upon the request of the attorney general, up to \$4,000,000 from  
28 revenues credited to the federal health and human services fund, federal  
29 health and human services account (25117) or the miscellaneous special  
30 revenue fund, recoveries and revenue account (22041), to the miscella-  
31 neous special revenue fund, litigation settlement and civil recovery  
32 account (22117).

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

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

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

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

6 § 8a. Notwithstanding any law to the contrary, and in accordance with  
7 section 4 of the state finance law, the comptroller is hereby authorized  
8 and directed to transfer, upon request of the director of the budget, a  
9 total of up to \$100,000,000 from the general fund to the state universi-  
10 ty income fund, state university general revenue offset account (22655)  
11 and/or the state university income fund, state university hospitals  
12 income reimbursable account (22656) during the period July 1, 2024  
13 through June 30, 2025 to pay costs attributable to the state university  
14 health science center at Brooklyn and/or the state university of New  
15 York hospital at Brooklyn, respectively, pursuant to a transformation  
16 plan approved by the director of the budget.

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

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

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

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

47 § 13. Notwithstanding any law to the contrary, and in accordance with  
48 section 4 of the state finance law, the comptroller is hereby authorized  
49 and directed to transfer, upon request of the state university chancel-  
50 lor or his or her designee, up to \$55,000,000 from the state university  
51 income fund, state university hospitals income reimbursable account  
52 (22656), for services and expenses of hospital operations and capital  
53 expenditures at the state university hospitals; and the state university  
54 income fund, Long Island veterans' home account (22652) to the state  
55 university capital projects fund (32400) on or before June 30, 2025.



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

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

32 § 16. Notwithstanding any law to the contrary, and in accordance with  
33 section 4 of the state finance law, the comptroller is hereby authorized  
34 and directed to transfer, at the request of the director of the budget,  
35 up to \$1 billion from the unencumbered balance of any special revenue  
36 fund or account, agency fund or account, internal service fund or  
37 account, enterprise fund or account, or any combination of such funds  
38 and accounts, to the general fund. The amounts transferred pursuant to  
39 this authorization shall be in addition to any other transfers expressly  
40 authorized in the 2024-25 budget. Transfers from federal funds, debt  
41 service funds, capital projects funds, the community projects fund, or  
42 funds that would result in the loss of eligibility for federal benefits  
43 or federal funds pursuant to federal law, rule, or regulation as assent-  
44 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of  
45 1951 are not permitted pursuant to this authorization.

46 § 17. Notwithstanding any law to the contrary, and in accordance with  
47 section 4 of the state finance law, the comptroller is hereby authorized  
48 and directed to transfer, at the request of the director of the budget,  
49 up to \$100 million from any non-general fund or account, or combination  
50 of funds and accounts, to the miscellaneous special revenue fund, tech-  
51 nology financing account (22207), the miscellaneous capital projects  
52 fund, the federal capital projects account (31350), information technol-  
53 ogy capital financing account (32215), or the centralized technology  
54 services account (55069), for the purpose of consolidating technology  
55 procurement and services. The amounts transferred to the miscellaneous  
56 special revenue fund, technology financing account (22207) pursuant to

1 this authorization shall be equal to or less than the amount of such  
2 monies intended to support information technology costs which are  
3 attributable, according to a plan, to such account made in pursuance to  
4 an appropriation by law. Transfers to the technology financing account  
5 shall be completed from amounts collected by non-general funds or  
6 accounts pursuant to a fund deposit schedule or permanent statute, and  
7 shall be transferred to the technology financing account pursuant to a  
8 schedule agreed upon by the affected agency commissioner. Transfers from  
9 funds that would result in the loss of eligibility for federal benefits  
10 or federal funds pursuant to federal law, rule, or regulation as assent-  
11 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of  
12 1951 are not permitted pursuant to this authorization.

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

29 § 19. Notwithstanding any provision of law to the contrary, as deemed  
30 feasible and advisable by its trustees, the power authority of the state  
31 of New York is authorized and directed to transfer to the state treasury  
32 to the credit of the general fund up to \$20,000,000 for the state fiscal  
33 year commencing April 1, 2024, the proceeds of which will be utilized to  
34 support energy-related state activities.

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

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

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

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

4 5. Notwithstanding the provisions of section one hundred seventy-one-a  
5 of the tax law, as separately amended by chapters four hundred eighty-  
6 one and four hundred eighty-four of the laws of nineteen hundred eight-  
7 y-one, and notwithstanding the provisions of chapter ninety-four of the  
8 laws of two thousand eleven, or any other provisions of law to the  
9 contrary, during the fiscal year beginning April first, two thousand  
10 [twenty-three] twenty-four, the state comptroller is hereby authorized  
11 and directed to deposit to the fund created pursuant to this section  
12 from amounts collected pursuant to article twenty-two of the tax law and  
13 pursuant to a schedule submitted by the director of the budget, up to  
14 [[\$1,716,913,000] \$1,575,393,000 as may be certified in such schedule as  
15 necessary to meet the purposes of such fund for the fiscal year begin-  
16 ning April first, two thousand [twenty-three] twenty-four.

17 § 24. Notwithstanding any law to the contrary, the comptroller is  
18 hereby authorized and directed to transfer, upon request of the director  
19 of the budget, on or before March 31, 2025, the following amounts from  
20 the following special revenue accounts to the capital projects fund  
21 (30000), for the purposes of reimbursement to such fund for expenses  
22 related to the maintenance and preservation of state assets:

23 1. \$43,000 from the miscellaneous special revenue fund, administrative  
24 program account (21982).

25 2. \$1,537,000 from the miscellaneous special revenue fund, helen hayes  
26 hospital account (22140).

27 3. \$474,000 from the miscellaneous special revenue fund, New York city  
28 veterans' home account (22141).

29 4. \$593,000 from the miscellaneous special revenue fund, New York  
30 state home for veterans' and their dependents at oxford account (22142).

31 5. \$177,000 from the miscellaneous special revenue fund, western New  
32 York veterans' home account (22143).

33 6. \$336,000 from the miscellaneous special revenue fund, New York  
34 state for veterans in the lower-hudson valley account (22144).

35 7. \$2,550,000 from the miscellaneous special revenue fund, patron  
36 services account (22163).

37 8. \$9,173,000 from the miscellaneous special revenue fund, state  
38 university general income reimbursable account (22653).

39 9. \$150,218,000 from the miscellaneous special revenue fund, state  
40 university revenue offset account (22655).

41 10. \$50,197,000 from the state university dormitory income fund, state  
42 university dormitory income fund (40350).

43 11. \$1,000,000 from the miscellaneous special revenue fund, litigation  
44 settlement and civil recovery account (22117).

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

48 6. Notwithstanding any law to the contrary, at the beginning of the  
49 state fiscal year, the state comptroller is hereby authorized and  
50 directed to receive for deposit to the credit of a fund and/or an  
51 account such monies as are identified by the director of the budget as  
52 having been intended for such deposit to support disbursements from such  
53 fund and/or account made in pursuance of an appropriation by law. As  
54 soon as practicable upon enactment of the budget, the director of the  
55 budget shall, but not less than three days following preliminary  
56 submission to the chairs of the senate finance committee and the assem-

1 bly ways and means committee, file with the state comptroller an iden-  
2 tification of specific monies to be so deposited. Any subsequent change  
3 regarding the monies to be so deposited shall be filed by the director  
4 of the budget, as soon as practicable, but not less than three days  
5 following preliminary submission to the chairs of the senate finance  
6 committee and the assembly ways and means committee.

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

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

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

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

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

26 § 27. Notwithstanding any other law, rule, or regulation to the  
27 contrary, the state comptroller is hereby authorized and directed to use  
28 any balance remaining in the mental health services fund debt service  
29 appropriation, after payment by the state comptroller of all obligations  
30 required pursuant to any lease, sublease, or other financing arrangement  
31 between the dormitory authority of the state of New York as successor to  
32 the New York state medical care facilities finance agency, and the  
33 facilities development corporation pursuant to chapter 83 of the laws of  
34 1995 and the department of mental hygiene for the purpose of making  
35 payments to the dormitory authority of the state of New York for the  
36 amount of the earnings for the investment of monies deposited in the  
37 mental health services fund that such agency determines will or may have  
38 to be rebated to the federal government pursuant to the provisions of  
39 the internal revenue code of 1986, as amended, in order to enable such  
40 agency to maintain the exemption from federal income taxation on the  
41 interest paid to the holders of such agency's mental services facilities  
42 improvement revenue bonds. Annually on or before each June 30th, such  
43 agency shall certify to the state comptroller its determination of the  
44 amounts received in the mental health services fund as a result of the  
45 investment of monies deposited therein that will or may have to be  
46 rebated to the federal government pursuant to the provisions of the  
47 internal revenue code of 1986, as amended.

