

STATE OF NEW YORK

S. 9008--C

A. 10008--C

SENATE - ASSEMBLY

January 21, 2026

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend part U1 of chapter 62 of the laws of 2003, amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, in relation to the effectiveness thereof; and to amend part B of chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, in relation to the effectiveness thereof (Part A); to amend chapter 751 of the laws of 2005, amending the insurance law and the vehicle and traffic law relating to establishing the accident prevention course internet technology pilot program, in relation to the effectiveness thereof (Part B); intentionally omitted (Part C); to amend the vehicle and traffic law, the general business law and the public officers law, in relation to a demonstration program in the city of New York and the installation and operation of intelligent speed assistance devices; and providing for the repeal of certain provisions upon the expiration thereof (Part D); to amend part FF of chapter 55 of the laws of 2017, relating to motor vehicles equipped with autonomous vehicle technology, in relation to the effectiveness thereof (Part E); intentionally omitted (Part F); to amend the vehicle and traffic law, in relation to expanding the automated work zone speed enforcement program to include additional New York roadways

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

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(Part G); to amend part PP of chapter 54 of the laws of 2016, amending the public authorities law and the general municipal law relating to the New York transit authority and the metropolitan transportation authority, in relation to extending provisions of law relating to certain tax increment financing provisions (Part H); authorizing the Metropolitan Transportation Authority to conduct environmental reviews under the State Environmental Quality Review Act for the crosstown extension of the Second Avenue Subway project in two stages (Part I); to amend the agriculture and markets law, in relation to dairy promotion and marketing of agricultural products in New York state; and to repeal sections 16-x, 16-y and 16-z of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, in relation thereto (Part J); to amend the tax law, in relation to extending the refundability of the investment tax credit for farmers (Part K); intentionally omitted (Part L); to authorize the New York state energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program from an assessment on gas and electric corporations (Part M); to amend the public service law, in relation to executive compensation disclosure by gas, electric, steam and water-works corporations and costs not to be included in rates (Part N); to amend the public service law, in relation to procedures for new rates or charges proposed by utilities (Part O); to amend the public service law, in relation to establishing an energy affordability index (Part P); intentionally omitted (Part Q); to amend the environmental conservation law, in relation to reforming the state environmental quality review act (Part R); to amend the environmental conservation law, in relation to increasing rebates for certain vehicle purchases by municipalities (Part S); to amend chapter 584 of the laws of 2011, amending the public authorities law relating to the powers and duties of the dormitory authority of the state of New York relative to the establishment of subsidiaries for certain purposes, in relation to the effectiveness thereof (Part T); in relation to authorizing the trustees of the state university of New York to lease and contract to make available certain land on the state university of New York at Farmingdale's campus (Subpart A); in relation to authorizing the trustees of the state university of New York to lease and contract to make available certain land on the state university of New York at Stony Brook's campus (Subpart B); in relation to authorizing the commissioner of transportation to transfer and convey certain state-owned real property in the town of Babylon, county of Suffolk (Subpart C); and in relation to authorizing the trustees of the state university of New York to lease and contract to make available grounds and facilities on the state university of New York College of Environmental Science and Forestry to the Abby Lane Housing Corporation (Subpart D) (Part U); to amend the New York state urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the empire state economic development fund (Part V); to amend chapter 393 of the laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, in relation to extending loan powers (Part W); intentionally omitted (Part X); to amend the general business law, in relation to establishing the "Safe by Design Act" (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); to amend the insurance law, in relation to requiring insurers to



provide explanations for certain premium changes (Part BB); intentionally omitted (Part CC); intentionally omitted (Part DD); to amend the insurance law and the civil practice law and rules, in relation to motor vehicle accident liability (Part EE); intentionally omitted (Part FF); to amend the insurance law, in relation to requiring annual reports on insurance for multi-family buildings (Part GG); to amend the insurance law, in relation to the annual consumer guide of health insurers (Subpart A); to amend the insurance law and the public health law, in relation to ongoing treatment by an out-of-network provider during pregnancy (Subpart B); to amend the insurance law, in relation to accessible formulary drug lists (Subpart C); and to amend the insurance law and the public health law, in relation to utilization reviews for treatment for a chronic health condition (Subpart D) (Part HH); intentionally omitted (Part II); intentionally omitted (Part JJ); to amend the insurance law, in relation to extending the policy period for excess profit refunds to motor vehicle policyholders (Part KK); to amend chapter 495 of the laws of 2004, amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part LL); intentionally omitted (Part MM); in relation to enacting the "Long Island MacArthur Airport terminal and rail integration project act" (Part NN); to amend part WW of chapter 56 of the laws of 2022 amending the public officers law relating to permitting videoconferencing and remote participation in public meetings under certain circumstances, in relation to extending the provisions thereof (Part OO); exempting certain major electric generating facilities that provide emergency back-up generation for manufacturing facilities that produce semiconductors from certain siting requirements; and providing for the repeal of such provisions upon expiration thereof (Part PP); to amend the penal law, in relation to criminal interference with access to a place of religious worship (Part QQ); to amend the Cleaner, Greener NY Act of 2013, in relation to the effectiveness of certain provisions thereof (Part RR); to amend the public service law, in relation to enacting the accelerate solar for affordable power (ASAP) act (Part SS); establishing the blue ribbon commission on residential affordability through energy savings; and providing for the repeal of such provisions upon expiration thereof (Part TT); to amend the vehicle and traffic law, in relation to authorizing the creation of a traffic camera violations bureau to adjudicate owner liability for failure of operator to stop for a school bus displaying a red visual signal and stop-arm (Part UU); to amend the environmental conservation law, in relation to climate change (Part VV); to amend chapter 18 of the laws of 2020 authorizing the commissioner of education to appoint a monitor to oversee the Wyandanch union free school district and establishing the powers and duties of such monitor, in relation to establishing a monitor team (Part WW); to amend the retirement and social security law and education law, in relation to certain retirement benefit enhancements (Part XX); to amend the administrative code of the city of New York, in relation to amortization and valuation methods used for contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city (Part YY); to amend the retirement and social security law, in relation to service retirement of members of the New York city fire department pension fund (Part



ZZ); to amend the administrative code of the city of New York, in relation to first grade firefighters and promotions from the firefighter rank (Part AAA); to require certain pension systems to submit a self-report on their financial health to the superintendent of the department of financial services; to require the superintendent of the department of financial services to submit a report on such reports; and providing for the repeal of such provisions upon expiration thereof (Part BBB); to amend the retirement and social security law, in relation to allowing beneficiaries of certain deceased members to elect to receive death benefits in a lump sum (Part CCC); to amend the retirement and social security law, in relation to certain retirement benefit enhancements (Part DDD); to amend the retirement and social security law, in relation to the treatment of prior service with certain agencies by the New York city police pension fund (Part EEE); to amend the retirement and social security law, in relation to the restoration of 20 year service retirement for certain New York city corrections officers and sanitation workers (Part FFF); in relation to providing for the administration of certain funds and accounts related to the 2026--2027 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the school tax relief fund; to amend the private housing finance law, in relation to housing program bonds and notes; 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 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 New York state 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 financing project costs for the office of information technology services and department of law; 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 issuance of bonds for project costs undertaken by or on behalf of the state education department, special act school districts, state-supported schools for the blind and deaf, approved private special education schools, non-public schools, community centers, day care facilities, residential camps, day camps, Native American Indian Nation schools; 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 the public authorities law, in relation to authorization for the issuance of bonds for the capital restructuring financing program, the health care facility transformation programs, and the essential health care provider program; 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 initiatives of the state police; to amend part D of chapter 63 of the laws of 2005, relating to the composition and responsibilities of the New York state higher education capital matching grant board, in relation to higher education capital matching grants; to amend the state finance law, in relation to moneys in the dedicated highway and bridge trust fund; to amend the public authorities law, in relation to increasing the cap on the amount of dormitory facility revenue bonds that can be issued; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to personal income tax revenue anticipation notes; to amend the state finance law, in relation to the calculation of total outstanding principal amount of debt; and providing for the repeal of certain provisions upon expiration thereof (Part GGG); to amend the New York city civil court act, in relation to additional judges in the civil court of the city of New York (Part HHH); to amend the public service law and the public authorities law, in relation to establishing the Excelsior power program (Part III); and to authorize certain work in connection with the District Galleria project in the city of White Plains; and providing for the repeal of such provisions upon expiration thereof (Part JJJ)

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 transportation, economic development
3 and environmental conservation budget for the 2026-2027 state fiscal
4 year. Each component is wholly contained within a Part identified as
5 Parts A through JJJ. The effective date for each particular provision
6 contained within such Part is set forth in the last section of such
7 Part. Any provision in any section contained within a Part, including

1 the effective date of the Part, which makes a reference to a section "of
2 this act", when used in connection with that particular component, shall
3 be deemed to mean and refer to the corresponding section of the Part in
4 which it is found. Section three of this act sets forth the general
5 effective date of this act.

6

PART A

7 Section 1. Section 13 of part U1 of chapter 62 of the laws of 2003,
8 amending the vehicle and traffic law and other laws relating to increas-
9 ing certain motor vehicle transaction fees, as amended by section 1 of
10 part G of chapter 58 of the laws of 2024, is amended to read as follows:

11 § 13. This act shall take effect immediately; provided however that
12 sections one through seven of this act, the amendments to subdivision 2
13 of section 205 of the tax law made by section eight of this act, and
14 section nine of this act shall expire and be deemed repealed on April 1,
15 [2026] 2028; provided further, however, that the provisions of section
16 eleven of this act shall take effect April 1, 2004 and shall expire and
17 be deemed repealed on April 1, [2026] 2028.

18 § 2. Section 2 of part B of chapter 84 of the laws of 2002, amending
19 the state finance law relating to the costs of the department of motor
20 vehicles, as amended by section 2 of part G of chapter 58 of the laws of
21 2024, is amended to read as follows:

22 § 2. This act shall take effect April 1, 2002; provided, however, if
23 this act shall become a law after such date it shall take effect imme-
24 diately and shall be deemed to have been in full force and effect on and
25 after April 1, 2002; provided further, however, that this act shall
26 expire and be deemed repealed on April 1, [2026] 2028.

27 § 3. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on and after April 1, 2026.

29

PART B

30 Section 1. Section 5 of chapter 751 of the laws of 2005, amending the
31 insurance law and the vehicle and traffic law relating to establishing
32 the accident prevention course internet technology pilot program, as
33 amended by section 1 of part F of chapter 58 of the laws of 2024, is
34 amended to read as follows:

35 § 5. This act shall take effect on the one hundred eightieth day after
36 it shall have become a law and shall expire and be deemed repealed April
37 1, [2026] 2028; provided that any rules and regulations necessary to
38 implement the provisions of this act on its effective date are author-
39 ized and directed to be completed on or before such date.

40 § 2. This act shall take effect immediately and shall be deemed to
41 have been in full force and effect on and after April 1, 2026.

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PART C

43

Intentionally Omitted

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PART D

45 Section 1. The vehicle and traffic law is amended by adding a new
46 section 1642-b to read as follows:

1 § 1642-b. Installation and operation of intelligent speed assistance
2 devices; demonstration program in the city of New York. 1. Definitions.
3 For the purposes of this section, the following terms shall have the
4 following meanings:

5 a. "Administering agency" shall mean one or more agencies and/or
6 administrative tribunals designated by the mayor of a city having a
7 population in excess of one million to administer an intelligent speed
8 assistance device demonstration program authorized pursuant to this
9 section; provided, however, that a non-governmental entity shall not be
10 designated as an administering agency;

11 b. "Installation period" shall mean the mandatory period of time that
12 an owner is required to install and maintain an intelligent speed
13 assistance device pursuant to a local law or ordinance adopted pursuant
14 to this section;

15 c. "Intelligent speed assistance device" shall mean a device installed
16 on a motor vehicle utilizing technology to restrict the speed of the
17 motor vehicle based on the maximum speed limits established pursuant to
18 this chapter where such motor vehicle is being operated. Such technology
19 shall allow for the manual override of such restrictions past the speed
20 limit, if necessary, based on traffic conditions; and

21 d. "Owner" shall have the same meaning as provided in section one
22 hundred twenty-eight of this chapter.

23 2. Establishment. Notwithstanding any provision of law to the contra-
24 ry, the city of New York is hereby authorized and empowered to adopt and
25 amend a local law or ordinance establishing a demonstration program
26 authorizing the imposition of a requirement on the owner of a particular
27 motor vehicle who has been found liable for monetary penalties for
28 violations, in a school speed zone within such city, of subdivision (b),
29 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
30 imposed pursuant to a demonstration program imposing monetary liability
31 on the owner of a vehicle for failure of an operator thereof to comply
32 with such posted maximum speed limits through the installation and oper-
33 ation of photo speed violation monitoring systems, in accordance with
34 article thirty of this chapter following entry of a final decision or
35 decisions in response to sixteen notices of liability issued within a
36 twelve month period to such owner with respect to such particular motor
37 vehicle for failure of an operator thereof to comply with such posted
38 maximum speed limits in a school speed zone within such city pursuant to
39 such photo speed violation monitoring system demonstration program, to
40 install and maintain an intelligent speed assistance device in accord-
41 ance with the provisions of a local law or ordinance adopted pursuant to
42 this section. Such local law or ordinance may provide for exemptions
43 for certain categories of vehicles for which installation of an intelli-
44 gent speed assistance device would not further the purposes of such
45 demonstration program or which could otherwise impair public safety or
46 general welfare. Provided, however, that the following shall be exempt
47 from the demonstration program authorized pursuant to this section: (a)
48 motor vehicles owned or leased by the state, a governmental entity, a
49 public authority, a county, town, city, village or any other political
50 subdivision of the state; (b) motor vehicles owned or leased by a busi-
51 ness entity that are routinely operated by two or more of such entity's
52 workers, provided, however, that if a business entity assigns a vehicle
53 to a single worker, and during the period of such assignment the vehicle
54 has been made subject to an order for installation of an intelligent
55 speed assistance device as set forth in subdivision three of this
56 section, such particular vehicle shall be subject to the provisions of



1 this section; (c) licensed vehicles as defined in section 19-502 of the
2 administrative code of the city of New York, regulated by the New York
3 city taxi and limousine commission; and (d) authorized emergency vehi-
4 cles. For purposes of this subdivision, the term "business entity"
5 shall mean an entity organized under the laws of the state, or author-
6 ized to do business in the state, including but not limited to, business
7 corporations, limited liability companies, partnerships, or not-for-pro-
8 fit corporations, but shall not include such entities organized or
9 authorized that do not perform a bona fide business purpose, nor enti-
10 ties owned by a single person or household, including but not limited to
11 single-member limited liability companies or single shareholder corpo-
12 rations.

13 3. Determination and notification. a. Whenever the administering agen-
14 cy determines that an owner of a particular motor vehicle has been found
15 liable for monetary penalties following entry of a final decision or
16 decisions in response to sixteen notices of liability issued within a
17 period of twelve months with respect to such particular motor vehicle
18 for failure of an operator thereof to comply with posted maximum speed
19 limits in a school speed zone within such city when a school speed limit
20 is in effect as provided in paragraphs one and two of subdivision (c) of
21 section eleven hundred eighty of this chapter or when other speed limits
22 are in effect as provided in subdivision (b), (d), (f) or (g) of section
23 eleven hundred eighty of this chapter through the installation and oper-
24 ation of photo speed violation-monitoring systems in accordance with
25 article thirty of this chapter, such administering agency shall order
26 the installation of an intelligent speed assistance device on such motor
27 vehicle and, except as otherwise provided in paragraph (b) of subdivi-
28 sion two of this section, on each other motor vehicle owned by such
29 owner during the relevant installation period. Such administering agen-
30 cy shall send such owner no fewer than two written notices that they are
31 required to install and maintain a functioning intelligent speed assist-
32 ance device, of a model and type as specified pursuant to a local law or
33 ordinance adopted pursuant to this section, for the applicable installa-
34 tion period as provided in subdivision four of this section. Such
35 notifications shall include: (i) a date certain by which an intelligent
36 speed assistance device must be installed; (ii) a statement that the
37 owner must provide the administering agency with proof of compliance
38 within thirty days of the date the owner is ordered to install such
39 device and instructions for how to submit such proof; (iii) a statement
40 that the owner shall be responsible for the cost of installing, main-
41 taining, and removing such device absent a finding of financial inabili-
42 ty to pay, the approximate cost to the owner of installing, maintaining,
43 and removing such device, and that such costs may be paid in install-
44 ments; (iv) information advising the owner of the manner and the time in
45 which they may contest the order to install an intelligent speed assist-
46 ance device; and (v) prominent warnings that failure to install such
47 device and failure to submit proof of such compliance could result in a
48 violation, registration suspension, and an extension of the installation
49 period unless the administering agency makes a finding of good cause for
50 such failure. Such administering agency shall also offer an opportunity
51 to each owner to formally contest an order to install an intelligent
52 speed assistance device following the issuance of such order and prior
53 to the date certain that such device must be installed pursuant to
54 subdivision five of this section, and pursuant to published criteria to
55 be considered in determining whether such order shall be upheld or with-
56 drawn, which shall include whether such vehicles are exempt pursuant to



1 subdivision two of this section, provided that: (A) such opportunity
2 shall not permit such owner to contest any notices of liability previ-
3 ously adjudicated to finality where such owner was found liable for
4 monetary penalties issued pursuant to section eleven hundred eighty-b of
5 this chapter; and (B) following a proper contestation submission, the
6 relevant installation period shall not commence until such contestation
7 process has fully completed and such order shall have been upheld or
8 withdrawn.

9 b. Following the failure of an owner to install an intelligent speed
10 assistance device by the date certain required to be provided to such
11 owner pursuant to paragraph (a) of this subdivision, an additional writ-
12 ten notification shall be sent to such owner to notify them of such
13 failure and of the statements and warning set forth in subparagraphs
14 (ii), (iii), (iv) and (v) of such paragraph.

15 4. Installation and removal. a. An owner required to install and main-
16 tain an intelligent speed assistance device pursuant to a local law or
17 ordinance adopted pursuant to this section shall install and maintain a
18 functioning intelligent speed assistance device in accordance with the
19 provisions of such local law or ordinance: (i) for a period of twelve
20 months for the first time an owner is ordered to install an intelligent
21 speed assistance device under this subdivision; (ii) for a period of
22 twenty-four months the second time such owner is mandated to install an
23 intelligent speed assistance device under this subdivision within a
24 period of ten years of completing the first term of installation; (iii)
25 for a period of thirty-six months the third time such owner is mandated
26 to install an intelligent speed assistance device under this subdivision
27 within a period of fifteen years of completing the first term of instal-
28 lation; and (iv) for the fourth or subsequent time such owner is
29 mandated to install an intelligent speed assistance device under this
30 subdivision, a period of time not to conclude until such time as the
31 administering agency approves such removal.

32 b. Upon the conclusion of the period in which an owner is required to
33 install and maintain an intelligent speed assistance device, the admin-
34 istering agency of such city shall provide written notification author-
35 izing the removal of such device to such owner and shall notify the
36 commissioner in such manner and form as the commissioner may prescribe,
37 and the commissioner shall remove any corresponding notation on each
38 applicable registration record of such owner.

39 5. Monitoring of compliance and recording of condition. a. The owner
40 of a motor vehicle required to install and maintain an intelligent speed
41 assistance device pursuant to a local law or ordinance adopted pursuant
42 to this section shall provide proof of installation to the administering
43 agency of such city, in a manner provided by such local law or ordi-
44 nance, within thirty days of the date certain that such device must be
45 installed by such owner as ordered by the administering agency.

46 b. When the administering agency of such city imposes the condition
47 specified in subdivision three of this section, it shall notify the
48 commissioner in such manner and form as the commissioner may prescribe,
49 and, if practicable, the commissioner shall note such condition on the
50 owner's registration record of each motor vehicle subject to such condi-
51 tion.

52 c. A local law or ordinance adopted pursuant to this section shall
53 provide for the monitoring of compliance of owners required to install
54 and maintain an intelligent speed assistance device pursuant to a demon-
55 stration program established pursuant to this section.

1 6. Cost of installation and maintenance. a. The cost of installation,
2 maintenance including repair and replacement, and removal of the intel-
3 ligent speed assistance device shall be borne by the owner subject to
4 such condition and such cost may be paid in installments at no charge
5 to the owner. The administering agency shall offer such owners the
6 opportunity to enter into an installment payment plan at any time.
7 Provided, however, that when the administering agency determines such
8 owner is financially unable to afford such cost, such cost shall be
9 waived. An owner shall be presumptively deemed to be financially unable
10 to afford such cost if the owner's household income is at or below two
11 hundred percent of the federal poverty level as documented.

12 b. The service provider of the device shall be responsible for the
13 installation, calibration, maintenance, and removal of such device. The
14 service provider shall also be responsible for providing written user
15 instructions and device guidelines to owners whose vehicles are equipped
16 with such devices.

17 7. Privacy. a. A local law or ordinance adopted pursuant to this
18 section shall include measures to protect the privacy of owners required
19 to install and maintain intelligent speed assistance devices and to
20 enforce such measures. Such measures shall include:

21 (i) encryption of information and data created, collected, recorded,
22 or otherwise captured by intelligent speed assistance devices installed
23 and maintained by owners including, but not limited to, personally iden-
24 tifiable information, geolocation data, and any data and information
25 shared between administering agencies and the manufacturers and service
26 providers of such devices;

27 (ii) de-identifying or aggregating of motor vehicle geolocation data;

28 (iii) restricting the information obtained by the administering agency
29 from intelligent speed assistance devices to only that which is strictly
30 necessary to monitor compliance by an owner required to install and
31 maintain an intelligent speed assistance device;

32 (iv) creation of a framework in accordance with state law for data
33 collection, storage, sharing, and destruction that adheres to the
34 restrictions provided in this subdivision;

35 (v) methods to inform owners required to install and maintain intelli-
36 gent speed assistance devices of what data is collected, how it is used,
37 and with whom it may be shared;

38 (vi) oversight procedures to enforce compliance with the privacy
39 protection measures under this subdivision and any local law or ordi-
40 nance adopted pursuant to this section including but not limited to
41 security audits to ensure consistent application and ongoing compliance
42 of the administering agency, intelligent speed assistance device
43 manufacturers and service providers; and

44 (vii) information security standards including identifying and assess-
45 ing internal and external security risks, physical access controls,
46 up-to-date anti-malware software, and documented incident response
47 procedures.

48 b. Information and data created, collected, recorded, or otherwise
49 captured by intelligent speed assistance devices shall be for the exclu-
50 sive use of the city of New York for the sole purpose of monitoring
51 compliance with the requirement of an owner to install and maintain an
52 intelligent speed assistance device, and shall be destroyed by such city
53 upon the completion of the term of such installation and maintenance.
54 Notwithstanding the provisions of any other law, rule or regulation to
55 the contrary, information and data from an intelligent speed assistance
56 device shall not be open to the public, nor subject to civil or criminal

1 process or discovery, nor used by any court or administrative or adjudi-
2 catory body in any action or proceeding therein except that which is
3 necessary for the monitoring of compliance pursuant to this section, and
4 no public entity or employee, officer or agent thereof shall disclose
5 such information, except that such information and data shall be avail-
6 able for inspection and copying and use by the motor vehicle owner for
7 so long as such information and data are required to be maintained or
8 are maintained by such public entity, employee, officer or agent.

9 c. No person, firm, association, partnership, limited liability compa-
10 ny, corporation, manufacturer or service provider shall sell, share,
11 transfer, publish, lease, release, or otherwise make available to any
12 third party any personally identifiable information or any information
13 and data created, collected, recorded, or otherwise captured by intelli-
14 gent speed assistance devices installed and maintained by owners pursu-
15 ant to a local law adopted pursuant to this section, and shall destroy
16 such information and data upon the completion of the term of such
17 installation and maintenance. For the purposes of this paragraph, "third
18 party" shall not include an administering agency.

19 8. Certification and standards. a. The administering agency shall
20 approve intelligent speed assistance devices and service providers of
21 intelligent speed assistance devices pursuant to a local law or ordi-
22 inance adopted pursuant to this section and shall publish a list of
23 approved devices and service providers which shall be publicly avail-
24 able. Service providers approved by the administering agency shall be
25 required to be qualified to install, calibrate, service, and remove
26 approved intelligent speed assistance devices, and shall comply with the
27 privacy requirements of subdivision seven of this section and any local
28 law or ordinance adopted pursuant to this section.

29 b. After consultation with manufacturers of intelligent speed assist-
30 ance devices, the administering agency shall promulgate regulations
31 regarding standards for, and use of, intelligent speed assistance
32 devices. Such standards shall include provisions for device calibration
33 and shall also include, but not be limited to, requirements that the
34 devices:

35 (i) have features that make circumventing or bypassing the device
36 difficult and that do not interfere with the normal or safe operation of
37 the motor vehicle, provided that the manual override referenced in para-
38 graph c of subdivision one of this section shall not be considered a
39 feature to circumvent or bypass the device;

40 (ii) work accurately and reliably in an unsupervised environment;

41 (iii) resist tampering and give evidence if tampering is attempted;

42 (iv) minimize inconvenience to users of the motor vehicle;

43 (v) operate reliably over the range of motor vehicle environments and
44 motor vehicle manufacturing standards; and

45 (vi) are manufactured by a party covered by product liability insur-
46 ance and liability insurance against installation and maintenance
47 errors.

48 9. Circumvention of intelligent speed assistance device; installation.

49 a. No person shall tamper with or circumvent an otherwise operable
50 intelligent speed assistance device. A first violation of this paragraph
51 shall be a traffic infraction punishable by a fine of not less than
52 fifteen hundred dollars nor more than twenty-five hundred dollars and
53 the commissioner shall suspend the registration of the motor vehicle
54 subject to the tampered or circumvented device pursuant to paragraph (a)
55 of subdivision four-i of section five hundred ten of this chapter for
56 twelve months and the relevant installation period shall be extended by

1 six months. A subsequent violation of this paragraph shall be a traffic
2 infraction punishable by a fine of not less than fifteen hundred dollars
3 nor more than twenty-five hundred dollars and the commissioner shall
4 suspend the registration of the motor vehicle subject to the tampered or
5 circumvented device pursuant to paragraph (a) of subdivision four-i of
6 section five hundred ten of this chapter for a period of twelve months
7 and the relevant installation period shall be extended by twelve months.

8 b. No person required to install an intelligent speed assistance
9 device pursuant to a local law or ordinance adopted pursuant to this
10 section shall fail to install such device and provide proof of such
11 installation to the administering agency within thirty days of the date
12 certain that such device must be installed by such owner as ordered by
13 the administering agency, absent a finding by the administering agency
14 of good cause for that failure. A violation of this paragraph shall be a
15 traffic infraction punishable by a fine of not less than fifteen hundred
16 dollars nor more than twenty-five hundred dollars. Upon the failure by
17 an owner to install such device and provide proof of such installation
18 to the administering agency within forty-five days of the date certain
19 that such device must be installed by such owner as ordered by the
20 administering agency, absent a finding by the administering agency of
21 good cause for that failure, the commissioner shall suspend the regis-
22 tration of the relevant motor vehicle pursuant to paragraph (b) of
23 subdivision four-i of section five hundred ten of this chapter.

24 c. Notwithstanding the provisions of any other law, rule or regu-
25 lation to the contrary, following entry of a final decision or decisions
26 in response to three notices of liability issued to an owner of a
27 particular motor vehicle for failure of an operator thereof to comply
28 with posted maximum speed limits in a school speed zone within the city
29 of New York pursuant to a photo speed violation monitoring system demon-
30 stration program in accordance with article thirty of this chapter after
31 having failed to comply with an order to install an intelligent speed
32 assistance device on such motor vehicle pursuant to a local law or ordi-
33 nance adopted in accordance with this section by the date ordered shall
34 constitute a traffic infraction punishable by a fine of not less than
35 fifteen hundred dollars nor more than twenty-five hundred dollars;
36 provided, however, that no traffic violation shall occur if any such
37 notice of liability is issued following the expiration of the relevant
38 installation period and authorization of the removal of the intelligent
39 speed assistance device in accordance with subdivision four of this
40 section. Following final adjudication of such traffic infraction the
41 relevant installation period shall be extended by twelve months.