48 § 28. Subdivision 1 of section 16 of part D of chapter 389 of the laws  
49 of 1997, relating to the financing of the correctional facilities  
50 improvement fund and the youth facility improvement fund, as amended by  
51 section 27 of part PP of chapter 56 of the laws of 2023, is amended to  
52 read as follows:

53 1. Subject to the provisions of chapter 59 of the laws of 2000, but  
54 notwithstanding the provisions of section 18 of section 1 of chapter 174  
55 of the laws of 1968, the New York state urban development corporation is  
56 hereby authorized to issue bonds, notes and other obligations in an

1 aggregate principal amount not to exceed [nine billion eight hundred  
2 sixty-five million eight hundred fifty-nine thousand dollars  
3 \$9,865,859,000] ten billion two hundred ninety-nine million three  
4 hundred fifty-nine thousand dollars \$10,299,359,000, and shall include  
5 all bonds, notes and other obligations issued pursuant to chapter 56 of  
6 the laws of 1983, as amended or supplemented. The proceeds of such  
7 bonds, notes or other obligations shall be paid to the state, for depos-  
8 it in the correctional facilities capital improvement fund to pay for  
9 all or any portion of the amount or amounts paid by the state from  
10 appropriations or reappropriations made to the department of corrections  
11 and community supervision from the correctional facilities capital  
12 improvement fund for capital projects. The aggregate amount of bonds,  
13 notes or other obligations authorized to be issued pursuant to this  
14 section shall exclude bonds, notes or other obligations issued to refund  
15 or otherwise repay bonds, notes or other obligations theretofore issued,  
16 the proceeds of which were paid to the state for all or a portion of the  
17 amounts expended by the state from appropriations or reappropriations  
18 made to the department of corrections and community supervision;  
19 provided, however, that upon any such refunding or repayment the total  
20 aggregate principal amount of outstanding bonds, notes or other obli-  
21 gations may be greater than [nine billion eight hundred sixty-five  
22 million eight hundred fifty-nine thousand dollars \$9,865,859,000] ten  
23 billion two hundred ninety-nine million three hundred fifty-nine thou-  
24 sand dollars \$10,299,359,000, only if the present value of the aggregate  
25 debt service of the refunding or repayment bonds, notes or other obli-  
26 gations to be issued shall not exceed the present value of the aggregate  
27 debt service of the bonds, notes or other obligations so to be refunded  
28 or repaid. For the purposes hereof, the present value of the aggregate  
29 debt service of the refunding or repayment bonds, notes or other obli-  
30 gations and of the aggregate debt service of the bonds, notes or other obli-  
31 gations so refunded or repaid, shall be calculated by utilizing the  
32 effective interest rate of the refunding or repayment bonds, notes or  
33 other obligations, which shall be that rate arrived at by doubling the  
34 semi-annual interest rate (compounded semi-annually) necessary to  
35 discount the debt service payments on the refunding or repayment bonds,  
36 notes or other obligations from the payment dates thereof to the date of  
37 issue of the refunding or repayment bonds, notes or other obligations  
38 and to the price bid including estimated accrued interest or proceeds  
39 received by the corporation including estimated accrued interest from  
40 the sale thereof.

41 § 29. Paragraph (a) of subdivision 2 of section 47-e of the private  
42 housing finance law, as amended by section 42 of part PP of chapter 56  
43 of the laws of 2023, is amended to read as follows:

44 (a) Subject to the provisions of chapter fifty-nine of the laws of two  
45 thousand, in order to enhance and encourage the promotion of housing  
46 programs and thereby achieve the stated purposes and objectives of such  
47 housing programs, the agency shall have the power and is hereby author-  
48 ized from time to time to issue negotiable housing program bonds and  
49 notes in such principal amount as shall be necessary to provide suffi-  
50 cient funds for the repayment of amounts disbursed (and not previously  
51 reimbursed) pursuant to law or any prior year making capital appropri-  
52 ations or reappropriations for the purposes of the housing program;  
53 provided, however, that the agency may issue such bonds and notes in an  
54 aggregate principal amount not exceeding [thirteen billion six hundred  
55 thirty-five million four hundred twenty-five thousand dollars  
56 \$13,635,425,000] thirteen billion nine hundred twenty-nine million three



1 hundred eighty-nine thousand dollars \$13,929,389,000, plus a principal  
2 amount of bonds issued to fund the debt service reserve fund in accord-  
3 ance with the debt service reserve fund requirement established by the  
4 agency and to fund any other reserves that the agency reasonably deems  
5 necessary for the security or marketability of such bonds and to provide  
6 for the payment of fees and other charges and expenses, including under-  
7 writers' discount, trustee and rating agency fees, bond insurance, cred-  
8 it enhancement and liquidity enhancement related to the issuance of such  
9 bonds and notes. No reserve fund securing the housing program bonds  
10 shall be entitled or eligible to receive state funds apportioned or  
11 appropriated to maintain or restore such reserve fund at or to a partic-  
12 ular level, except to the extent of any deficiency resulting directly or  
13 indirectly from a failure of the state to appropriate or pay the agreed  
14 amount under any of the contracts provided for in subdivision four of  
15 this section.

16 § 30. Paragraph (b) of subdivision 1 of section 385 of the public  
17 authorities law, as amended by section 45 of part PP of chapter 56 of  
18 the laws of 2023, is amended to read as follows:

19 (b) The authority is hereby authorized, as additional corporate  
20 purposes thereof solely upon the request of the director of the budget:  
21 (i) to issue special emergency highway and bridge trust fund bonds and  
22 notes for a term not to exceed thirty years and to incur obligations  
23 secured by the moneys appropriated from the dedicated highway and bridge  
24 trust fund established in section eighty-nine-b of the state finance  
25 law; (ii) to make available the proceeds in accordance with instructions  
26 provided by the director of the budget from the sale of such special  
27 emergency highway and bridge trust fund bonds, notes or other obli-  
28 gations, net of all costs to the authority in connection therewith, for  
29 the purposes of financing all or a portion of the costs of activities  
30 for which moneys in the dedicated highway and bridge trust fund estab-  
31 lished in section eighty-nine-b of the state finance law are authorized  
32 to be utilized or for the financing of disbursements made by the state  
33 for the activities authorized pursuant to section eighty-nine-b of the  
34 state finance law; and (iii) to enter into agreements with the commis-  
35 sioner of transportation pursuant to section ten-e of the highway law  
36 with respect to financing for any activities authorized pursuant to  
37 section eighty-nine-b of the state finance law, or agreements with the  
38 commissioner of transportation pursuant to sections ten-f and ten-g of  
39 the highway law in connection with activities on state highways pursuant  
40 to these sections, and (iv) to enter into service contracts, contracts,  
41 agreements, deeds and leases with the director of the budget or the  
42 commissioner of transportation and project sponsors and others to  
43 provide for the financing by the authority of activities authorized  
44 pursuant to section eighty-nine-b of the state finance law, and each of  
45 the director of the budget and the commissioner of transportation are  
46 hereby authorized to enter into service contracts, contracts, agree-  
47 ments, deeds and leases with the authority, project sponsors or others  
48 to provide for such financing. The authority shall not issue any bonds  
49 or notes in an amount in excess of [twenty billion six hundred forty-  
50 eight million five hundred seven thousand dollars \$20,648,507,000] twen-  
51 ty-one billion four hundred fifty-eight million three hundred nine thou-  
52 sand dollars \$21,458,309,000, plus a principal amount of bonds or notes:  
53 (A) to fund capital reserve funds; (B) to provide capitalized interest;  
54 and, (C) to fund other costs of issuance. In computing for the purposes  
55 of this subdivision, the aggregate amount of indebtedness evidenced by  
56 bonds and notes of the authority issued pursuant to this section, as

1 amended by a chapter of the laws of nineteen hundred ninety-six, there  
2 shall be excluded the amount of bonds or notes issued that would consti-  
3 tute interest under the United States Internal Revenue Code of 1986, as  
4 amended, and the amount of indebtedness issued to refund or otherwise  
5 repay bonds or notes.