42 d. Following an order by the administering agency to a motor vehicle
43 owner to install an intelligent speed assistance device with respect to
44 such vehicle, the commissioner may, in their discretion, deny a regis-
45 tration or renewal application to any other person for the same vehicle
46 and may deny a registration or renewal application for any other motor
47 vehicle registered in the name of the applicant where the commissioner
48 has determined that such registrant's intent has been to evade the
49 purposes of this section and where the commissioner has reasonable
50 grounds to believe that such registration or renewal will have the
51 effect of defeating the purposes of this section. Such denial shall only
52 remain in effect until the administering agency has sent the owner writ-
53 ten notification authorizing the removal of such intelligent speed
54 assistance device.

55 10. Warning label. The local law or ordinance adopted pursuant to this
56 section shall provide for the design of a warning label which the

1 manufacturer or service provider shall affix to each intelligent speed
2 assistance device upon installation in the state. The label shall
3 contain a warning that any person tampering or circumventing the device
4 is guilty of a violation and may be subject to civil liability.

5 11. Reporting of program results. a. By July first, two thousand twen-
6 ty-eight and every two years thereafter in which the demonstration
7 program is operable, the administering agency shall submit a report to
8 the governor, the temporary president of the senate, the speaker of the
9 assembly, and the chairs of the senate and assembly transportation
10 committees on the results of any demonstration program authorized by
11 subdivision two of this section. Such report shall include at minimum
12 and with respect to the preceding twenty-four months:

13 (i) the aggregate number of motor vehicle owners ordered to install an
14 intelligent speed assistance device in accordance with subdivision three
15 of this section, the aggregate number of such motor vehicles subject to
16 such orders in total, and in the aggregate by county within New York
17 state and within any other state;

18 (ii) the aggregate number of contestations elected by motor vehicle
19 owners in accordance with paragraph a of subdivision three of this
20 section and the percentage of such contestations resulting in (A) an
21 upheld or (B) a withdrawn order;

22 (iii) in the aggregate, the number of motor vehicle owners authorized
23 to remove such device, the number of motor vehicles to which such
24 removal authorization applies, and the relevant installation period for
25 each such device, pursuant to subdivision four of this section, which
26 shall be anonymized;

27 (iv) in the aggregate, the number of motor vehicle owners for whom the
28 cost of device installation was waived pursuant to subdivision six of
29 this section;

30 (v) the list of service providers of intelligent speed assistance
31 devices approved pursuant to subdivision eight hereof;

32 (vi) the aggregate number of violations for paragraphs a and b of
33 subdivision nine of this section that were adjudicated and the results
34 of such adjudications including breakdowns of dispositions made;

35 (vii) the number and amount of fines imposed, and the aggregate number
36 of registrations suspended, for violations of paragraphs a and b of
37 subdivision nine of this section; and

38 (viii) the effectiveness and adequacy of the demonstration program to
39 determine the impact on speeding violations and prevention of crashes.

40 b. Such report shall also be made publicly available on the website of
41 the New York city department of transportation.

42 § 2. Paragraph 3 of subdivision (g) of section 1180-b of the vehicle
43 and traffic law, as added by chapter 189 of the laws of 2013, is amended
44 to read as follows:

45 3. The notice of liability shall contain information advising the
46 person charged of the manner and the time in which [he or she] they may
47 contest the liability alleged in the notice. Such notice of liability
48 shall also contain a prominent warning to advise the person charged that
49 failure to contest in the manner and time provided shall be deemed an
50 admission of liability and that a default judgment may be entered there-
51 on, and a prominent warning to advise the person charged that following
52 entry of a final decision or decisions in response to sixteen notices of
53 liability issued within a period of twelve months imposing monetary
54 liability upon such person as an owner for failure of an operator there-
55 of to comply with posted maximum speed limits in a school speed zone
56 within such city when a school speed limit is in effect as provided in

1 paragraphs one and two of subdivision (c) of section eleven hundred
 2 eighty of this chapter or when other speed limits are in effect as
 3 provided in subdivision (b), (d), (f) or (g) of section eleven hundred
 4 eighty of this chapter through the installation and operation of photo
 5 speed violation-monitoring systems in accordance with article thirty of
 6 this chapter within such city, such person shall be required to install
 7 and maintain an intelligent speed assistance device on such motor vehi-
 8 cle owned by such person for the relevant installation period, and the
 9 approximate cost to the owner of installing, maintaining, and removing
 10 such device.

11 § 3. Section 510 of the vehicle and traffic law is amended by adding a
 12 new subdivision 4-i to read as follows:

13 4-i. Suspension of registration for circumventing or tampering with an
 14 intelligent speed assistance device or failing to install such device.

15 (a) Upon receipt of notification from an administering agency in the
 16 city of New York that an owner of a motor vehicle has been convicted of
 17 a subsequent violation of paragraph a of subdivision nine of section
 18 sixteen hundred forty-two-b of this chapter, the commissioner or the
 19 commissioner's agent shall suspend the registration of the motor vehicle
 20 involved in such violation for a period of twelve months. Such suspen-
 21 sion shall take effect no less than thirty days from the date on which
 22 notice thereof is sent by the commissioner to the person whose registra-
 23 tion or privilege is suspended.

24 (b) Upon receipt of certification from an administering agency in the
 25 city of New York that an owner of a motor vehicle has failed to install
 26 and provide proof of installation of an intelligent speed assistance
 27 device within forty-five days of the date by which such installation and
 28 proof are required as provided in paragraph b of subdivision nine of
 29 section sixteen hundred forty-two-b of this chapter, the commissioner or
 30 the commissioner's agent shall suspend the registration of each motor
 31 vehicle involved in such violation. Such suspension shall take effect no
 32 less than thirty days from the date on which notice thereof is sent by
 33 the commissioner to the person whose registration or privilege is
 34 suspended and shall remain in effect for a particular motor vehicle
 35 until the commissioner is notified by the administering agency as
 36 required herein that the owner has installed an intelligent speed
 37 assistance device on such particular motor vehicle and provided proof of
 38 such installation to such administering agency. Upon the compliance of
 39 such owner with an order to install an intelligent speed assistance
 40 device and to provide proof of compliance to the administering agency as
 41 required pursuant to paragraph (b) of subdivision nine of section
 42 sixteen hundred forty-two-b of this chapter, the administering agency
 43 shall forthwith certify that fact to the commissioner, in such manner
 44 and form as the commissioner may prescribe.

45 (c) For the purposes of this subdivision, the term "administering
 46 agency" shall have the same meaning as such term is defined in paragraph
 47 a of subdivision one of section sixteen hundred forty-two-b of this
 48 chapter.

49 § 4. Subparagraphs (viii) and (ix) of paragraph 1 of subdivision (f)
 50 of section 380-j of the general business law, as amended by chapter 727
 51 of the laws of 2023, are amended to read as follows:

52 (viii) information relating to a medical debt regardless of the date
 53 it was incurred; [or]

54 (ix) late payments of any fees or other costs associated with or
 55 related to the installation, maintenance including repair or replace-
 56 ment, and removal of an intelligent speed assistance device pursuant to

1 a local law or ordinance adopted in accordance with article thirty-nine
2 of the vehicle and traffic law; or

3 (x) any other adverse information which antedates the report by more
4 than seven years.

5 § 5. Subdivision 2 of section 87 of the public officers law is amended
6 by adding a new paragraph (w) to read as follows:

7 (w) is information or data, regardless of form, created, collected,
8 recorded, or otherwise captured by an intelligent speed assistance
9 device installed and maintained pursuant to the authority of section
10 sixteen hundred forty-two-b of the vehicle and traffic law.

11 § 6. The selection of approved service providers and the purchase or
12 lease of any approved devices by an administering agency for a demon-
13 stration program established pursuant to section 1642-b of the vehicle
14 and traffic law, as added by section one of this act, shall be subject
15 to the provisions of section 103 of the general municipal law. For the
16 purposes of this section, the term "administering agency" shall have the
17 same meaning as such term is defined in paragraph a of subdivision one
18 of section 1642-b of the vehicle and traffic law.

19 § 7. This act shall take effect one year after it shall have become a
20 law and shall apply to violations committed on and after such date;
21 provided, however, that sections one, three, four, five and six of this
22 act shall expire and be deemed repealed July 1, 2032; provided, further,
23 that the amendments to paragraph 3 of subdivision (g) of section 1180-b
24 of the vehicle and traffic law made by section two of this act shall not
25 affect the expiration and repeal of such section and shall be deemed
26 repealed therewith; provided, further, that any such local law as may be
27 enacted pursuant to section one of this act shall remain in full force
28 and effect only until July 1, 2032. Effective immediately, the addition,
29 amendment and/or repeal of any rule or regulation necessary for the
30 implementation of this act on its effective date are authorized to be
31 made and completed on or before such effective date.

32 PART E

33 Section 1. Section 3 of part FF of chapter 55 of the laws of 2017,
34 relating to motor vehicles equipped with autonomous vehicle technology,
35 as amended by section 1 of part J of chapter 58 of the laws of 2024, is
36 amended to read as follows:

37 § 3. This act shall take effect April 1, 2017; provided, however, that
38 section one of this act shall expire and be deemed repealed April 1,
39 [2026] 2028.

40 § 2. This act shall take effect immediately.

41 PART F

42 Intentionally Omitted

43 PART G

44 Section 1. Paragraph 1 of subdivision (a) of section 1180-e of the
45 vehicle and traffic law, as amended by section 1 of part Q of chapter 58
46 of the laws of 2025, is amended to read as follows:

47 1. Notwithstanding any other provision of law, the commissioner of
48 transportation is hereby authorized to establish a demonstration program
49 imposing monetary liability on the owner of a vehicle for failure of an

1 operator thereof to comply with posted maximum speed limits in a highway
2 construction or maintenance work area located on a [controlled-access]
3 highway (i) when highway construction or maintenance work is occurring
4 and a work area speed limit is in effect as provided in paragraph two of
5 subdivision (d) or subdivision (f) of section eleven hundred eighty of
6 this article or (ii) when highway construction or maintenance work is
7 occurring and other speed limits are in effect as provided in subdivi-
8 sion (b) or (g) or paragraph one of subdivision (d) of section eleven
9 hundred eighty of this article. Such demonstration program shall empower
10 the commissioner to install photo speed violation monitoring systems
11 within no more than forty highway construction or maintenance work areas
12 located on [controlled-access] highways and to operate such systems
13 within such work areas (iii) when highway construction or maintenance
14 work is occurring and a work area speed limit is in effect as provided
15 in paragraph two of subdivision (d) or subdivision (f) of section eleven
16 hundred eighty of this article or (iv) when highway construction or
17 maintenance work is occurring and other speed limits are in effect as
18 provided in subdivision (b) or (g) or paragraph one of subdivision (d)
19 of section eleven hundred eighty of this article. The commissioner, in
20 consultation with the superintendent of the division of state police,
21 shall determine the location of the highway construction or maintenance
22 work areas located on a [controlled-access] highway in which to install
23 and operate photo speed violation monitoring systems. In selecting a
24 highway construction or maintenance work area in which to install and
25 operate a photo speed violation monitoring system, the commissioner
26 shall consider criteria including, but not limited to, the speed data,
27 crash history, and roadway geometry applicable to such highway
28 construction or maintenance work area. A photo speed violation monitor-
29 ing system shall not be installed or operated on a [controlled-access]
30 highway exit ramp.

31 § 2. Subdivision (b) of section 1180-e of the vehicle and traffic law,
32 as amended by section 2 of part Q of chapter 58 of the laws of 2025, is
33 amended to read as follows:

34 (b) If the commissioner or chair of the thruway authority, Triborough
35 bridge and tunnel authority, or bridge authority establishes a demon-
36 stration program pursuant to subdivision (a) of this section, the owner
37 of a vehicle shall be liable for a penalty imposed pursuant to this
38 section if such vehicle was used or operated with the permission of the
39 owner, express or implied, within a highway construction or maintenance
40 work area located on a [controlled-access] highway, the thruway, Tribor-
41 ough bridge and tunnel authority facilities or bridge authority facili-
42 ties, as applicable in violation of paragraph two of subdivision (d) or
43 subdivision (f), or when other speed limits are in effect in violation
44 of subdivision (b) or (g) or paragraph one of subdivision (d), of
45 section eleven hundred eighty of this article, such vehicle was travel-
46 ing at a speed of more than ten miles per hour above the posted speed
47 limit in effect within such highway construction or maintenance work
48 area, and such violation is evidenced by information obtained from a
49 photo speed violation monitoring system; provided however that no owner
50 of a vehicle shall be liable for a penalty imposed pursuant to this
51 section where the operator of such vehicle has been convicted of the
52 underlying violation of subdivision (b), (d), (f) or (g) of section
53 eleven hundred eighty of this article.