6 § 31. Paragraph (c) of subdivision 14 of section 1680 of the public  
7 authorities law, as amended by section 32 of part PP of chapter 56 of  
8 the laws of 2023, is amended to read as follows:

9 (c) Subject to the provisions of chapter fifty-nine of the laws of two  
10 thousand, (i) the dormitory authority shall not deliver a series of  
11 bonds for city university community college facilities, except to refund  
12 or to be substituted for or in lieu of other bonds in relation to city  
13 university community college facilities pursuant to a resolution of the  
14 dormitory authority adopted before July first, nineteen hundred eighty-  
15 five or any resolution supplemental thereto, if the principal amount of  
16 bonds so to be issued when added to all principal amounts of bonds  
17 previously issued by the dormitory authority for city university commu-  
18 nity college facilities, except to refund or to be substituted in lieu  
19 of other bonds in relation to city university community college facili-  
20 ties will exceed the sum of four hundred twenty-five million dollars and  
21 (ii) the dormitory authority shall not deliver a series of bonds issued  
22 for city university facilities, including community college facilities,  
23 pursuant to a resolution of the dormitory authority adopted on or after  
24 July first, nineteen hundred eighty-five, except to refund or to be  
25 substituted for or in lieu of other bonds in relation to city university  
26 facilities and except for bonds issued pursuant to a resolution supple-  
27 mental to a resolution of the dormitory authority adopted prior to July  
28 first, nineteen hundred eighty-five, if the principal amount of bonds so  
29 to be issued when added to the principal amount of bonds previously  
30 issued pursuant to any such resolution, except bonds issued to refund or  
31 to be substituted for or in lieu of other bonds in relation to city  
32 university facilities, will exceed [eleven billion three hundred four-  
33 teen million three hundred fifty-two thousand dollars \$11,314,352,000]  
34 eleven billion seven hundred twenty-two million two hundred twenty-two  
35 thousand dollars \$11,722,222,000. The legislature reserves the right to  
36 amend or repeal such limit, and the state of New York, the dormitory  
37 authority, the city university, and the fund are prohibited from coven-  
38 anting or making any other agreements with or for the benefit of bond-  
39 holders which might in any way affect such right.

40 § 32. Subdivision 1 of section 1689-i of the public authorities law,  
41 as amended by section 39 of part PP of chapter 56 of the laws of 2023,  
42 is amended to read as follows:

43 1. The dormitory authority is authorized to issue bonds, at the  
44 request of the commissioner of education, to finance eligible library  
45 construction projects pursuant to section two hundred seventy-three-a of  
46 the education law, in amounts certified by such commissioner not to  
47 exceed a total principal amount of [three hundred sixty-seven million  
48 dollars \$367,000,000] four hundred one million dollars \$401,000,000.

49 § 33. Paragraph (c) of subdivision 19 of section 1680 of the public  
50 authorities law, as amended by section 31 of part PP of chapter 56 of  
51 the laws of 2023, is amended to read as follows:

52 (c) Subject to the provisions of chapter fifty-nine of the laws of two  
53 thousand, the dormitory authority shall not issue any bonds for state  
54 university educational facilities purposes if the principal amount of  
55 bonds to be issued when added to the aggregate principal amount of bonds  
56 issued by the dormitory authority on and after July first, nineteen

1 hundred eighty-eight for state university educational facilities will  
2 exceed [eighteen billion one hundred ten million nine hundred sixty-four  
3 thousand dollars \$18,110,964,000] eighteen billion seven hundred seven-  
4 ty-three million nine hundred sixty-four thousand dollars  
5 \$18,773,964,000; provided, however, that bonds issued or to be issued  
6 shall be excluded from such limitation if: (1) such bonds are issued to  
7 refund state university construction bonds and state university  
8 construction notes previously issued by the housing finance agency; or  
9 (2) such bonds are issued to refund bonds of the authority or other  
10 obligations issued for state university educational facilities purposes  
11 and the present value of the aggregate debt service on the refunding  
12 bonds does not exceed the present value of the aggregate debt service on  
13 the bonds refunded thereby; provided, further that upon certification by  
14 the director of the budget that the issuance of refunding bonds or other  
15 obligations issued between April first, nineteen hundred ninety-two and  
16 March thirty-first, nineteen hundred ninety-three will generate long  
17 term economic benefits to the state, as assessed on a present value  
18 basis, such issuance will be deemed to have met the present value test  
19 noted above. For purposes of this subdivision, the present value of the  
20 aggregate debt service of the refunding bonds and the aggregate debt  
21 service of the bonds refunded, shall be calculated by utilizing the true  
22 interest cost of the refunding bonds, which shall be that rate arrived  
23 at by doubling the semi-annual interest rate (compounded semi-annually)  
24 necessary to discount the debt service payments on the refunding bonds  
25 from the payment dates thereof to the date of issue of the refunding  
26 bonds to the purchase price of the refunding bonds, including interest  
27 accrued thereon prior to the issuance thereof. The maturity of such  
28 bonds, other than bonds issued to refund outstanding bonds, shall not  
29 exceed the weighted average economic life, as certified by the state  
30 university construction fund, of the facilities in connection with which  
31 the bonds are issued, and in any case not later than the earlier of  
32 thirty years or the expiration of the term of any lease, sublease or  
33 other agreement relating thereto; provided that no note, including  
34 renewals thereof, shall mature later than five years after the date of  
35 issuance of such note. The legislature reserves the right to amend or  
36 repeal such limit, and the state of New York, the dormitory authority,  
37 the state university of New York, and the state university construction  
38 fund are prohibited from covenanting or making any other agreements with  
39 or for the benefit of bondholders which might in any way affect such  
40 right.

41 § 34. Subdivision 10-a of section 1680 of the public authorities law,  
42 as amended by section 33 of part PP of chapter 56 of the laws of 2023,  
43 is amended to read as follows:

44 10-a. Subject to the provisions of chapter fifty-nine of the laws of  
45 two thousand, but notwithstanding any other provision of the law to the  
46 contrary, the maximum amount of bonds and notes to be issued after March  
47 thirty-first, two thousand two, on behalf of the state, in relation to  
48 any locally sponsored community college, shall be [one billion two  
49 hundred twenty-seven million ninety-five thousand dollars  
50 \$1,227,095,000] one billion three hundred sixty-five million three  
51 hundred eight thousand dollars \$1,365,308,000. Such amount shall be  
52 exclusive of bonds and notes issued to fund any reserve fund or funds,  
53 costs of issuance and to refund any outstanding bonds and notes, issued  
54 on behalf of the state, relating to a locally sponsored community  
55 college.



1 § 35. Paragraph b of subdivision 2 of section 9-a of section 1 of  
2 chapter 392 of the laws of 1973, constituting the New York state medical  
3 care facilities finance agency act, as amended by section 35 of part PP  
4 of chapter 56 of the laws of 2023, is amended to read as follows:

5 b. The agency shall have power and is hereby authorized from time to  
6 time to issue negotiable bonds and notes in conformity with applicable  
7 provisions of the uniform commercial code in such principal amount as,  
8 in the opinion of the agency, shall be necessary, after taking into  
9 account other moneys which may be available for the purpose, to provide  
10 sufficient funds to the facilities development corporation, or any  
11 successor agency, for the financing or refinancing of or for the design,  
12 construction, acquisition, reconstruction, rehabilitation or improvement  
13 of mental health services facilities pursuant to paragraph a of this  
14 subdivision, the payment of interest on mental health services improve-  
15 ment bonds and mental health services improvement notes issued for such  
16 purposes, the establishment of reserves to secure such bonds and notes,  
17 the cost or premium of bond insurance or the costs of any financial  
18 mechanisms which may be used to reduce the debt service that would be  
19 payable by the agency on its mental health services facilities improve-  
20 ment bonds and notes and all other expenditures of the agency incident  
21 to and necessary or convenient to providing the facilities development  
22 corporation, or any successor agency, with funds for the financing or  
23 refinancing of or for any such design, construction, acquisition, recon-  
24 struction, rehabilitation or improvement and for the refunding of mental  
25 hygiene improvement bonds issued pursuant to section 47-b of the private  
26 housing finance law; provided, however, that the agency shall not issue  
27 mental health services facilities improvement bonds and mental health  
28 services facilities improvement notes in an aggregate principal amount  
29 exceeding [twelve billion four hundred eighteen million three hundred  
30 thirty-seven thousand dollars \$12,418,337,000] twelve billion nine  
31 hundred twenty-one million seven hundred fifty-six thousand dollars  
32 \$12,921,756,000, excluding mental health services facilities improvement  
33 bonds and mental health services facilities improvement notes issued to  
34 refund outstanding mental health services facilities improvement bonds  
35 and mental health services facilities improvement notes; provided,  
36 however, that upon any such refunding or repayment of mental health  
37 services facilities improvement bonds and/or mental health services  
38 facilities improvement notes the total aggregate principal amount of  
39 outstanding mental health services facilities improvement bonds and  
40 mental health facilities improvement notes may be greater than [twelve  
41 billion four hundred eighteen million three hundred thirty-seven thou-  
42 sand dollars \$12,418,337,000] twelve billion nine hundred twenty-one  
43 million seven hundred fifty-six thousand dollars \$12,921,756,000, only  
44 if, except as hereinafter provided with respect to mental health  
45 services facilities bonds and mental health services facilities notes  
46 issued to refund mental hygiene improvement bonds authorized to be  
47 issued pursuant to the provisions of section 47-b of the private housing  
48 finance law, the present value of the aggregate debt service of the  
49 refunding or repayment bonds to be issued shall not exceed the present  
50 value of the aggregate debt service of the bonds to be refunded or  
51 repaid. For purposes hereof, the present values of the aggregate debt  
52 service of the refunding or repayment bonds, notes or other obligations  
53 and of the aggregate debt service of the bonds, notes or other obli-  
54 gations so refunded or repaid, shall be calculated by utilizing the  
55 effective interest rate of the refunding or repayment bonds, notes or  
56 other obligations, which shall be that rate arrived at by doubling the



1 semi-annual interest rate (compounded semi-annually) necessary to  
2 discount the debt service payments on the refunding or repayment bonds,  
3 notes or other obligations from the payment dates thereof to the date of  
4 issue of the refunding or repayment bonds, notes or other obligations  
5 and to the price bid including estimated accrued interest or proceeds  
6 received by the authority including estimated accrued interest from the  
7 sale thereof. Such bonds, other than bonds issued to refund outstanding  
8 bonds, shall be scheduled to mature over a term not to exceed the aver-  
9 age useful life, as certified by the facilities development corporation,  
10 of the projects for which the bonds are issued, and in any case shall  
11 not exceed thirty years and the maximum maturity of notes or any  
12 renewals thereof shall not exceed five years from the date of the  
13 original issue of such notes. Notwithstanding the provisions of this  
14 section, the agency shall have the power and is hereby authorized to  
15 issue mental health services facilities improvement bonds and/or mental  
16 health services facilities improvement notes to refund outstanding  
17 mental hygiene improvement bonds authorized to be issued pursuant to the  
18 provisions of section 47-b of the private housing finance law and the  
19 amount of bonds issued or outstanding for such purposes shall not be  
20 included for purposes of determining the amount of bonds issued pursuant  
21 to this section. The director of the budget shall allocate the aggregate  
22 principal authorized to be issued by the agency among the office of  
23 mental health, office for people with developmental disabilities, and  
24 the office of addiction services and supports, in consultation with  
25 their respective commissioners to finance bondable appropriations previ-  
26 ously approved by the legislature.

27 § 36. Subdivision (a) of section 48 of part K of chapter 81 of the  
28 laws of 2002, relating to providing for the administration of certain  
29 funds and accounts related to the 2002-2003 budget, as amended by  
30 section 30 of part PP of chapter 56 of the laws of 2023, is amended to  
31 read as follows:

32 (a) Subject to the provisions of chapter 59 of the laws of 2000 but  
33 notwithstanding the provisions of section 18 of the urban development  
34 corporation act, the corporation is hereby authorized to issue bonds or  
35 notes in one or more series in an aggregate principal amount not to  
36 exceed [five hundred one million five hundred thousand dollars  
37 \$501,500,000] five hundred twenty-two million five hundred thousand  
38 dollars \$522,500,000, excluding bonds issued to fund one or more debt  
39 service reserve funds, to pay costs of issuance of such bonds, and bonds  
40 or notes issued to refund or otherwise repay such bonds or notes previ-  
41 ously issued, for the purpose of financing capital costs related to  
42 homeland security and training facilities for the division of state  
43 police, the division of military and naval affairs, and any other state  
44 agency, including the reimbursement of any disbursements made from the  
45 state capital projects fund, and is hereby authorized to issue bonds or  
46 notes in one or more series in an aggregate principal amount not to  
47 exceed [one billion seven hundred thirteen million eighty-six thousand  
48 dollars \$1,713,086,000] one billion eight hundred fifty-five million two  
49 hundred eighty-six thousand dollars \$1,855,286,000, excluding bonds  
50 issued to fund one or more debt service reserve funds, to pay costs of  
51 issuance of such bonds, and bonds or notes issued to refund or otherwise  
52 repay such bonds or notes previously issued, for the purpose of financ-  
53 ing improvements to State office buildings and other facilities located  
54 statewide, including the reimbursement of any disbursements made from  
55 the state capital projects fund. Such bonds and notes of the corporation  
56 shall not be a debt of the state, and the state shall not be liable

1 thereon, nor shall they be payable out of any funds other than those  
2 appropriated by the state to the corporation for debt service and  
3 related expenses pursuant to any service contracts executed pursuant to  
4 subdivision (b) of this section, and such bonds and notes shall contain  
5 on the face thereof a statement to such effect.

6 § 37. Subdivision 1 of section 47 of section 1 of chapter 174 of the  
7 laws of 1968, constituting the New York state urban development corpo-  
8 ration act, as amended by section 44 of part PP of chapter 56 of the  
9 laws of 2023, is amended to read as follows:

10 1. Notwithstanding the provisions of any other law to the contrary,  
11 the dormitory authority and the corporation are hereby authorized to  
12 issue bonds or notes in one or more series for the purpose of funding  
13 project costs for the office of information technology services, depart-  
14 ment of law, and other state costs associated with such capital  
15 projects. The aggregate principal amount of bonds authorized to be  
16 issued pursuant to this section shall not exceed [one billion three  
17 hundred fifty-three million eight hundred fifty-two thousand dollars  
18 \$1,353,852,000] one billion seven hundred forty-two million seven  
19 hundred twelve thousand dollars \$1,742,712,000, excluding bonds issued  
20 to fund one or more debt service reserve funds, to pay costs of issuance  
21 of such bonds, and bonds or notes issued to refund or otherwise repay  
22 such bonds or notes previously issued. Such bonds and notes of the  
23 dormitory authority and the corporation shall not be a debt of the  
24 state, and the state shall not be liable thereon, nor shall they be  
25 payable out of any funds other than those appropriated by the state to  
26 the dormitory authority and the corporation for principal, interest, and  
27 related expenses pursuant to a service contract and such bonds and notes  
28 shall contain on the face thereof a statement to such effect. Except for  
29 purposes of complying with the internal revenue code, any interest  
30 income earned on bond proceeds shall only be used to pay debt service on  
31 such bonds.

32 § 38. Subdivision (b) of section 11 of chapter 329 of the laws of  
33 1991, amending the state finance law and other laws relating to the  
34 establishment of the dedicated highway and bridge trust fund, as amended  
35 by section 38 of part PP of chapter 56 of the laws of 2023, is amended  
36 to read as follows:

37 (b) Any service contract or contracts for projects authorized pursuant  
38 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section  
39 14-k of the transportation law, and entered into pursuant to subdivision  
40 (a) of this section, shall provide for state commitments to provide  
41 annually to the thruway authority a sum or sums, upon such terms and  
42 conditions as shall be deemed appropriate by the director of the budget,  
43 to fund, or fund the debt service requirements of any bonds or any obli-  
44 gations of the thruway authority issued to fund or to reimburse the  
45 state for funding such projects having a cost not in excess of [thirteen  
46 billion nine hundred forty-nine million two hundred thirty-four thousand  
47 dollars \$13,949,234,000] fourteen billion seven hundred forty-two  
48 million five hundred eighty-seven thousand dollars \$14,742,587,000  
49 cumulatively by the end of fiscal year [2023-24] 2024-25. For purposes  
50 of this subdivision, such projects shall be deemed to include capital  
51 grants to cities, towns and villages for the reimbursement of eligible  
52 capital costs of local highway and bridge projects within such munici-  
53 pality, where allocations to cities, towns and villages are based on the  
54 total number of New York or United States or interstate signed touring  
55 route miles for which such municipality has capital maintenance respon-  
56 sibility, and where such eligible capital costs include the costs of

1 construction and repair of highways, bridges, highway-railroad cross-  
2 ings, and other transportation facilities for projects with a service  
3 life of ten years or more.