54 § 3. Paragraphs 5 and 9 of subdivision (c) of section 1180-e of the
55 vehicle and traffic law, as amended by section 2 of part Q of chapter 58
56 of the laws of 2025, are amended to read as follows:

1 5. ["controlled-access highway"] "highway" shall mean a [controlled-
2 access] highway as defined by section one hundred [nine] eighteen of
3 this chapter under the commissioner's jurisdiction [which has been func-
4 tionally classified by the department of transportation as principal
5 arterial - interstate or principal arterial - other freeway/expressway
6 on official functional classification maps approved by the federal high-
7 way administration pursuant to part 470.105 of title 23 of the code of
8 federal regulations, as amended from time to time];

9 9. "photo speed violation monitoring system" shall mean a vehicle
10 sensor installed to work in conjunction with a speed measuring device
11 which automatically produces two or more photographs, two or more micro-
12 photographs, a videotape or other recorded images of each vehicle at the
13 time it is used or operated in a highway construction or maintenance
14 work area located on a [controlled-access] highway, the thruway, Tribor-
15 ough bridge and tunnel authority facility or bridge authority facility
16 in violation of subdivision (b), (d), (f) or (g) of section eleven
17 hundred eighty of this article in accordance with the provisions of this
18 section;

19 § 4. Paragraphs 2, 4, and 6 of subdivision (m) of section 1180-e of
20 the vehicle and traffic law, as amended by section 2 of part Q of chap-
21 ter 58 of the laws of 2025, are amended to read as follows:

22 2. the aggregate number, type and severity of crashes, fatalities,
23 injuries and property damage reported within all highway construction or
24 maintenance work areas on [controlled-access] highways, the thruway,
25 Triborough bridge and tunnel authority facilities or bridge authority
26 facilities, as applicable, to the extent the information is maintained
27 by the commissioner, the chair of the thruway authority, Triborough
28 bridge and tunnel authority, or bridge authority, or the department of
29 motor vehicles of this state;

30 4. the number of violations recorded within all highway construction
31 or maintenance work areas on [controlled-access] highways, the thruway,
32 Triborough bridge and tunnel authority facilities or bridge authority
33 facilities, in the aggregate on a daily, weekly and monthly basis to the
34 extent the information is maintained by the commissioner, the chair of
35 the thruway authority, Triborough bridge and tunnel authority, or bridge
36 authority, or the department of motor vehicles of this state;

37 6. to the extent the information is maintained by the commissioner,
38 the chair of the thruway authority, Triborough bridge and tunnel author-
39 ity, or bridge authority, or the department of motor vehicles of this
40 state, the number of violations recorded within all highway construction
41 or maintenance work areas on [controlled-access] highways, the thruway,
42 Triborough bridge and tunnel authority facilities or bridge authority
43 facilities, that were:

44 (i) more than ten but not more than twenty miles per hour over the
45 posted speed limit;

46 (ii) more than twenty but not more than thirty miles per hour over the
47 posted speed limit;

48 (iii) more than thirty but not more than forty miles per hour over the
49 posted speed limit; and

50 (iv) more than forty miles per hour over the posted speed limit;

51 § 5. This act shall take effect immediately; provided, however, that
52 the amendments to section 1180-e of the vehicle and traffic law made by
53 sections one, two, three and four of this act shall not affect the
54 repeal of such section and shall expire and be deemed repealed there-
55 with.

1

PART H

2 Section 1. Section 3 of part PP of chapter 54 of the laws of 2016
3 amending the public authorities law and the general municipal law relat-
4 ing to the New York transit authority and the metropolitan transporta-
5 tion authority, as amended by section 1 of part I of chapter 58 of the
6 laws of 2025, is amended to read as follows:

7 § 3. This act shall take effect immediately; provided that the amend-
8 ments to subdivision 1 of section 119-r of the general municipal law
9 made by section two of this act shall expire and be deemed repealed
10 April 1, [2026] 2027, and provided further that such repeal shall not
11 affect the validity or duration of any contract entered into before that
12 date pursuant to paragraph f of such subdivision.

13 § 2. This act shall take effect immediately and shall be deemed to
14 have been in full force and effect on and after April 1, 2026.

15

PART I

16 Section 1. Definitions. Whenever used in this act, the following terms
17 shall have the following meanings:

18 1. "Authority" shall mean the metropolitan transportation authority
19 created by section twelve hundred sixty-three of the public authorities
20 law.

21 2. "125 Street Subway Extension project" shall mean a project within
22 the metropolitan commuter transportation district to be undertaken by
23 the Authority to extend subway service westward from the northern termi-
24 nus of the Second Avenue Subway Phase Two Project to the west side of
25 Manhattan. Such project includes construction of a subterranean tunnel
26 running from 125 Street and Lenox Avenue west along 125 Street past
27 Broadway, and the construction of additional stations, and any ancillary
28 facilities, connecting with north and south subway lines.

29 3. "Subterranean Tunnel Component" shall mean the component of the 125
30 Street Subway Extension Project consisting of construction of a subter-
31 ranean tunnel running from 125 Street and Lenox Avenue west along 125
32 Street past Broadway.

33 4. "Metropolitan commuter transportation district" shall mean the
34 commuter transportation district created by section twelve hundred
35 sixty-two of the public authorities law.

36 5. "Second Avenue Subway Phase Two Project" shall mean a project with-
37 in the metropolitan commuter transportation district, commenced by the
38 Authority as of the effective date of this chapter, to extend the Q line
39 subway into Harlem through construction of two new stations on Second
40 Avenue at 106 and 116 streets and extending Q line subway service to a
41 third new station at 125 Street and Lexington Avenue that will connect
42 to the 4, 5, and 6 subway lines and Metro-North railroad.

43 § 2. The Authority shall conduct the applicable environmental review
44 of the Subterranean Tunnel Component in accordance with the provisions
45 of article eight of the environmental conservation law, provided that
46 such environmental review shall not be required to be conducted concu-
47 rent with, or inclusive of, the environmental review specified in
48 section three of this act.

49 § 3. The Authority shall conduct the applicable environmental review
50 of all other components of the 125 Street Subway Extension project,
51 including construction of the stations and any ancillary facilities, in
52 accordance with the provisions of article eight of the environmental
53 conservation law; provided that such environmental review shall not be

1 required to be conducted concurrent with, or inclusive of, the environ-
2 mental review specified in section two of this act.

3 § 4. (1) The Authority shall not approve, permit, acquire real proper-
4 ty pursuant to the eminent domain procedure law, or undertake any
5 discretionary action required to construct the Subterranean Tunnel
6 Component described in section two of this act, and no agency, as
7 defined in section 8-0105 of the environmental conservation law, shall
8 permit or authorize any activity relating to construction of the Subter-
9 ranean Tunnel Component, until the Authority has completed the applica-
10 ble environmental review required pursuant to section two of this act.

11 (2) The Authority shall not approve, permit, acquire real property
12 pursuant to the eminent domain procedure law, or undertake any discre-
13 tionary action required to construct the other components of the 125
14 Street Subway Extension project described in section three of this act,
15 and no agency, as defined in section 8-0105 of the environmental conser-
16 vation law, shall permit or authorize any activity relating to
17 construction of the other components of the 125 Street Subway Extension
18 project, until the Authority has completed the applicable environmental
19 review required pursuant to section three of this act.

20 (3) The preparation of a design or designs shall not be deemed to have
21 prejudiced any decision-making pursuant to article eight of the environ-
22 mental conservation law.

23 § 5. This act shall take effect immediately.

24

PART J

25 Section 1. Article 21-AA of the agriculture and markets law is amended
26 by adding a new section 258-aa to read as follows:

27 § 258-aa. Dairy promotion act. 1. Declaration of policy. It is hereby
28 declared that the dairy industry is a paramount agricultural industry of
29 this state, and is an industry affecting the health and welfare of the
30 inhabitants of the state; that the continued existence of the dairy
31 industry and the continued production of milk on the farms of this state
32 is of vast economic importance to the state and to the health and
33 welfare of the inhabitants thereof; that it is essential, in order to
34 assure such continued production of milk and its handling and distrib-
35 ution, that prices to producers be such as to return reasonable costs of
36 production, and at the same time assure an adequate supply of milk and
37 dairy products to consumers at reasonable prices; and to these ends it
38 is essential that consumers and others be adequately informed as to the
39 dietary needs and advantages of milk and dairy products and as to the
40 economies resulting from the use of milk and dairy products, and to
41 command for milk and dairy products, consumer attention and demand
42 consistent with their importance and value. It is further declared that
43 continued decline in the consumption of fluid milk and some other dairy
44 products will jeopardize the production of adequate supplies of milk and
45 dairy products because of increasing surpluses necessarily returning
46 less to producers; and that continued adequate supplies of milk and
47 dairy products is a matter of vital concern as affecting the health and
48 general welfare of the people of this state. It is therefore declared to
49 be the legislative intent and policy of the state:

50 (a) To enable milk producers and others in the dairy industry, with
51 the aid of the state, to more effectively promote the consumption of
52 milk and dairy products;

53 (b) To provide methods and means for the development of new and
54 improved dairy products, and to promote their use; and



1 (c) To this end, eliminate the possible impairment of the purchasing
2 power of the milk producers of this state and to assure an adequate
3 supply of milk for consumers at reasonable prices.

4 2. Definitions. As used in this section the following terms shall have
5 the following meanings:

6 (a) "Dairy products" means milk and products derived therefrom, and
7 products of which milk or a portion thereof is a significant part.

8 (b) "Producer" means any person in this state who is engaged in the
9 production of milk or who causes milk to be produced for any market in
10 this or any other state.

11 (c) "Advisory board" means the persons appointed by the commissioner
12 from nominations from producers as herein defined to assist the commis-
13 sioner in administering a dairy promotion order.

14 (d) "Milk dealer" means any person who purchases or handles or
15 receives or sells milk, including individuals, partnerships, corpo-
16 rations, cooperative associations, and unincorporated cooperative asso-
17 ciations.

18 (e) "Dairy promotion order" means an order issued by the commissioner,
19 pursuant to the provisions of this section.

20 (f) "Cooperative" means an association or federation or cooperative of
21 milk producers organized under the laws of New York state, or any other
22 state, having agreements with their producer members to market, bargain
23 for or sell the milk of such producers, and is actually performing one
24 or more of these services in the marketing of the milk produced by their
25 members, through the cooperative or through a federation of milk cooper-
26 atives in which the cooperative has membership.

27 3. Powers and duties of the commissioner. (a) The commissioner shall
28 administer and enforce the provisions of this section and shall have and
29 may exercise any or all the administrative powers conferred upon the
30 head of a department. In order to effectuate the declared policy of this
31 section the commissioner may, after due notice and hearing, make and
32 issue a dairy promotion order, or orders.

33 (b) Such order or orders shall be issued and amended or terminated in
34 accordance with the following procedures:

35 (i) Before any such order may become effective it shall be approved by
36 fifty-one per centum of the producers of milk voting in the referendum
37 for the area to be regulated by such order. Such referendum shall not
38 constitute valid approval unless fifty-one per centum of all milk
39 producers for the area to be regulated vote in the referendum.

40 (ii) Producers may vote by individual ballot or through their cooper-
41 atives in accordance with the following procedures:

42 (1) Cooperatives may submit written approval of such order within a
43 period of one hundred twenty days after the commissioner has announced a
44 referendum on a proposed order, for such producers who are listed and
45 certified to the commissioner as members of such cooperative, provided,
46 however, that any cooperative before submitting such written approval
47 shall give at least sixty days prior written notice to each producer who
48 is its member, of the intention of the cooperative to approve such
49 proposed order, and further provide that if such cooperative does not
50 intend to approve such proposed order, it shall likewise give written
51 notice of at least sixty days to each such producer who is its member,
52 of its intention not to approve of such proposed order.

53 (2) Any producer may obtain a ballot from the commissioner so that
54 they may register their own approval or disapproval of the proposed
55 order.

1 (3) A producer who is a member of a cooperative which has notified
2 such producer of its intent to approve or not to approve of a proposed
3 order, and who obtains a ballot and with such ballot expresses the
4 producer's approval or disapproval of the proposed order, shall notify
5 the commissioner as to the name of the cooperative of which the producer
6 is a member, and the commissioner shall remove such producer's name from
7 the list certified by such cooperative.

8 (4) In order to ensure that all milk producers are informed regarding
9 a proposed order, the commissioner shall notify all milk producers that
10 an order is being considered, and that each producer may register the
11 producer's approval or disapproval with the commissioner either directly
12 or through the producer's cooperative.

13 (5) The commissioner may appoint a referendum advisory committee to
14 assist and advise the commissioner in the conduct of the referendum.
15 Such committee shall review referendum procedures and the tabulation of
16 results and shall advise the commissioner of its findings. The final
17 certification of the referendum results shall be made by the commission-
18 er. The committee shall consist of not less than three members, none of
19 whom shall be persons directly affected by the promotion order being
20 voted upon. Two members shall be representatives of general farm organ-
21 izations which are not directly affected by the order being voted upon.
22 The members of the committee shall not receive a salary but shall be
23 entitled to actual and reasonable expenses incurred in the performance
24 of their duties.

25 (6) The commissioner may, and upon written petition of not less than
26 ten per centum of the producers in the area, either as individuals or
27 through cooperative representation shall, call a hearing to amend or
28 terminate such order, and any such amendment or termination shall be
29 effective only upon approval of fifty-one per centum of the producers of
30 milk for the area regulated participating in a referendum vote as
31 provided pursuant to this paragraph.

32 (c) The commissioner shall administer and enforce any such dairy
33 promotion order while it is in effect, for the purpose of:

34 (i) Encouraging the consumption of milk and dairy products by
35 acquainting consumers and others with the advantages and economy of
36 using more of such products.

37 (ii) Protecting the health and welfare of consumers by assuring an
38 adequate supply of milk and dairy products.

39 (iii) Providing for research programs designed to develop new and
40 improved dairy products.

41 (iv) Providing for research programs designed to acquaint consumers
42 and the public generally with the effects of the use of milk and dairy
43 products on the health of such consumers.

44 (d) Carrying out, in other ways, the declared policy and intent of
45 this section.

46 4. Provisions of dairy promotion orders. Any dairy promotion order or
47 orders may contain, among others, any or all of the following:

48 (a) Provision for levying an assessment against all producers subject
49 to the regulation for the purpose of carrying out the provisions of such
50 order and to pay the cost of administering and enforcing such order. In
51 order to collect any such assessments, provision shall be made for each
52 milk dealer who receives milk from producers to deduct the amount of
53 assessment from moneys otherwise due to producers for the milk so deliv-
54 ered. The rate of such assessment shall not exceed two per cent per
55 hundredweight of the gross value of the producer's milk, and there may
56 be credited against any such assessment the amounts per hundredweight



1 otherwise paid by any producer covered by the order by voluntary
2 contribution or otherwise pursuant to any other federal or state milk
3 market order for any similar research promotion or program. Notwith-
4 standing the provisions of paragraph (b) of subdivision three of this
5 section, the commissioner, upon written petition of no less than twen-
6 ty-five per cent of producers in the area, either as individuals or
7 through cooperative representation, may call a hearing for the sole
8 purpose of establishing a new rate of assessment hereunder and may
9 submit a proposed change in the rate of assessment to the producers for
10 acceptance or rejection without otherwise affecting the order. The
11 producers in the area may vote on the proposed rate either as individ-
12 uals or through cooperative representation. Notwithstanding the forego-
13 ing provisions of this paragraph and of paragraph (b) of subdivision
14 three of this section, or the provisions of any order promulgated pursu-
15 ant to this section, the rate of assessment, for any period during which
16 a dairy products promotion and research order established pursuant to
17 the federal dairy and tobacco adjustment act of 1983 is in effect, shall
18 not be less than an amount equal to the maximum credit which producers
19 participating in this state's dairy products promotion or nutrition
20 education programs may receive pursuant to subdivision (g) of section
21 113 of such federal act.

22 (b) Provision for payments to organizations engaged in campaigns by
23 advertisements or otherwise, including participation in similar regional
24 or national plans or campaigns to promote the increased consumption of
25 milk and dairy products, to acquaint the public with the dietary advan-
26 tages of milk and dairy products and with the economy of their inclusion
27 in the diet and to command, for milk and dairy products, consumer atten-
28 tion consistent with their importance and value.

29 (c) Provision for payments to institutions or organizations engaged in
30 research leading to the development of new or improved dairy products or
31 research with respect to the value of milk and dairy products in the
32 human diet.

33 (d) Provision for requiring records to be kept and reports to be filed
34 by milk dealers with respect to milk received from producers and with
35 respect to assessments on the milk of such producers.

36 (e) Provision for the auditing of the records of such milk dealers for
37 the purpose of verifying payment of producer assessments.

38 (f) Provision for an advisory board as hereinafter indicated.

39 (g) Such other provisions as may be necessary to effectuate the
40 declared policies of this section.

41 5. Matters to be considered. In carrying out the provisions of this
42 section and particularly in determining whether or not a dairy promotion
43 order shall be issued, the commissioner shall take into consideration,
44 among others, facts available to them with respect to the following:

45 (a) The total production of milk in the area and the proportion of
46 such milk being utilized in fluid form and in other products;

47 (b) The prices being received for milk by producers in the area;

48 (c) The level of consumption per capita for fluid milk and of other
49 dairy products;

50 (d) The purchasing power of consumers; and

51 (e) Other products which compete with milk and dairy products and
52 prices of such products.

53 6. Interstate orders for compacts. The commissioner is authorized to
54 confer and cooperate with the legally constituted authorities of other
55 states and of the United States with respect to the issuance and opera-
56 tion of joint and concurrent dairy promotion orders or other activities



1 tending to carry out the declared intent of this section. The commis-
2 sioner may join with such other authorities in conducting joint investi-
3 gations, holding joint hearings, and issuing joint or concurrent order
4 or orders complementary to those of the federal government and shall
5 have the authority to employ or designate a joint agent or joint agen-
6 cies to carry out and enforce such joint, concurrent, or supplementary
7 orders.

8 7. Prior assessments. Prior to the effective date of any dairy
9 promotion order as provided in this section, the commissioner may
10 require that cooperatives which have petitioned for such an order and
11 who have approved of the issuance of such an order, to deposit with the
12 commissioner such amounts as the commissioner may deem necessary to
13 defray the expense of administering and enforcing such order until such
14 time as the assessments as herein before provided are adequate for that
15 purpose. Such funds shall be received, deposited, and disbursed by the
16 commissioner in the same manner as other funds received pursuant to this
17 section and the commissioner shall reimburse those who paid these prior
18 assessments from other funds received pursuant to this section.

19 8. Status of funds. Any moneys collected under any market order issued
20 pursuant to this section shall not be deemed to be state funds and shall
21 be deposited in a bank or other depository in this state, approved by
22 the commissioner and the state comptroller, allocated to each dairy
23 promotion order under which they were collected, and shall be disbursed
24 by the commissioner only for the necessary expenses incurred by the
25 commissioner with respect to each separate order, all in accordance with
26 the rules and regulations of the commissioner. All such expenses shall
27 be audited by the state comptroller at least annually and within thirty
28 days after the completion thereof the state comptroller shall give a
29 copy thereof to the commissioner. Any moneys remaining in such fund
30 allocable to a particular order, after the termination of such order and
31 not required by the commissioner to defray the expenses of operating
32 such order, may in the discretion of the commissioner be refunded on a
33 pro-rata basis to all persons from whom assessments therefor were
34 collected; provided, however, that if the commissioner finds that the
35 amounts so refundable are so small as to make impracticable the computa-
36 tion and refunding of such moneys, the commissioner may use such moneys
37 to defray the expenses incurred by them in the promulgation, issuance,
38 administration or enforcement of any other similar dairy promotion order
39 or in the absence of any other such dairy promotion order, the commis-
40 sioner may pay such moneys to any organization or institution as
41 provided in paragraph (b) or (c) of subdivision four of this section.

42 9. Budget. The commissioner shall prepare a budget for the adminis-
43 tration and operating costs and expenses including advertising and sales
44 promotion when required in any dairy promotion order executed hereunder
45 and to provide for the collection of such necessary fees or assessments
46 to defray costs and expenses, in no case to exceed two percent per
47 hundredweight of the gross value of milk marketed by producers in the
48 area covered by the order.

49 10. Advisory board. (a) Any dairy promotion order issued pursuant to
50 this section shall provide for the establishment of an advisory board to
51 advise and assist the commissioner in the administration of such order.
52 This board shall consist of not less than five members and shall be
53 appointed by the commissioner from nominations submitted by producers
54 marketing milk in the area to which the order applies. Nominating proce-
55 dure, qualification, representation, and size of the advisory board
56 shall be prescribed in the order for which such board was appointed.



1 (b) No member of an advisory board shall receive a salary but shall be
2 entitled to reimbursement of the member's actual and reasonable expenses
3 incurred while performing such member's duties as authorized herein.

4 (c) The duties and responsibilities of the advisory board shall be
5 prescribed by the commissioner, and the commissioner may specifically
6 delegate to the advisory board, by inclusion in the dairy promotion
7 order, all or any of the following duties and responsibilities:

8 (i) The recommendation to the commissioner of administrative rules and
9 regulations relating to the order.

10 (ii) Recommending to the commissioner such amendments to the order as
11 seems advisable.

12 (iii) The preparation and submission to the commissioner of an esti-
13 mated budget required for the proper operation of the order.

14 (iv) Recommending to the commissioner methods for assessing producers
15 and methods for collecting the necessary funds.

16 (v) Assisting the commissioner in the collection and assembly of
17 information and data necessary for the proper administration of the
18 order.

19 (vi) The performance of such other duties in connection with the order
20 as the commissioner shall designate.

21 11. Rules and regulations enforcement. (a) The commissioner may, with
22 the advice and assistance of the advisory board, make and issue such
23 rules and regulations as may be necessary to effectuate the provisions
24 and intent of this section and to enforce the provisions of any dairy
25 promotion order, all of which shall have the force and effect of law.

26 (b) The commissioner may institute such action at law or in equity as
27 may appear necessary to enforce compliance with any provision of this
28 section, or any rule or regulation, or dairy promotion order committed
29 to the commissioner's administration, and in addition to any other reme-
30 dy under article three of this chapter or otherwise, may apply for
31 relief by injunction if necessary to protect the public interest without
32 being compelled to allege or prove that an adequate remedy at law does
33 not exist. Such application shall be made to the supreme court in any
34 district or county provided in the civil practice law or rules, or to
35 the supreme court in the third judicial district.

36 § 2. The agriculture and markets law is amended by adding a new arti-
37 cle 25 to read as follows:

38 ARTICLE 25

39 MARKETING OF AGRICULTURAL PRODUCTS

40 Section 291. Legislative declaration.

41 292. Definitions.

42 293. Powers and duties of the commissioner.

43 294. Rules and regulations; enforcement.

44 § 291. Legislative declaration. It is hereby declared that the market-
45 ing of agricultural commodities and aquatic products in this state, in
46 excess of reasonable and normal market demands therefor; disorderly
47 marketing of such commodities; improper preparation for market and lack
48 of uniform grading and classification of agricultural commodities and
49 aquatic products; unfair methods of competition in the marketing of such
50 commodities and the inability of individual producers to develop new and
51 larger markets for agricultural commodities and aquatic products, result
52 in an unreasonable and unnecessary economic waste of the agricultural
53 wealth of this state. Such conditions and the accompanying waste jeop-
54 ardize the future continued production of adequate food supplies for the
55 people of this and other states. These conditions vitally concern the

1 health, safety, and general welfare of the people of this state. It is
2 therefore declared the legislative purpose and the policy of this state:

3 1. To enable agricultural producers and aquatic producers of this
4 state, with the aid of the state, more effectively to correlate the
5 marketing of their agricultural commodities and aquatic products with
6 market demands therefor.

7 2. To establish orderly, efficient, and equitable marketing of agri-
8 cultural commodities and aquatic products.

9 3. To provide for uniform grading and proper preparation of agricul-
10 tural commodities and aquatic products for market.

11 4. To provide methods and means for the development of new and larger
12 markets for agricultural commodities and aquatic products produced in
13 New York.

14 5. To eliminate or reduce the economic waste in the marketing of agri-
15 cultural commodities and aquatic products.

16 6. To eliminate unjust impairment of the purchasing power of aquatic
17 producers and the agricultural producers of this state.

18 7. To aid agricultural and aquatic producers in maintaining an income
19 at an adequate and equitable level.

20 § 292. Definitions. For the purposes of this article, the following
21 terms shall have the following meanings:

22 1. "Agricultural commodity" means any and all agricultural, horticul-
23 tural, vineyard products, corn for grain, oats, soybeans, barley, wheat,
24 poultry or poultry products, bees, maple sap and pure maple products
25 produced therefrom, Christmas trees, livestock, including swine, and
26 honey, sold in the state either in their natural state or as processed
27 by the producer thereof but does not include milk, timber or timber
28 products, other than Christmas trees, all hay, rye and legumes except
29 for soybeans.

30 2. "Aquaculture" means the culture, cultivation and harvest of aquatic
31 plants and animals.

32 3. "Aquatic products" means any food or fiber products obtained
33 through the practice of aquaculture, including mariculture; or by
34 harvest from the sea when such products are cultured or landed in New
35 York state. Such products include but are not limited to fish, shellf-
36 ish, seaweed, or other water-based plant life.

37 4. "Producer" means any person engaged within this state in the busi-
38 ness of producing, or causing to be produced for any market, any agri-
39 cultural commodity or aquatic product.

40 5. "Handler" means any person engaged in the operation of packing,
41 grading, selling, offering for sale, or marketing any marketable agri-
42 cultural commodities or aquatic products, who as owner, agent or other-
43 wise ships or causes an agricultural commodity to be shipped.

44 6. "Processor" means any person engaged within this state in process-
45 ing, or in the operation of receiving, grading, packing, canning, freez-
46 ing, dehydrating, fermenting, distilling, extracting, preserving, grind-
47 ing, crushing, or in any other way preserving or changing the form of an
48 agricultural product or aquatic product for the purpose of marketing
49 such commodity but shall not include a person engaged in manufacturing
50 from an agricultural commodity or aquatic product another and different
51 product.

52 7. "Distributor" means any person engaged within this state, in sell-
53 ing, offering for sale, marketing or distributing an agricultural
54 commodity or aquatic product which they have purchased or acquired from
55 a producer or other person or which they are marketing on behalf of a
56 producer or other person, whether as owner, agent, employee, broker or

1 otherwise, but shall not include a retailer, except such retailer who
2 purchases or acquires from, or handles on behalf of any producer or
3 other person, an agricultural commodity or aquatic product subject to
4 regulation by the marketing agreement or order covering such commodity.

5 8. "Marketing agreement" means an agreement entered into, with the
6 approval of the commissioner, by producers with distributors, processors
7 and handlers regulating the preparation, sale and handling of agricul-
8 tural commodities or aquatic products.

9 9. "Marketing order" means an order issued by the commissioner pursu-
10 ant to this article, prescribing rules and regulations governing the
11 marketing for processing, the distributing, the sale of, or the handling
12 in any manner of any agricultural commodity or aquatic product sold in
13 this state during any specified period or periods.

14 § 293. Powers and duties of the commissioner. 1. In order to effectu-
15 ate the declared policy of this article, the commissioner may, after due
16 notice and opportunity for hearing, approve marketing agreements, which
17 marketing agreements shall thereupon be binding upon the signatories
18 thereto exclusively.

19 2. The commissioner may make and issue marketing orders, after due
20 notice and opportunity for hearing, subject to:

21 (a) Approval of not less than sixty-six and two-thirds per centum of
22 the producers participating in a referendum in the area affected, or

23 (b) Approval of not less than sixty-five per centum of the producers
24 participating in a referendum vote, in the area affected, and having
25 marketed not less than fifty-one per centum of the total quantity of the
26 commodity which was marketed in the next preceding marketing season by
27 all producers that voted in the referendum, or

28 (c) Approval of not less than fifty-one per centum of the producers
29 participating in a referendum vote, in the area affected, and having
30 marketed not less than sixty-five per centum of the total quantity of
31 the commodity which was marketed in the next preceding marketing season
32 by all producers that voted in the referendum.

33 3. The commissioner may and upon written petition duly signed by twen-
34 ty-five per centum of the producers in the area shall, amend or termi-
35 nate such order after due notice and opportunity for hearing, but
36 subject to the approval of not less than fifty per centum of such
37 producers participating in a referendum vote.

38 4. The commissioner shall administer and enforce any marketing order,
39 while it is in effect, to:

40 (a) Encourage and maintain stable prices received by producers for
41 such agricultural commodity and aquatic product at a level which is
42 consistent with the provisions and aims of this article.

43 (b) Prevent the unreasonable or unnecessary waste of land or water-
44 based wealth.

45 (c) Protect the interests of consumers of such commodity, by exercis-
46 ing the powers of this article to such extent as is necessary to effec-
47 tuate the purposes of this article.

48 (d) Prepare a budget for the administration and operating costs and
49 expenses including advertising and sales promotion when required in any
50 marketing agreement or order executed hereunder and to provide for the
51 collection of such necessary fees to defray such costs and expenses, in
52 no case to exceed five percent of the gross dollar volume of sales or
53 dollar volume of purchases or amounts handled, to be collected from each
54 person engaged in the production, processing, distributing or the handl-
55 ing of any marketable agricultural commodity and aquatic product



1 produced or landed in this state and directly affected by any marketing
2 order issued pursuant to this article for such commodity.