4 § 39. Section 53 of section 1 of chapter 174 of the laws of 1968,  
5 constituting the New York state urban development corporation act, as  
6 amended by section 37 of part PP of chapter 56 of the laws of 2023, is  
7 amended to read as follows:

8 § 53. 1. Notwithstanding the provisions of any other law to the  
9 contrary, the dormitory authority and the urban development corporation  
10 are hereby authorized to issue bonds or notes in one or more series for  
11 the purpose of funding project costs for the acquisition of equipment,  
12 including but not limited to the creation or modernization of informa-  
13 tion technology systems and related research and development equipment,  
14 health and safety equipment, heavy equipment and machinery, the creation  
15 or improvement of security systems, and laboratory equipment and other  
16 state costs associated with such capital projects. The aggregate prin-  
17 cipal amount of bonds authorized to be issued pursuant to this section  
18 shall not exceed [four hundred ninety-three million dollars  
19 \$493,000,000] five hundred ninety-three million dollars \$593,000,000,  
20 excluding bonds issued to fund one or more debt service reserve funds,  
21 to pay costs of issuance of such bonds, and bonds or notes issued to  
22 refund or otherwise repay such bonds or notes previously issued. Such  
23 bonds and notes of the dormitory authority and the urban development  
24 corporation shall not be a debt of the state, and the state shall not be  
25 liable thereon, nor shall they be payable out of any funds other than  
26 those appropriated by the state to the dormitory authority and the urban  
27 development corporation for principal, interest, and related expenses  
28 pursuant to a service contract and such bonds and notes shall contain on  
29 the face thereof a statement to such effect. Except for purposes of  
30 complying with the internal revenue code, any interest income earned on  
31 bond proceeds shall only be used to pay debt service on such bonds.

32 2. Notwithstanding any other provision of law to the contrary, in  
33 order to assist the dormitory authority and the urban development corpo-  
34 ration in undertaking the financing for project costs for the acquisi-  
35 tion of equipment, including but not limited to the creation or modern-  
36 ization of information technology systems and related research and  
37 development equipment, health and safety equipment, heavy equipment and  
38 machinery, the creation or improvement of security systems, and labora-  
39 tory equipment and other state costs associated with such capital  
40 projects, the director of the budget is hereby authorized to enter into  
41 one or more service contracts with the dormitory authority and the urban  
42 development corporation, none of which shall exceed thirty years in  
43 duration, upon such terms and conditions as the director of the budget  
44 and the dormitory authority and the urban development corporation agree,  
45 so as to annually provide to the dormitory authority and the urban  
46 development corporation, in the aggregate, a sum not to exceed the prin-  
47 cipal, interest, and related expenses required for such bonds and notes.  
48 Any service contract entered into pursuant to this section shall provide  
49 that the obligation of the state to pay the amount therein provided  
50 shall not constitute a debt of the state within the meaning of any  
51 constitutional or statutory provision and shall be deemed executory only  
52 to the extent of monies available and that no liability shall be  
53 incurred by the state beyond the monies available for such purpose,  
54 subject to annual appropriation by the legislature. Any such contract or  
55 any payments made or to be made thereunder may be assigned and pledged

1 by the dormitory authority and the urban development corporation as  
2 security for its bonds and notes, as authorized by this section.

3 § 40. Subdivision 3 of section 1285-p of the public authorities law,  
4 as amended by section 29 of part PP of chapter 56 of the laws of 2023,  
5 is amended to read as follows:

6 3. The maximum amount of bonds that may be issued for the purpose of  
7 financing environmental infrastructure projects authorized by this  
8 section shall be [nine billion three hundred thirty-five million seven  
9 hundred ten thousand dollars \$9,335,710,000] ten billion five hundred  
10 ninety-five million seven hundred ten thousand dollars \$10,595,710,000,  
11 exclusive of bonds issued to fund any debt service reserve funds, pay  
12 costs of issuance of such bonds, and bonds or notes issued to refund or  
13 otherwise repay bonds or notes previously issued. Such bonds and notes  
14 of the corporation shall not be a debt of the state, and the state shall  
15 not be liable thereon, nor shall they be payable out of any funds other  
16 than those appropriated by the state to the corporation for debt service  
17 and related expenses pursuant to any service contracts executed pursuant  
18 to subdivision one of this section, and such bonds and notes shall  
19 contain on the face thereof a statement to such effect.

20 § 41. Subdivision 1 of section 17 of part D of chapter 389 of the laws  
21 of 1997, relating to the financing of the correctional facilities  
22 improvement fund and the youth facility improvement fund, as amended by  
23 section 34 of part PP of chapter 56 of the laws of 2023, is amended to  
24 read as follows:

25 1. Subject to the provisions of chapter 59 of the laws of 2000, but  
26 notwithstanding the provisions of section 18 of section 1 of chapter 174  
27 of the laws of 1968, the New York state urban development corporation is  
28 hereby authorized to issue bonds, notes and other obligations in an  
29 aggregate principal amount not to exceed [one billion fourteen million  
30 seven hundred thirty-five thousand dollars \$1,014,735,000] one billion  
31 sixty-six million seven hundred fifty-five thousand dollars  
32 \$1,066,755,000, which authorization increases the aggregate principal  
33 amount of bonds, notes and other obligations authorized by section 40 of  
34 chapter 309 of the laws of 1996, and shall include all bonds, notes and  
35 other obligations issued pursuant to chapter 211 of the laws of 1990, as  
36 amended or supplemented. The proceeds of such bonds, notes or other  
37 obligations shall be paid to the state, for deposit in the youth facili-  
38 ties improvement fund or the capital projects fund, to pay for all or  
39 any portion of the amount or amounts paid by the state from appropri-  
40 ations or reappropriations made to the office of children and family  
41 services from the youth facilities improvement fund for capital  
42 projects. The aggregate amount of bonds, notes and other obligations  
43 authorized to be issued pursuant to this section shall exclude bonds,  
44 notes or other obligations issued to refund or otherwise repay bonds,  
45 notes or other obligations theretofore issued, the proceeds of which  
46 were paid to the state for all or a portion of the amounts expended by  
47 the state from appropriations or reappropriations made to the office of  
48 children and family services; provided, however, that upon any such  
49 refunding or repayment the total aggregate principal amount of outstand-  
50 ing bonds, notes or other obligations may be greater than [one billion  
51 fourteen million seven hundred thirty-five thousand dollars  
52 \$1,014,735,000] one billion sixty-six million seven hundred fifty-five  
53 thousand dollars \$1,066,755,000, only if the present value of the aggre-  
54 gate debt service of the refunding or repayment bonds, notes or other  
55 obligations to be issued shall not exceed the present value of the  
56 aggregate debt service of the bonds, notes or other obligations so to be

1 refunded or repaid. For the purposes hereof, the present value of the  
2 aggregate debt service of the refunding or repayment bonds, notes or  
3 other obligations and of the aggregate debt service of the bonds, notes  
4 or other obligations so refunded or repaid, shall be calculated by  
5 utilizing the effective interest rate of the refunding or repayment  
6 bonds, notes or other obligations, which shall be that rate arrived at  
7 by doubling the semi-annual interest rate (compounded semi-annually)  
8 necessary to discount the debt service payments on the refunding or  
9 repayment bonds, notes or other obligations from the payment dates ther-  
10 eof to the date of issue of the refunding or repayment bonds, notes or  
11 other obligations and to the price bid including estimated accrued  
12 interest or proceeds received by the corporation including estimated  
13 accrued interest from the sale thereof.

14 § 42. Subdivision 1 of section 386-b of the public authorities law, as  
15 amended by section 41 of part PP of chapter 56 of the laws of 2023, is  
16 amended to read as follows:

17 1. Notwithstanding any other provision of law to the contrary, the  
18 authority, the dormitory authority and the urban development corporation  
19 are hereby authorized to issue bonds or notes in one or more series for  
20 the purpose of financing peace bridge projects and capital costs of  
21 state and local highways, parkways, bridges, the New York state thruway,  
22 Indian reservation roads, and facilities, and transportation infrastruc-  
23 ture projects including aviation projects, non-MTA mass transit  
24 projects, and rail service preservation projects, including work appur-  
25 tenant and ancillary thereto. The aggregate principal amount of bonds  
26 authorized to be issued pursuant to this section shall not exceed  
27 [twelve billion three hundred eight million three hundred eleven thou-  
28 sand dollars \$12,308,311,000] fifteen billion one hundred seventy-six  
29 million six hundred sixty-nine thousand dollars \$15,176,669,000, exclud-  
30 ing bonds issued to fund one or more debt service reserve funds, to pay  
31 costs of issuance of such bonds, and to refund or otherwise repay such  
32 bonds or notes previously issued. Such bonds and notes of the authority,  
33 the dormitory authority and the urban development corporation shall not  
34 be a debt of the state, and the state shall not be liable thereon, nor  
35 shall they be payable out of any funds other than those appropriated by  
36 the state to the authority, the dormitory authority and the urban devel-  
37 opment corporation for principal, interest, and related expenses pursu-  
38 ant to a service contract and such bonds and notes shall contain on the  
39 face thereof a statement to such effect. Except for purposes of comply-  
40 ing with the internal revenue code, any interest income earned on bond  
41 proceeds shall only be used to pay debt service on such bonds.