3 (e) Confer and cooperate with the legally constituted authorities of
4 other states and the United States.

5 5. Any marketing agreement or order issued by the commissioner pursu-
6 ant to this article may contain any or all of the following:

7 (a) Provisions for determining the existence and extent of the surplus
8 of any agricultural commodity, or of any grade, size, or quality there-
9 of, and providing for the regulation and disposition of such surplus.

10 (b) Provisions for limiting the total quantity of any agricultural
11 product, or of any grade or grades, size or sizes, or quality or
12 portions or combinations thereof, which may be marketed during any spec-
13 ified period or periods. Such total quantity of any such commodity so
14 regulated shall not be less than the quantity which the commissioner
15 shall find is reasonably necessary to supply the market demand of
16 consumers for such commodity.

17 (c) Provisions regulating the period, or periods, during which any
18 agricultural commodity, or any grade or grades, size or sizes or quality
19 or portions or combinations of such commodity, may be marketed.

20 (d) Provisions for the establishment of uniform grading, standards,
21 and inspection of any agricultural commodity delivered by producers or
22 other persons to handlers, processors, distributors or others engaging
23 in the handling thereof, and for the establishment of grading or stand-
24 ards of quality, condition, size, maturity or pack for any agricultural
25 commodity, and the inspection and grading of such commodity in accord-
26 ance with such grading or standards so established; and for provisions
27 that no producer, handler, processor or distributor of any agricultural
28 commodity for which grading or standards are so established may, except
29 as otherwise provided in such marketing agreement or order, sell, offer
30 for sale, process, distribute or otherwise handle any such commodity
31 whether produced within or without this state, not meeting and complying
32 with such established grading or standards. For the purposes of this
33 article, the federal-state inspection service shall perform all
34 inspections made necessary by such provisions.

35 (e) Provisions for the establishment of research programs designed to
36 benefit a specified commodity or New York agriculture in general.

37 (f) Such other provisions as may be necessary to effectuate the
38 declared policies of this article.

39 (g) Provisions to establish marketing promotion and research programs
40 for aquatic products which may include paragraphs (a) through (f) of
41 this subdivision.

42 6. The commissioner may temporarily suspend the operation of an effec-
43 tive marketing order for a continuing period of no longer than one grow-
44 ing and marketing season, if the purposes of this article are deemed
45 unnecessary during such season.

46 7. In carrying out the purposes of this article, the commissioner
47 shall take into consideration any and all facts available to them with
48 respect to the following economic factors:

49 (a) The quantity of such agricultural commodity available for distrib-
50 ution.

51 (b) The quantity of such agricultural commodity normally required by
52 consumers.

53 (c) The cost of producing such agricultural commodity.

54 (d) The purchasing power of consumers.

55 (e) The level of prices of commodities, services, and articles which
56 the farmers commonly buy.

1 (f) The level of prices of other commodities which compete with or are
2 utilized as substitutes for such agricultural commodity.

3 8. The execution of such marketing agreements shall in no manner
4 affect the issuance, administration or enforcement of any marketing
5 order provided for in this article. The commissioner may issue such
6 marketing order without executing a marketing agreement or may execute a
7 marketing agreement without issuing a marketing order covering the same
8 commodity. The commissioner, in their discretion, may hold a concurrent
9 hearing upon a proposed marketing agreement and a proposed marketing
10 order in the manner provided for giving due notice and opportunity for
11 hearing for a marketing order as provided in this article.

12 9. Prior to the issuance, amendment or termination of any marketing
13 order, the commissioner may require the applicants for such issuance,
14 amendment, or termination to deposit with them such amount as they may
15 deem necessary to defray the expenses of preparing and making effective
16 amending or terminating a marketing order. Such funds shall be received,
17 deposited, and disbursed by the commissioner in the same manner as other
18 fees received by the commissioner under this article and, in the event
19 the application for adoption, amendment or termination of a marketing
20 order is approved in a referendum, the commissioner shall reimburse any
21 such applicant in the amount of any such deposit from any unexpended
22 monies collected under the marketing order affected by such referendum.

23 10. Any moneys collected by the commissioner pursuant to this article
24 shall not be deemed state funds and shall be deposited in a bank or
25 other depository in this state, approved by the commissioner, allocated
26 to each marketing order under which they are collected, and shall be
27 disbursed by the commissioner only for the necessary expenses incurred
28 by the commissioner with respect to each such separate marketing order,
29 all in accordance with the rules and regulations of the commissioner.
30 All such expenditures shall be audited by the state comptroller at least
31 annually and within thirty days after the completion thereof the state
32 comptroller shall give a copy thereof to the commissioner. Any moneys
33 remaining in such fund allocable to any particular commodity affected by
34 a marketing order may, in the discretion of the commissioner, be
35 refunded at the close of any marketing season upon a pro-rata basis to
36 all persons from whom assessments therefor were collected or, whenever
37 the commissioner finds that such moneys may be necessary to defray the
38 cost of operating such marketing order in a succeeding marketing season,
39 they may carry over all or any portion of such moneys into the next such
40 succeeding season. Upon the termination by the commissioner of any
41 marketing order, all moneys remaining and not required by the commis-
42 sioner to defray the expenses of operating such marketing order, shall
43 be refunded by the commissioner upon a pro-rata basis to all persons
44 from whom assessments therefor were collected; provided, however, that
45 if the commissioner finds that the amounts so refundable are so small as
46 to make impracticable the computation and refunding of such refunds, the
47 commissioner may use such moneys to defray the expenses incurred by the
48 commissioner in the formulation, issuance, administration or enforcement
49 of any subsequent marketing order for such commodity.

50 11. Advisory board. (a) Any marketing order issued pursuant to this
51 article shall provide for the establishment of an advisory board, to
52 consist of not less than five members nor more than nine members, to
53 advise the commissioner in the administration of such marketing order in
54 accordance with its terms and provisions. The members of such board
55 shall be appointed by the commissioner from nominations received from
56 the commodity group for which the marketing order is established. Nomi-



1 nating procedure, qualification, representation, and size of the advi-
2 sory board shall be prescribed in each marketing order for which such
3 board is appointed. Each advisory board shall be composed of such
4 producers and handlers or processors as are directly affected by the
5 marketing order in such proportion of representation as the order shall
6 prescribe. The commissioner may appoint one person who is neither a
7 producer nor processor nor other handler to represent the department of
8 agriculture and markets or the public generally.

9 (b) No member of an advisory board shall receive a salary, but each
10 shall be entitled to reimbursement for the member's actual expenses
11 incurred while engaged in performing the member's duties herein author-
12 ized.

13 (c) The duties and responsibilities of each advisory board shall be
14 prescribed by the commissioner, and they may specifically delegate to
15 the advisory board, by inclusion in the marketing order, all or any of
16 the following duties and responsibilities:

17 (i) The recommendation to the commissioner of administrative rules and
18 regulations relating to the marketing order.

19 (ii) Recommending to the commissioner such amendments to the marketing
20 order as seem advisable.

21 (iii) The preparation and submission to the commissioner of the esti-
22 mated budget required or the proper operation of the marketing order.

23 (iv) Recommending to the commissioner methods for assessing members of
24 the industry and methods for collecting the necessary funds.

25 (v) Assisting the commissioner in the collection and assembling of
26 information and data necessary to the proper administration of the
27 order.

28 (vi) The performance of such other duties in connection with the
29 marketing order as the commissioner shall designate.

30 § 294. Rules and regulations; enforcement. 1. The commissioner may
31 make and promulgate such rules and regulations as may be necessary to
32 effectuate the provisions and intent of this article and to enforce the
33 provision of any marketing agreement or order, all of which shall have
34 the force and effect of law.

35 2. The commissioner may institute such action at law or in equity as
36 may appear necessary to enforce compliance with any provision of this
37 article, or any rule or regulation, marketing agreement or order,
38 committed to the commissioner's administration, and in addition to any
39 other remedy under article three of this chapter or otherwise may apply
40 for relief by injunction if necessary to protect the public interest
41 without being compelled to allege or prove that an adequate remedy at
42 law does not exist. Such application may be made to the supreme court in
43 any district or county as provided in the civil practice law and rules,
44 or to the supreme court in the third judicial district.

45 § 3. Sections 16-x, 16-y and 16-z of section 1 of chapter 174 of the
46 laws of 1968, constituting the New York state urban development corpo-
47 ration act, are REPEALED.

48 § 4. Notwithstanding the repeal of sections 16-x, 16-y and 16-z of
49 section 1 of chapter 174 of the laws of 1968, constituting the New York
50 state urban development corporation act pursuant to section three of
51 this act the marketing orders, and the regulatory provisions relating
52 thereto, set forth under parts 40, 200, 201, 203, 204 and 205 of title 1
53 of the New York codes, rules and regulations, shall remain in full force
54 and effect.

55 § 5. Notwithstanding the repeal of sections 16-x, 16-y and 16-z of
56 section 1 of chapter 174 of the laws of 1968, constituting the New York

1 state urban development corporation act pursuant to section three of
2 this act, all contracts entered into pursuant to such repealed sections
3 shall continue in force and effect after the effective date of this act
4 and shall be assigned to the department of agriculture and markets, and
5 all undisbursed funds under the control of the urban development corpo-
6 ration in connection with the marketing orders shall be transferred to
7 the department of agriculture and markets on or before the forty-fifth
8 day following the effective date of this act; and any assessments due
9 and payable under such marketing orders shall be remitted to the depart-
10 ment of agriculture and markets beginning upon the thirtieth day after
11 the effective date of this act.

12 § 6. This act shall take effect July 1, 2026.

13

PART K

14 Section 1. Paragraph (d) of subdivision 1 of section 210-B of the tax
15 law, as amended by section 1 of part C of chapter 59 of the laws of
16 2023, is amended to read as follows:

17 (d) Except as otherwise provided in this paragraph, the credit allowed
18 under this subdivision for any taxable year shall not reduce the tax due
19 for such year to less than the fixed dollar minimum amount prescribed in
20 paragraph (d) of subdivision one of section two hundred ten of this
21 article. However, if the amount of credit allowable under this subdivi-
22 sion for any taxable year reduces the tax to such amount or if the
23 taxpayer otherwise pays tax based on the fixed dollar minimum amount,
24 any amount of credit allowed for a taxable year commencing prior to
25 January first, nineteen hundred eighty-seven and not deductible in such
26 taxable year may be carried over to the following year or years and may
27 be deducted from the taxpayer's tax for such year or years but in no
28 event shall such credit be carried over to taxable years commencing on
29 or after January first, two thousand two, and any amount of credit
30 allowed for a taxable year commencing on or after January first, nine-
31 teen hundred eighty-seven and not deductible in such year may be carried
32 over to the fifteen taxable years next following such taxable year and
33 may be deducted from the taxpayer's tax for such year or years. In lieu
34 of such carryover, (i) any such taxpayer which qualifies as a new busi-
35 ness under paragraph (f) of this subdivision may elect to treat the
36 amount of such carryover as an overpayment of tax to be credited or
37 refunded in accordance with the provisions of section ten hundred eight-
38 y-six of this chapter, and (ii) any such taxpayer that is an eligible
39 farmer, as defined in subdivision eleven of this section, may for taxa-
40 ble years beginning before January first, two thousand [twenty-eight]
41 thirty-three, elect to treat the amount of such carryover as an overpay-
42 ment of tax to be credited or refunded in accordance with the provisions
43 of section one thousand eighty-six of this chapter, provided, however,
44 the provisions of subsection (c) of section ten hundred eighty-eight of
45 this chapter notwithstanding, no interest shall be paid thereon.

46 § 2. Paragraph 5 of subsection (a) of section 606 of the tax law, as
47 amended by section 2 of part C of chapter 59 of the laws of 2023, is
48 amended to read as follows:

49 (5) If the amount of credit allowable under this subsection for any
50 taxable year shall exceed the taxpayer's tax for such year, the excess
51 allowed for a taxable year commencing prior to January first, nineteen
52 hundred eighty-seven may be carried over to the following year or years
53 and may be deducted from the taxpayer's tax for such year or years, but
54 in no event shall such credit be carried over to taxable years commenc-

1 ing on or after January first, nineteen hundred ninety-seven, and any
2 amount of credit allowed for a taxable year commencing on or after Janu-
3 ary first, nineteen hundred eighty-seven and not deductible in such year
4 may be carried over to the ten taxable years next following such taxable
5 year and may be deducted from the taxpayer's tax for such year or years.
6 In lieu of carrying over any such excess, (A) a taxpayer who qualifies
7 as an owner of a new business for purposes of paragraph ten of this
8 subsection may, at the taxpayer's option, receive such excess as a
9 refund, and (B) a taxpayer that is an eligible farmer as defined in
10 subsection (n) of this section may, at the taxpayer's option, for taxa-
11 ble years beginning before January first, two thousand [twenty-eight]
12 thirty-three, receive such excess as a refund. Any refund paid pursuant
13 to this paragraph shall be deemed to be a refund of an overpayment of
14 tax as provided in section six hundred eighty-six of this article,
15 provided, however, that no interest shall be paid thereon.
16 § 3. This act shall take effect immediately.

17

PART L

18

Intentionally Omitted

19

PART M

20 Section 1. Expenditures of moneys by the New York state energy
21 research and development authority for services and expenses of the
22 energy research, development and demonstration program, including
23 grants, the energy policy and planning program, and the Fuel NY program
24 shall be subject to the provisions of this section. Notwithstanding the
25 provisions of subdivision 4-a of section 18-a of the public service law,
26 all moneys committed or expended in an amount not to exceed \$28,725,000
27 shall be reimbursed by assessment against gas corporations, as defined
28 in subdivision 11 of section 2 of the public service law and electric
29 corporations as defined in subdivision 13 of section 2 of the public
30 service law, where such gas corporations and electric corporations have
31 gross revenues from intrastate utility operations in excess of \$500,000
32 in the preceding calendar year, and the total amount assessed shall be
33 allocated to each electric corporation and gas corporation in proportion
34 to its intrastate electricity and gas revenues in the calendar year
35 2024. Such amounts shall be excluded from the general assessment
36 provisions of subdivision 2 of section 18-a of the public service law.
37 The chair of the public service commission shall bill such gas and/or
38 electric corporations for such amounts on or before August 10, 2026 and
39 such amounts shall be paid to the New York state energy research and
40 development authority on or before September 10, 2026. Upon receipt, the
41 New York state energy research and development authority shall deposit
42 such funds in the energy research and development operating fund estab-
43 lished pursuant to section 1859 of the public authorities law. The New
44 York state energy research and development authority is authorized and
45 directed to provide to the chair of the public service commission and
46 the director of the budget and the chairs and secretaries of the legis-
47 lative fiscal committees, on or before August first of each year, an
48 itemized record, certified by the president and chief executive officer
49 of the authority, or such chief executive officer's designee, detailing
50 any and all expenditures and commitments ascribable to moneys received
51 as a result of this assessment by the chair of the department of public

1 service pursuant to section 18-a of the public service law. This item-
 2 ized record shall include an itemized breakdown of the programs being
 3 funded by this section and the amount committed to each program. The
 4 authority shall not commit for any expenditure, any moneys derived from
 5 the assessment provided for in this section, until the chair of such
 6 authority shall have submitted, and the director of the budget shall
 7 have approved, a comprehensive financial plan encompassing all moneys
 8 available to and all anticipated commitments and expenditures by such
 9 authority from any source for the operations of such authority. Copies
 10 of the approved comprehensive financial plan shall be immediately
 11 submitted by the chair to the chairs and secretaries of the legislative
 12 fiscal committees. Any such amount not committed by such authority to
 13 contracts or contracts to be awarded or otherwise expended by the
 14 authority during the fiscal year shall be refunded by such authority on
 15 a pro-rata basis to such gas and/or electric corporations, in a manner
 16 to be determined by the department of public service, and any refund
 17 amounts must be explicitly lined out in the itemized record described
 18 above.

19 § 2. This act shall take effect immediately and shall be deemed to
 20 have been in full force and effect on and after April 1, 2026.

21

PART N

22 Section 1. Paragraph (m) of subdivision 12 of section 66 of the public
 23 service law, as amended by chapter 10 of the laws of 2026, is amended
 24 and three new paragraphs (n), (o) and (p) are added to read as follows:

25 (m) As a separate and distinct part of any filing by a utility propos-
 26 ing a major change in rates, the utility must provide a description of
 27 any proposed capital expenditure, on a per project basis, including but
 28 not limited to, the: (i) purpose of and the need for each of the
 29 proposed capital expenditures, and if it advances state policy objec-
 30 tives, (ii) total cost, (iii) expected period of usefulness, (iv)
 31 location in the service territory, (v) rationale for inclusion in the
 32 proceeding, [and] (vi) if there was consideration of non-wire or non-
 33 pipe alternatives prior to inclusion of traditional capital investments
 34 in distribution infrastructure, and (vii) anticipated benefits to rate-
 35 payers and the operation of the distribution system, including, but not
 36 limited to, through avoided energy demand, transmission and distribution
 37 upgrades, or energy efficiency measures. Such descriptions of capital
 38 expenditures, on a per project basis, shall be posted on the commis-
 39 sion's website. [Pursuant to paragraph (i) of this subdivision,] When
 40 reviewing each capital expenditure the commission shall consider whether
 41 the utility has satisfied the burden of proof to show that a change in
 42 rates related to each capital expenditure is just and reasonable [shall
 43 be on the utility].

44 (n) (i) The commission shall require each filing for a major change in
 45 rates made by a gas corporation, an electric corporation, or a combina-
 46 tion gas and electric corporation, to include an executive compensation
 47 disclosure. Such executive compensation disclosure shall include: (A)
 48 the median of the annual total compensation of all employees of the gas
 49 corporation or electric corporation, except for senior management posi-
 50 tions; (B) the annual total compensation of the chief executive officer;
 51 (C) the annual total compensation for each other senior management posi-
 52 tion; and (D) the ratio of the amount described in clause (A) of this
 53 subparagraph to the amount described in clause (B) of this subparagraph.

1 (ii) The commission shall develop performance-based targets that tie
2 compensation for the chief executive officer and other senior management
3 positions and ratepayer-funded incentive compensation programs to the
4 energy affordability index developed pursuant to section sixty-six-x of
5 this article and shall consider adjustments to the corporation's return
6 on equity based on such metric. Such adjustments shall not be based on
7 factors which the corporation does not control, including, but not
8 limited to, commodity supply prices.

9 (iii) For purposes of this paragraph, "senior management positions"
10 shall include a chief executive officer, chief operations officer, chief
11 financial officer, chief information officer, chief information technol-
12 ogy officer, officer responsible for regulatory affairs, general coun-
13 sel, and any other positions considered to be senior management by the
14 corporation.

15 (o) (i) The commission shall require each filing for a major change in
16 rates made by a gas corporation, electric corporation, or combination
17 gas and electric corporation, to include, in addition to the corpo-
18 ration's recommended proposal, a budget constrained proposal that sepa-
19 rately addresses operating expenses, capital expenditures, programmatic
20 or policy expenditures, commodity supply costs, taxes, and other costs
21 not within the control of the corporation. Such budget constrained
22 proposal shall not increase the applicant's aggregate revenues by more
23 than the average of the annual consumer price index increases over the
24 prior three years.

25 (ii) In each filing for a major change in rates, the corporation shall
26 demonstrate how any increase in its aggregate revenues by more than the
27 increase set forth in the budget constrained proposal is necessary to
28 ensure safety, reliability, or the continuation of energy affordability
29 programs, energy efficiency programs, or cost-effective electrification
30 upgrades. If the commission finds that the corporation has made such a
31 demonstration, the commission must provide a detailed explanation as to
32 why an increase of more than the budget constrained proposal was neces-
33 sary in its order adopting the new schedule of rates and charges. The
34 commission, in making its determination, shall consider the disclosures
35 required pursuant to paragraph (n) of this subdivision, the descriptions
36 and considerations required by paragraph (m) of this subdivision, and
37 the affordability index provided by the applicant pursuant to section
38 sixty-six-x of this article.

39 (iii) The commission shall require the corporation to track expendi-
40 tures and outcomes and explain material deviations from the approved
41 schedule of rates and charges no less frequently than on an annual
42 basis.

43 (p) (i) The commission is authorized and directed to, within two
44 hundred seventy days of the effective date of this paragraph, establish
45 rules to limit a utility's ability to recover its direct or indirect
46 costs associated with its attendance in, participation in, preparation
47 for, or appeal of any rate proceeding conducted before the commission.
48 Such costs may include, but need not be limited to, attorneys' fees,
49 fees to engage expert witnesses or consultants, the portion of employee
50 salaries associated with such attendance, participation, preparation or
51 appeal of a rate proceeding and related costs identified by the commis-
52 sion.

53 (ii) In establishing such rules the commission may consider: (A)
54 setting an overall percentage of the utility's expenses in a rate case
55 that are not recoverable; (B) setting a baseline of the reasonable cost
56 of participation in a rate case; (C) establishing discovery parameters

1 and what information in a proceeding must be promptly and comprehensive-
2 ly disclosed by the utility to interveners and to the commission to
3 reduce time and costs associated with a lengthy discovery process; and
4 (D) any other method that the commission determines will accelerate the
5 delivery of such utility information, reduce such costs, and limit
6 recovery of such costs to an amount that is reasonable and prudent.

7 § 2. Subdivision 10 of section 80 of the public service law is amended
8 by adding two new paragraphs (h) and (i) to read as follows:

9 (h) (i) The commission shall require each filing for a major change in
10 rates made by a steam corporation to include an executive compensation
11 disclosure. Such executive compensation disclosure shall include: (A)
12 the median of the annual total compensation of all employees of the
13 steam corporation, except for senior management positions; (B) the annu-
14 al total compensation of the chief executive officer; (C) the annual
15 total compensation for each other senior management position; and (D)
16 the ratio of the amount described in clause (A) of this subparagraph to
17 the amount described in clause (B) of this subparagraph.

18 (ii) For purposes of this paragraph, "senior management positions"
19 shall include a chief executive officer, chief operations officer, chief
20 financial officer, chief information officer, chief information technol-
21 ogy officer, officer responsible for regulatory affairs, general coun-
22 sel, and any other positions considered to be senior management by the
23 corporation.

24 (i) (i) The commission shall require each filing for a major change in
25 rates made by a steam corporation to include, in addition to the corpo-
26 ration's recommended proposal, a budget constrained proposal that sepa-
27 rately addresses operating expenses, capital expenditures, programmatic
28 or policy expenditures, commodity supply costs, taxes, and other costs
29 not within the control of the corporation. Such budget constrained
30 proposal shall not increase the applicant's aggregate revenues by more
31 than the average of the annual consumer price index increases over the
32 prior three years.

33 (ii) In each filing for a major change in rates, the corporation shall
34 demonstrate how any increase in the applicant's aggregate revenues by
35 more than the increase set forth in the budget constrained proposal is
36 necessary to ensure safety, reliability, or the continuation of afforda-
37 bility programs.

38 (iii) The commission shall require the corporation to track expendi-
39 tures and outcomes and explain all material deviations from the approved
40 rate plan no less frequently than on an annual basis.

41 § 3. Subdivision 20 of section 66 of the public service law, as added
42 by chapter 394 of the laws of 1978, is amended to read as follows:

43 20. (a) Notwithstanding any general or special law, rule or regulation
44 to the contrary, the commission shall have the power to provide for the
45 refund of any revenues received by any gas [or electric] corporation,
46 electric corporation, or combination gas and electric corporation, which
47 cause the corporation to have revenues in the aggregate in excess of its
48 authorized rate of return for a period of twelve months. [The commission
49 may initiate a proceeding with respect to such a refund after the
50 conclusion of any such twelve month period.]

51 (b) Such corporations shall be required to return all revenues derived
52 from their actual return on equity in excess of their authorized rate of
53 return on equity to ratepayers, less an amount not to exceed the amount
54 of revenue that would be derived from a rate of return on equity equal
55 to one quarter of one percent, as determined by the commission, and upon
56 a determination by the commission that such revenues in excess of a

1 corporation's authorized rate of return on equity provide benefits to
2 ratepayers through cost savings or efficiency gains which exceed the
3 benefits of refunds pursuant to paragraph (c) of this subdivision.
4 Provided, however, in no event shall ratepayers, in aggregate, receive
5 less in returns than the corporation retains in excess revenues.

6 (c) The commission shall direct the corporation to return such excess
7 revenues in the form of a bill credit; provided, however, that if the
8 commission determines that the amount of the bill credit would be de
9 minimis, the commission may set aside such excess revenues for customer
10 benefit in a following rate case. Any bill credit shall be provided to
11 ratepayers in a timely manner, following an accounting review by the
12 department of the corporation's calculation of their excess revenue, and
13 shall be clearly labeled on the ratepayer's bill. Any such bill credit
14 shall be returned in its entirety on a single bill, unless the credit is
15 in excess of the amount due on the bill so as to require the remaining
16 portion of the bill credit to appear on a subsequent bill or bills. The
17 commission may initiate a proceeding with respect to such a refund after
18 the conclusion of any such twelve-month period. In such a proceeding the
19 commission shall determine the bill credit amount due to ratepayers, may
20 examine how credits could be distributed among various customer classi-
21 fications of service, and shall issue an order requiring the disburse-
22 ment of the bill credits.

23 (d) Such corporations shall be required to report annually to the
24 department any excess revenues and the amount returned to ratepayers.

25 (e) For purposes of this subdivision, "authorized rate of return on
26 equity" shall mean the return on the equity portion of the rate base
27 that an electric corporation, gas corporation, or combination gas and
28 electric corporation is authorized to collect in rates pursuant to the
29 schedule of rates and charges on file with the commission or otherwise
30 adopted by an order of the commission.

31 § 4. Subdivision 10 of section 89-c of the public service law is
32 amended by adding two new paragraphs (j) and (k) to read as follows:

33 (j) (i) The commission shall require each application for a major
34 change in rates filed by a water-works corporation to include an execu-
35 tive compensation disclosure. Such executive compensation disclosure
36 shall include: (A) the median of the annual total compensation of all
37 employees of the water-works corporation, except for senior management
38 positions; (B) the annual total compensation of the chief executive
39 officer; (C) the annual total compensation for each other senior manage-
40 ment position; and (D) the ratio of the amount described in clause (A)
41 of this subparagraph to the amount described in clause (B) of this
42 subparagraph.

43 (ii) For purposes of this paragraph, "senior management positions"
44 shall include a chief executive officer, chief operations officer, chief
45 financial officer, chief information officer, chief information technol-
46 ogy officer, officer responsible for regulatory affairs, general coun-
47 sel, and any other positions considered to be senior executive manage-
48 ment by the corporation.

49 (k) (i) The commission shall require each application for a major
50 change in rates filed by a water-works corporation to include, in addi-
51 tion to the corporation's recommended proposal, a budget constrained
52 proposal that separately addresses operating expenses, capital expendi-
53 tures, and programmatic or policy expenditures, commodity supply costs,
54 taxes, and other costs not within the control of the corporation. Such
55 budget constrained proposal shall not increase the applicant's aggregate

1 revenues by more than the average annual consumer price index increases
2 over the prior three years.

3 (ii) In each application for a major change in rates, the corporation
4 shall demonstrate how any increase in the applicant's aggregate revenues
5 by more than the increase set forth in the budget constrained proposal
6 is necessary to ensure safety, reliability, or the continuation of
7 affordability programs.

8 (iii) The commission shall require the corporation to track expendi-
9 tures and outcomes and explain all material deviations from the approved
10 rate plan no less frequently than on a biennial basis.

11 § 5. Section 114-a of the public service law, as amended by chapter
12 394 of the laws of 2021, is amended to read as follows:

13 § 114-a. [Rates not to include cost of legislative lobbying] Costs not
14 to be included in rates. In determining rates to be charged customers,
15 the commission shall not include [the cost of legislative lobbying on
16 behalf of any public utility] as part of any [such] public utility's
17 operational costs [and the commission shall not include the]:

18 1. Any direct or indirect costs associated with lobbying.