42 § 43. Section 44 of section 1 of chapter 174 of the laws of 1968,  
43 constituting the New York state urban development corporation act, as  
44 amended by section 40 of part PP of chapter 56 of the laws of 2023, is  
45 amended to read as follows:

46 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the  
47 provisions of any other law to the contrary, the dormitory authority and  
48 the corporation are hereby authorized to issue bonds or notes in one or  
49 more series for the purpose of funding project costs for the regional  
50 economic development council initiative, the economic transformation  
51 program, state university of New York college for nanoscale and science  
52 engineering, projects within the city of Buffalo or surrounding envi-  
53 rons, the New York works economic development fund, projects for the  
54 retention of professional football in western New York, the empire state  
55 economic development fund, the clarkson-trudeau partnership, the New  
56 York genome center, the cornell university college of veterinary medi-

1 cine, the olympic regional development authority, projects at nano  
2 Utica, onondaga county revitalization projects, Binghamton university  
3 school of pharmacy, New York power electronics manufacturing consortium,  
4 regional infrastructure projects, high tech innovation and economic  
5 development infrastructure program, high technology manufacturing  
6 projects in Chautauqua and Erie county, an industrial scale research and  
7 development facility in Clinton county, upstate revitalization initi-  
8 ative projects, downstate revitalization initiative, market New York  
9 projects, fairground buildings, equipment or facilities used to house  
10 and promote agriculture, the state fair, the empire state trail, the  
11 moynihan station development project, the Kingsbridge armory project,  
12 strategic economic development projects, the cultural, arts and public  
13 spaces fund, water infrastructure in the city of Auburn and town of  
14 Owasco, a life sciences laboratory public health initiative, not-for-  
15 profit pounds, shelters and humane societies, arts and cultural facili-  
16 ties improvement program, restore New York's communities initiative,  
17 heavy equipment, economic development and infrastructure projects,  
18 Roosevelt Island operating corporation capital projects, Lake Ontario  
19 regional projects, Pennsylvania station and other transit projects,  
20 athletic facilities for professional football in Orchard Park, New York,  
21 Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other  
22 state costs associated with such projects. The aggregate principal  
23 amount of bonds authorized to be issued pursuant to this section shall  
24 not exceed [seventeen billion six hundred fifty-five million six hundred  
25 two thousand dollars \$17,655,602,000] twenty billion two hundred fifty-  
26 four million one hundred ninety-four thousand dollars \$20,254,194,000,  
27 excluding bonds issued to fund one or more debt service reserve funds,  
28 to pay costs of issuance of such bonds, and bonds or notes issued to  
29 refund or otherwise repay such bonds or notes previously issued. Such  
30 bonds and notes of the dormitory authority and the corporation shall not  
31 be a debt of the state, and the state shall not be liable thereon, nor  
32 shall they be payable out of any funds other than those appropriated by  
33 the state to the dormitory authority and the corporation for principal,  
34 interest, and related expenses pursuant to a service contract and such  
35 bonds and notes shall contain on the face thereof a statement to such  
36 effect. Except for purposes of complying with the internal revenue  
37 code, any interest income earned on bond proceeds shall only be used to  
38 pay debt service on such bonds.

39 2. Notwithstanding any other provision of law to the contrary, in  
40 order to assist the dormitory authority and the corporation in undertak-  
41 ing the financing for project costs for the regional economic develop-  
42 ment council initiative, the economic transformation program, state  
43 university of New York college for nanoscale and science engineering,  
44 projects within the city of Buffalo or surrounding environs, the New  
45 York works economic development fund, projects for the retention of  
46 professional football in western New York, the empire state economic  
47 development fund, the clarkson-trudeau partnership, the New York genome  
48 center, the cornell university college of veterinary medicine, the olym-  
49 pic regional development authority, projects at nano Utica, onondaga  
50 county revitalization projects, Binghamton university school of pharma-  
51 cy, New York power electronics manufacturing consortium, regional  
52 infrastructure projects, New York State Capital Assistance Program for  
53 Transportation, infrastructure, and economic development, high tech  
54 innovation and economic development infrastructure program, high tech-  
55 nology manufacturing projects in Chautauqua and Erie county, an indus-  
56 trial scale research and development facility in Clinton county, upstate

1 revitalization initiative projects, downstate revitalization initiative,  
2 market New York projects, fairground buildings, equipment or facilities  
3 used to house and promote agriculture, the state fair, the empire state  
4 trail, the moynihan station development project, the Kingsbridge armory  
5 project, strategic economic development projects, the cultural, arts and  
6 public spaces fund, water infrastructure in the city of Auburn and town  
7 of Owasco, a life sciences laboratory public health initiative, not-for-  
8 profit pounds, shelters and humane societies, arts and cultural facili-  
9 ties improvement program, restore New York's communities initiative,  
10 heavy equipment, economic development and infrastructure projects,  
11 Roosevelt Island operating corporation capital projects, Lake Ontario  
12 regional projects, Pennsylvania station and other transit projects,  
13 athletic facilities for professional football in Orchard Park, New York,  
14 Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other  
15 state costs associated with such projects the director of the budget is  
16 hereby authorized to enter into one or more service contracts with the  
17 dormitory authority and the corporation, none of which shall exceed  
18 thirty years in duration, upon such terms and conditions as the director  
19 of the budget and the dormitory authority and the corporation agree, so  
20 as to annually provide to the dormitory authority and the corporation,  
21 in the aggregate, a sum not to exceed the principal, interest, and  
22 related expenses required for such bonds and notes. Any service contract  
23 entered into pursuant to this section shall provide that the obligation  
24 of the state to pay the amount therein provided shall not constitute a  
25 debt of the state within the meaning of any constitutional or statutory  
26 provision and shall be deemed executory only to the extent of monies  
27 available and that no liability shall be incurred by the state beyond  
28 the monies available for such purpose, subject to annual appropriation  
29 by the legislature. Any such contract or any payments made or to be made  
30 thereunder may be assigned and pledged by the dormitory authority and  
31 the corporation as security for its bonds and notes, as authorized by  
32 this section.

33 § 44. Subdivision (a) of section 28 of part Y of chapter 61 of the  
34 laws of 2005, relating to providing for the administration of certain  
35 funds and accounts related to the 2005-2006 budget, as amended by  
36 section 36 of part PP of chapter 56 of the laws of 2023, is amended to  
37 read as follows:

38 (a) Subject to the provisions of chapter 59 of the laws of 2000, but  
39 notwithstanding any provisions of law to the contrary, one or more  
40 authorized issuers as defined by section 68-a of the state finance law  
41 are hereby authorized to issue bonds or notes in one or more series in  
42 an aggregate principal amount not to exceed [two hundred forty-seven  
43 million dollars \$247,000,000] two hundred ninety-seven million dollars  
44 \$297,000,000, excluding bonds issued to finance one or more debt service  
45 reserve funds, to pay costs of issuance of such bonds, and bonds or  
46 notes issued to refund or otherwise repay such bonds or notes previously  
47 issued, for the purpose of financing capital projects for public  
48 protection facilities in the Division of Military and Naval Affairs,  
49 debt service and leases; and to reimburse the state general fund for  
50 disbursements made therefor. Such bonds and notes of such authorized  
51 issuer shall not be a debt of the state, and the state shall not be  
52 liable thereon, nor shall they be payable out of any funds other than  
53 those appropriated by the state to such authorized issuer for debt  
54 service and related expenses pursuant to any service contract executed  
55 pursuant to subdivision (b) of this section and such bonds and notes  
56 shall contain on the face thereof a statement to such effect. Except for



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

4 § 45. Subdivision 1 of section 50 of section 1 of chapter 174 of the  
5 laws of 1968, constituting the New York state urban development corpo-  
6 ration act, as amended by section 43 of part PP of chapter 56 of the  
7 laws of 2023, is amended to read as follows:

8 1. Notwithstanding the provisions of any other law to the contrary,  
9 the dormitory authority and the urban development corporation are hereby  
10 authorized to issue bonds or notes in one or more series for the purpose  
11 of funding project costs undertaken by or on behalf of the state educa-  
12 tion department, special act school districts, state-supported schools  
13 for the blind and deaf, approved private special education schools,  
14 non-public schools, community centers, day care facilities, residential  
15 camps, day camps, Native American Indian Nation schools, and other state  
16 costs associated with such capital projects. The aggregate principal  
17 amount of bonds authorized to be issued pursuant to this section shall  
18 not exceed [three hundred twenty-one million seven hundred ninety-nine  
19 thousand dollars \$321,799,000] three hundred forty-one million eight  
20 hundred ninety-eight thousand dollars \$341,898,000, excluding bonds  
21 issued to fund one or more debt service reserve funds, to pay costs of  
22 issuance of such bonds, and bonds or notes issued to refund or otherwise  
23 repay such bonds or notes previously issued. Such bonds and notes of the  
24 dormitory authority and the urban development corporation shall not be a  
25 debt of the state, and the state shall not be liable thereon, nor shall  
26 they be payable out of any funds other than those appropriated by the  
27 state to the dormitory authority and the urban development corporation  
28 for principal, interest, and related expenses pursuant to a service  
29 contract and such bonds and notes shall contain on the face thereof a  
30 statement to such effect. Except for purposes of complying with the  
31 internal revenue code, any interest income earned on bond proceeds shall  
32 only be used to pay debt service on such bonds.

33 § 46. Subdivision 1 of section 1680-k of the public authorities law,  
34 as amended by section 47 of part PP of chapter 56 of the laws of 2023,  
35 is amended to read as follows:

36 1. Subject to the provisions of chapter fifty-nine of the laws of two  
37 thousand, but notwithstanding any provisions of law to the contrary, the  
38 dormitory authority is hereby authorized to issue bonds or notes in one  
39 or more series in an aggregate principal amount not to exceed [forty  
40 million nine hundred forty-five thousand dollars \$40,945,000] forty-one  
41 million sixty thousand dollars \$41,060,000, excluding bonds issued to  
42 finance one or more debt service reserve funds, to pay costs of issuance  
43 of such bonds, and bonds or notes issued to refund or otherwise repay  
44 such bonds or notes previously issued, for the purpose of financing the  
45 construction of the New York state agriculture and markets food labora-  
46 tory. Eligible project costs may include, but not be limited to the cost  
47 of design, financing, site investigations, site acquisition and prepara-  
48 tion, demolition, construction, rehabilitation, acquisition of machinery  
49 and equipment, and infrastructure improvements. Such bonds and notes of  
50 such authorized issuers shall not be a debt of the state, and the state  
51 shall not be liable thereon, nor shall they be payable out of any funds  
52 other than those appropriated by the state to such authorized issuers  
53 for debt service and related expenses pursuant to any service contract  
54 executed pursuant to subdivision two of this section and such bonds and  
55 notes shall contain on the face thereof a statement to such effect.  
56 Except for purposes of complying with the internal revenue code, any

1 interest income earned on bond proceeds shall only be used to pay debt  
2 service on such bonds.

3 § 47. Paragraph a of subdivision 1 of section 9-a of section 1 of  
4 chapter 392 of the laws of 1973, constituting the medical care facili-  
5 ties finance agency act, as amended by chapter 479 of the laws of 2022,  
6 is amended to read as follows:

7 a. "Mental health services facility" shall mean a building, a unit  
8 within a building, a laboratory, a classroom, a housing unit, a dining  
9 hall, an activities center, a library, real property of any kind or  
10 description, or any structure on or improvement to real property of any  
11 kind or description, including fixtures and equipment which may or may  
12 not be an integral part of any such building, unit, structure or  
13 improvement, a walkway, a roadway or a parking lot, and improvements and  
14 connections for water, sewer, gas, electrical, telephone, heating, air  
15 conditioning and other utility services, or a combination of any of the  
16 foregoing, whether for patient care and treatment or staff, staff family  
17 or service use, located at or related to any psychiatric center, any  
18 developmental center, or any state psychiatric or research institute or  
19 other facility now or hereafter established under the state department  
20 of mental hygiene. A mental health services facility shall also mean and  
21 include a residential care center for adults, a "community mental health  
22 and developmental disabilities facility", and a state or voluntary oper-  
23 ated treatment facility for use in the conduct of an alcoholism or  
24 substance abuse treatment program as defined in the mental hygiene law,  
25 unless such residential care center for adults, community mental health  
26 and developmental disabilities facility or alcoholism or substance abuse  
27 facility is expressly excepted or the context clearly requires other-  
28 wise. The definition contained in this subdivision shall not be  
29 construed to exclude therefrom a facility, whether or not owned or  
30 leased by a voluntary agency, to be made available under lease, or  
31 sublease, from the facilities development corporation to a voluntary  
32 agency at the request of the commissioners of the offices and directors  
33 of the divisions of the department of mental hygiene having jurisdiction  
34 thereof for use in providing services in a residential care center for  
35 adults, community mental health and developmental disabilities services,  
36 or for use in the conduct of an alcoholism or substance abuse treatment  
37 program. For purposes of this section mental health services facility  
38 shall also mean mental hygiene facility as defined in subdivision ten of  
39 section three of the facilities development corporation act and shall  
40 also include facilities for: (i) comprehensive psychiatric emergency  
41 programs and/or psychiatric inpatient programs or other similar programs  
42 under the auspice of municipalities and other public and not-for-profit  
43 agencies, dually licensed pursuant to article thirty-one of the mental  
44 hygiene law and article twenty-eight of the public health law; and (ii)  
45 housing for mentally ill persons under the auspice of municipalities and  
46 other public and not-for-profit agencies, approved by the commissioner  
47 of the office of mental health, pursuant to article forty-one of the  
48 mental hygiene law.

49 § 48. Notwithstanding any law to the contrary, the comptroller is  
50 hereby authorized and directed to transfer, upon request of the director  
51 of the budget, on or before March 31, 2025 the following amounts from  
52 the following special revenue accounts or enterprise funds to the gener-  
53 al fund, for the purposes of offsetting principal and interest costs,  
54 incurred by the state pursuant to section 386-a of the public authori-  
55 ties law, provided that the annual amount of the transfer shall be no  
56 more than the principal and interest that would have otherwise been due

1 to the power authority of the state of New York, from any state agency,  
2 in a given state fiscal year. Amounts pertaining to special revenue  
3 accounts assigned to the state university of New York shall be consid-  
4 ered interchangeable between the designated special revenue accounts as  
5 to meet the requirements of this section and section 386-a of the public  
6 authorities law:

7 1. \$15,000,000 from the miscellaneous special revenue fund, state  
8 university general income reimbursable account (22653).

9 2. \$5,000,000 from state university dormitory income fund, state  
10 university dormitory income fund (40350).

11 3. \$5,000,000 from the enterprise fund, city university senior college  
12 operating fund (60851).

13 § 49. Paragraph (g) of subdivision 1 of section 68-b of the state  
14 finance law, as added by section 2 of part I of chapter 383 of the laws  
15 of 2001, is amended to read as follows:

16 (g) Revenue bonds authorized hereunder shall be sold by authorized  
17 issuers, at public or private sale, at such price or prices as the  
18 authorized issuers may determine. Revenue bonds of the authorized  
19 issuers shall not be sold by the authorized issuers at private sales  
20 unless such sale and the terms thereof have been approved by the state  
21 comptroller. The approval of the private sale of such bonds and the  
22 terms thereof by the state comptroller shall be limited to a review of  
23 (i) the reasonableness of: (1) the bond pricing, taking into account  
24 current interest rates; (2) the costs of issuance and underwriters  
25 discount for such bonds; (3) if the sale includes refunding bonds, cash  
26 flow savings and net present value savings; and (4) if the sale involves  
27 an interest rate exchange or similar agreement, the economic terms of  
28 such agreement; and (ii) whether the final maturity of the bonds  
29 complies with (1) the legal authorization for the project or projects  
30 being financed, and (2) the parameters established in the authorized  
31 issuer's resolution authorizing the issuance of such bonds, as approved  
32 by the public authorities control board pursuant to section fifty-one of  
33 the public authorities law.

34 § 50. Paragraph (g) of subdivision 1 of section 69-n of the state  
35 finance law, as added by section 58 of part HH of chapter 57 of the laws  
36 of 2013, is amended to read as follows:

37 (g) Revenue bonds authorized hereunder shall be sold by authorized  
38 issuers, at public or private sale, at such price or prices as the  
39 authorized issuers may determine. Revenue bonds of the authorized  
40 issuers shall not be sold by the authorized issuers at private sales  
41 unless such sale and the terms thereof have been approved by the state  
42 comptroller. The approval of the private sale of such bonds and the  
43 terms thereof by the state comptroller shall be limited to a review of  
44 (i) the reasonableness of: (1) the bond pricing, taking into account  
45 current interest rates; (2) the costs of issuance and underwriters  
46 discount for such bonds; (3) if the sale includes refunding bonds, cash  
47 flow savings and net present value savings; and (4) if the sale involves  
48 an interest rate exchange or similar agreement, the economic terms of  
49 such agreement; and (ii) whether the final maturity of the bonds  
50 complies with (1) the legal authorization for the project or projects  
51 being financed, and (2) the parameters established in the authorized  
52 issuer's resolution authorizing the issuance of such bonds, as approved  
53 by the public authorities control board pursuant to section fifty-one of  
54 the public authorities law.

55 § 51. Subdivision 6-a of section 2 of the state finance law, as added  
56 by chapter 837 of the laws of 1983, is amended to read as follows:

1 6-a. "Fixed assets". (i) Assets of a long-term, tangible character  
 2 which are intended to continue to be held or used, such as land, build-  
 3 ings, improvements, machinery, and equipment, and (ii) assets that  
 4 provide a long-term interest in land, including conservation easements.

5 § 52. Subdivision 2 of section 2976 of the public authorities law, as  
 6 amended by section 1 of part FF of chapter 59 of the laws of 2009, is  
 7 amended to read as follows:

8 2. The bond issuance charge shall be computed by multiplying the prin-  
 9 cipal amount of bonds issued by the percentage set forth in the schedule  
 10 below, provided that: (a) the charge applicable to the principal amount  
 11 of single family mortgage revenue bonds shall be seven one-hundredths of  
 12 one percent; (b) the issuance of bonds shall not include the remarketing  
 13 of bonds; and (c) the issuance of bonds shall not include the [current]  
 14 refunding of [short term] bonds, notes or other obligations [for which  
 15 the bond issuance charge provided by this section has been paid,  
 16 provided that such current refunding (i) occurs within one year from the  
 17 issuance of the refunded obligations, or (ii) is part of a program  
 18 created by a single indenture or bond resolution that provides for the  
 19 periodic issuance and refunding of short term obligations].

20 SCHEDULE

21 Principal Amount of Bonds Issued	Percentage Charge
22 a. [\$1,000,000] <u>\$20,000,000</u> or less	[.168%] <u>0%</u>
23 b. [\$1,000,001 to \$5,000,000	.336%
24 c. \$5,000,001 to \$10,000,000	.504%
25 d. \$10,000,001 to \$20,000,000	.672%
26 e.] More than \$20,000,000	[.84%] <u>.35%</u>

27 § 53. Subdivision 5 of section 68-b of the state finance law, as added  
 28 by section 2 of part I of chapter 383 of the laws of 2001, is amended to  
 29 read as follows:

30 5. The authorized issuers, subject to such agreements with holders of  
 31 revenue bonds as may then exist, or with the providers of any applicable  
 32 bond or note or other financial or agreement facility, shall have power  
 33 out of any funds available therefor to purchase revenue bonds of the  
 34 authorized issuers, which may or may not thereupon be canceled, at a  
 35 price not exceeding:

36 (a) if the revenue bonds are then redeemable, the redemption price  
 37 then applicable, including any accrued interest; or

38 (b) if the revenue bonds are not then redeemable, the redemption price  
 39 and accrued interest applicable on the first date after such purchase  
 40 upon which the revenue bonds become subject to redemption; or

41 (c) whether or not the revenue bonds are then redeemable, at a redemp-  
 42 tion price that provides a demonstrated economic benefit to the state,  
 43 as certified in writing by a financial advisor to the state.

44 § 54. Subdivision 5 of section 69-n of the state finance law, as added  
 45 by section 58 of part HH of chapter 57 of the laws of 2013, is amended  
 46 to read as follows:

47 5. The authorized issuers, subject to such agreements with holders of  
 48 revenue bonds as may then exist, or with the providers of any applicable  
 49 bond or note or other financial or agreement facility, shall have power  
 50 out of any funds available therefor to purchase revenue bonds of the  
 51 authorized issuers, which may or may not thereupon be canceled, at a  
 52 price not exceeding:

53 (a) If the revenue bonds are then redeemable, the redemption price  
 54 then applicable, including any accrued interest; or

1 (b) If the revenue bonds are not then redeemable, the redemption price  
2 and accrued interest applicable on the first date after such purchase  
3 upon which the revenue bonds become subject to redemption; or

4 (c) Whether or not the revenue bonds are then redeemable, at a redemp-  
5 tion price that provides a demonstrated economic benefit to the state,  
6 as certified in writing by a financial advisor to the state.

7 § 55. Paragraph (b) of subdivision 1 of section 54-b of section 1 of  
8 chapter 174 of the laws of 1968 constituting the urban development  
9 corporation act, as amended by section 49 of part PP of chapter 56 of  
10 the laws of 2023, is amended to read as follows:

11 (b) Notwithstanding any other provision of law to the contrary,  
12 including, specifically, the provisions of chapter 59 of the laws of  
13 2000 and section sixty-seven-b of the state finance law, the dormitory  
14 authority of the state of New York and the corporation are hereby  
15 authorized to issue personal income tax revenue anticipation notes with  
16 a maturity no later than March 31[, 2024] of the state fiscal year in  
17 which such notes are issued, in one or more series in an aggregate prin-  
18 cipal amount for each fiscal year not to exceed [three] four billion  
19 dollars, and to pay costs of issuance of such notes, for the purpose of  
20 temporarily financing budgetary needs of the state. Such purpose shall  
21 constitute an authorized purpose under subdivision two of section  
22 sixty-eight-a of the state finance law for all purposes of article  
23 five-C of the state finance law with respect to the notes authorized by  
24 this paragraph. Such notes shall not be renewed, extended or refunded.  
25 For so long as any notes authorized by this paragraph shall be outstand-  
26 ing, the restrictions, limitations and requirements contained in article  
27 five-B of the state finance law shall not apply.

28 § 56. Subdivision 1 of section 386-a of the public authorities law, as  
29 amended by section 54 of part PP of chapter 56 of the laws of 2023, is  
30 amended to read as follows:

31 1. Notwithstanding any other provision of law to the contrary, the  
32 authority, the dormitory authority and the urban development corporation  
33 are hereby authorized to issue bonds or notes in one or more series for  
34 the purpose of assisting the metropolitan transportation authority in  
35 the financing of transportation facilities as defined in subdivision  
36 seventeen of section twelve hundred sixty-one of this chapter or other  
37 capital projects. The aggregate principal amount of bonds authorized to  
38 be issued pursuant to this section shall not exceed twelve billion five  
39 hundred fifteen million eight hundred fifty-six thousand dollars  
40 \$12,515,856,000, excluding bonds issued to fund one or more debt service  
41 reserve funds, to pay costs of issuance of such bonds, and to refund or  
42 otherwise repay such bonds or notes previously issued. Such bonds and  
43 notes of the authority, the dormitory authority and the urban develop-  
44 ment corporation shall not be a debt of the state, and the state shall  
45 not be liable thereon, nor shall they be payable out of any funds other  
46 than those appropriated by the state to the authority, the dormitory  
47 authority and the urban development corporation for principal, interest,  
48 and related expenses pursuant to a service contract and such bonds and  
49 notes shall contain on the face thereof a statement to such effect.  
50 Except for purposes of complying with the internal revenue code, any  
51 interest income earned on bond proceeds shall only be used to pay debt  
52 service on such bonds. Notwithstanding any other provision of law to the  
53 contrary, including the limitations contained in subdivision four of  
54 section sixty-seven-b of the state finance law, (A) any bonds and notes  
55 issued prior to April first, two thousand [twenty-four] twenty-five  
56 pursuant to this section may be issued with a maximum maturity of fifty

1 years, and (B) any bonds issued to refund such bonds and notes may be  
2 issued with a maximum maturity of fifty years from the respective date  
3 of original issuance of such bonds and notes.

4 § 57. This act shall take effect immediately and shall be deemed to  
5 have been in full force and effect on and after April 1, 2024; provided,  
6 however, that the provisions of sections one, two, three, four, five,  
7 six, seven, eight, fourteen, fifteen, sixteen, seventeen, eighteen,  
8 nineteen, twenty, twenty-one, twenty-two, twenty-three, and twenty-four  
9 of this act shall expire March 31, 2025; and provided, further, that  
10 sections twenty-five and twenty-six of this act shall expire March 31,  
11 2028, when upon such dates the provisions of such sections shall be  
12 deemed repealed.

13

## PART Y

14 Section 1. Section 2 of part P of chapter 55 of the laws of 2022,  
15 amending the alcoholic beverage control law relating to authorizing  
16 retail licensees for on-premises consumption to sell and/or deliver  
17 alcoholic beverages for off-premises consumption, is amended to read as  
18 follows:

19 § 2. This act shall take effect immediately [and shall expire and be  
20 deemed repealed three years after such date].

21 § 2. This act shall take effect immediately.

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

31 § 3. This act shall take effect immediately provided, however, that  
32 the applicable effective date of Parts A through Y of this act shall be  
33 as specifically set forth in the last section of such Parts.