19 (a) Lobbying shall include any attempt to influence:

20 (i) the passage or defeat of any legislation or resolution by the
21 state legislature or the congress of the United States including but not
22 limited to the introduction or intended introduction of such legislation
23 or resolution or approval or disapproval of any legislation by the
24 governor or the president of the United States;

25 (ii) the adoption, issuance, rescission, modification or terms of an
26 executive order issued by the governor or the president of the United
27 States;

28 (iii) the passage or defeat of any local law, ordinance, resolution,
29 or regulation by any municipality or subdivision thereof;

30 (iv) the adoption, issuance, rescission, modification or terms of an
31 executive order issued by the chief executive officer of a municipality;
32 or

33 (v) the adoption or rejection of any rule, regulation, or resolution
34 having the force and effect of a local law, ordinance, resolution, or
35 regulation.

36 (b) Lobbying shall not include:

37 (i) any appearance by any person on behalf of a public utility before
38 a committee of either house of the state legislature or the congress of
39 the United States where any such appearance is at the request of any
40 such legislative committee;

41 (ii) preparing or submitting a response on behalf of a public utility
42 to a request for information or comments by the congress of the United
43 States, the president of the United States, the state legislature, the
44 governor, the legislative or executive body or officer of a munici-
45 pality, or a federal, state or local agency; or

46 (iii) applications for licenses, certificates, and permits authorized
47 by statutes or local laws or ordinances.

48 2. The cost of membership dues for any organization, association,
49 institution, corporation or any other entity that engages in [legisla-
50 tive] lobbying [as part of any such utility's operational costs. As
51 used in this section, legislative lobbying shall mean and include any
52 attempt by any person on behalf of a public utility to influence the
53 passage or defeat of any legislation by either house of the legislature
54 or the congress, or the approval or disapproval of any legislation by
55 the governor; provided however, legislative lobbying shall not include
56 any appearance by any person on behalf of a public utility before a

1 committee of either house of the legislature or the congress where any
2 such appearance is at the request of any such committee].

3 3. Contributions or gifts to political candidates, political parties,
4 political or legislative committees or any committee or organization
5 working to influence referendum petitions or elections.

6 4. Contributions to a chamber of commerce or a charity, including but
7 not limited to a charity managed by the public utility. For the purposes
8 of this subdivision a "charity" shall mean an entity formed primarily
9 for charitable purposes, including but not limited to:

10 (a) a corporation formed under the business corporation law, the
11 limited liability company law, or the not-for-profit corporation law
12 primarily for charitable purposes;

13 (b) a charitable trust as defined by article eight of the estates,
14 powers, and trusts law; and

15 (c) any charitable foundation registered within the state that submits
16 financial disclosures to the attorney general.

17 5. Any direct or indirect costs associated with: (a) travel, lodging,
18 food, or beverage expenses that exceed the most recent federal per diem
19 rates published by the general services administration; (b) enter-
20 tainment or gifts; and (c) any owned, leased or chartered aircraft for
21 such public utility's board of directors and officers or the board of
22 directors and officers of such public utility's parent company.

23 6. Expenditures for public relations campaigns and advertising. Public
24 relations campaigns and advertising include expenditures relating to
25 information delivered to the public or to the public utility's customers
26 by radio, television, the internet, print and other media, or through
27 sponsorships, paid endorsements that bear the name of the public utility
28 or an organization that receives funds from a public utility, that is
29 primarily intended to enhance the public image of the public utility or
30 is intended to solicit goodwill towards the public utility and that does
31 not include the offer of goods or services to actual or potential rate-
32 payers. This subdivision does not include communications with the
33 person's stockholders, employees, board members, or officers.

34 § 6. Within 180 days from the effective date of this act, the public
35 service commission shall issue a review of the standards and procedures
36 used to ensure that inappropriate utility expenses are not charged to
37 ratepayers including but not limited to those expenses listed in section
38 114-a of the public service law.

39 § 7. This act shall take effect January 1, 2027 and shall not affect
40 any matter relating to a major change in rates or charges initiated
41 prior to such date. Effective immediately, the addition, amendment
42 and/or repeal of any rule or regulation necessary for the implementation
43 of this act on its effective date are authorized to be made and
44 completed on or before such effective date.

45 PART O

46 Section 1. Paragraphs (f) and (j) of subdivision 12 of section 66 of
47 the public service law, as amended by chapter 154 of the laws of 1989,
48 are amended to read as follows:

49 (f) (i) Whenever there shall be filed with the commission by any util-
50 ity any schedule stating a new rate or charge, or any change in any form
51 of contract or agreement or any rule or regulation relating to any rate,
52 charge or service, or in any general privilege or facility, the commis-
53 sion may, at any time within sixty days from the date when such schedule
54 would or has become effective, either upon complaint or upon its own

1 initiative, and, if it so orders, without answer or other formal plead-
2 ing by the utility, but upon reasonable notice, hold a hearing concern-
3 ing the propriety of a change proposed by the filing. If such change is
4 a major change, the commission shall hold such a hearing. Pending such
5 hearing and decision thereon, the commission, upon filing with such
6 schedule and delivering to the utility, a statement in writing of its
7 reasons therefor, may suspend the operation of such schedule, but not
8 for a longer period than [one hundred and twenty days] fourteen months
9 beyond the time when it would otherwise go into effect. After full hear-
10 ing, whether completed before or after the schedule goes into effect,
11 the commission may make such order in reference thereto as would be
12 proper in a proceeding begun after the rate, charge, form of contract or
13 agreement, rule, regulation, service, general privilege or facility had
14 become effective. [If any such hearing cannot be concluded within the
15 period of suspension as above stated, the commission may extend the
16 suspension for a further period, not exceeding six months.]

17 (ii) The commission is authorized to approve, and any hearing involv-
18 ing a major change in rates for a gas corporation, electric corporation,
19 or combination gas and electric corporation may consider, whether as a
20 result of litigation or settlement negotiations, multi-year changes in
21 rates or charges, in addition to the utility's filing. Any such addi-
22 tional multi-year rates or charges which result from a litigated process
23 are authorized to be implemented in a similar manner to those resulting
24 from settlement negotiations. The commission shall, in each order
25 approving a major change in rates for such corporation, explain how the
26 information in the record that it received from such corporation and the
27 parties impacted its determination to approve a major change in rates
28 consistent with the public interest either as a result of litigation or
29 from a settlement, and include a written summary of the commission's
30 rationale.

31 (j) The schedule, rates, charges, form of contract or agreement, rule,
32 regulation, service, general privilege or facility in force when the new
33 schedule, rate, charge, form of contract, rule, regulation, service,
34 general privilege or facility was filed shall continue in force during
35 the period of the suspension unless the commission shall establish a
36 temporary rate or charge as authorized by section seventy-two of this
37 article. Provided, however, that whenever the commission shall deny a
38 request by a utility for a major change in rates or charges, the sched-
39 ule, rate, charge, form of contract or agreement, rule, regulation,
40 general privilege, facility, or service immediately in effect prior to
41 such request being filed shall remain in full force and effect until
42 such time as the commission approves a new schedule of rates or charges,
43 unless the commission established a temporary rate or charge as author-
44 ized by section seventy-two of this article.

45 § 2. Paragraphs (f) and (g) of subdivision 10 of section 80 of the
46 public service law, as amended by chapter 154 of the laws of 1989, are
47 amended to read as follows:

48 (f) (i) Whenever there shall be filed with the commission by any util-
49 ity any schedule stating a new rate or charge, or any change in any form
50 of contract or agreement or any rule or regulation relating to any rate,
51 charge or service, or in any general privilege or facility, the commis-
52 sion may, at any time within sixty days from the date when such schedule
53 would or has become effective, either upon complaint or upon its own
54 initiative, and, if it so orders, without answer or other formal plead-
55 ing by the utility, but upon reasonable notice, hold a hearing concern-
56 ing the propriety of a change proposed by the filing. If such change is

1 a major change, the commission shall hold such a hearing. Pending such
2 hearing and decision thereon the commission, upon filing with such sche-
3 dule and delivering to the utility, a statement in writing of its
4 reasons therefor, may suspend the operation of such schedule, but not
5 for a longer period than [one hundred and twenty days] fourteen months
6 beyond the time when it would otherwise go into effect. After full hear-
7 ing, whether completed before or after the schedule goes into effect,
8 the commission may make such order in reference thereto as would be
9 proper in a proceeding begun after the rate, charge, form of contract or
10 agreement, rule, regulation, service, general privilege or facility had
11 become effective. [If such hearing cannot be concluded within the period
12 of suspension as above stated, the commission may extend the suspension
13 for a further period not exceeding six months.]

14 (ii) The commission is authorized to approve, and any hearing involv-
15 ing a major change in rates for a steam corporation may consider, wheth-
16 er as a result of litigation or settlement negotiations, multi-year
17 changes in rates or charges, in addition to the utility's filing. Any
18 such additional multi-year rates or charges which result from a liti-
19 gated process are authorized to be implemented in a similar manner to
20 those resulting from settlement negotiations. The commission shall, in
21 each order approving a major change in rates for a steam corporation,
22 explain how the information in the record that it received from such
23 corporation and the parties impacted its determination to approve a
24 major change in rates consistent with the public interest either as a
25 result of litigation or from a settlement, and include a written summary
26 of the commission's rationale.

27 (g) The commission may, as authorized by section eighty-five of this
28 article, establish temporary rates or charges for any period of suspen-
29 sion under this section. At any hearing involving a rate or charge, the
30 burden of proof to show that the change in rate or charge, or proposed
31 change in rate or charge if proposed by the utility, or that the exist-
32 ing rate or charge, if it is proposed to reduce the rate or charge, is
33 just and reasonable shall be upon the utility; and the commission may
34 give to the hearing and decision of such questions preference over all
35 other questions pending before it. The schedule, rates, charges, form of
36 contract or agreement, rule, regulation, service, general privilege or
37 facility in force when the new schedule, rate, charge, form of contract,
38 rule, regulation, service, general privilege or facility was filed shall
39 continue in force during the period of the suspension unless the commis-
40 sion shall establish a temporary rate or charge as authorized by section
41 eighty-five of this article. Provided, however, that whenever the
42 commission shall deny a request by a utility for a major change in rates
43 or charges, the schedule, rate, charge, form of contract or agreement,
44 rule, regulation, general privilege, facility, or service immediately in
45 effect prior to such request being filed shall remain in full force and
46 effect until such time as the commission approves a new schedule of
47 rates or charges, unless the commission established a temporary rate or
48 charge as authorized by section eighty-five of this article.

49 § 3. This act shall take effect immediately and shall apply to any
50 proposed change in rates filed on or after January 1, 2027.

51

PART P

52 Section 1. The public service law is amended by adding a new section
53 66-x to read as follows:

1 § 66-x. Energy affordability index. 1. (a) Beginning January first,
2 two thousand twenty-seven, the commission shall require each gas corpo-
3 ration, electric corporation, or combination gas and electric corpo-
4 ration to submit an annual affordability index showing the energy burden
5 of such corporation's residential customers.

6 (b) The commission shall promulgate rules and regulations adopting a
7 methodology for gas corporations, electric corporations and combination
8 gas and electric corporations to calculate an affordability index. The
9 methodology may include the consideration of a variety of factors
10 including differentiated income tiers, sources of energy burden, energy
11 cost drivers in the relevant service territory, and such other factors
12 as the commission may determine, and shall to the maximum extent practi-
13 cable, use publicly available data.

14 2. On or before July first, two thousand twenty-seven, and annually
15 thereafter, the commission shall issue a report on energy affordability
16 that includes a comparison of the affordability of residential utility
17 service provided by each gas corporation, electric corporation, and
18 combination gas and electric corporation in New York state to afforda-
19 bility data from other states as reported by the United States energy
20 information administration.

21 3. The commission may refer to such report, including information
22 obtained from the filings of affordability indices in accordance with
23 subdivision one of this section and paragraph (q) of subdivision twelve
24 of section sixty-six of this article, and information obtained from
25 reports of affordability monitors and investigations of gas corpo-
26 rations, electric corporations, and combination gas and electric corpo-
27 rations pursuant to subdivision thirty-three of section sixty-six of
28 this article when reviewing filings for major changes in rates, and
29 shall further consider the ratepayer affordability of such filing, with
30 a focus on cumulative rate impacts, the interest of low- and middle-in-
31 come utility customers, and minimizing residential energy burden. The
32 commission shall, in each order approving a major change in rates for a
33 gas corporation, electric corporation, or combination gas and electric
34 corporation explain how such information impacted its determination, and
35 include a written summary of the specific actions taken by the commis-
36 sion or department during the hearing to promote ratepayer affordabili-
37 ty.

38 § 2. Subdivision 12 of section 66 of the public service law is amended
39 by adding a new paragraph (q) to read as follows:

40 (q) The commission shall require each filing involving a major change
41 in rates filed by a gas corporation, electric corporation, or combina-
42 tion gas and electric corporation to include an affordability index that
43 shows the energy burden of such corporation's residential customers at
44 the time of the corporation's filing and what the energy burden would be
45 following the corporation's filed change in rates, as calculated using
46 the methodology adopted by the commission pursuant to section
47 sixty-six-x of this article.

48 (i) The corporation shall additionally include within such filing
49 potential solutions to assist energy burdened customers.

50 (ii) All information pertaining to the requirements set forth in this
51 paragraph shall be publicly available on the commission's website,
52 except in cases where such public availability and posting would result
53 in disclosure of confidential information, such confidential information
54 shall be excluded or anonymized.

55 § 3. Section 66 of the public service law is amended by adding a new
56 subdivision 33 to read as follows:

1 33. (a) Following any commission decision that establishes a change in
2 rates that results in an energy burden greater than three percent for
3 residential electric service or greater than three percent for residen-
4 tial gas service, or greater than six percent for residential combina-
5 tion electric and gas service, the commission shall have the power to
6 install an independent affordability monitor inside such gas corpo-
7 ration, electric corporation, or combination gas and electric corpo-
8 ration for a time period determined by the commission but for no less
9 than one year and which shall not continue beyond any commission deci-
10 sion establishing a new schedule of rates or charges which constitutes a
11 major change, pursuant to subdivision twelve of this section other than
12 to complete its responsibilities pursuant to paragraph (c) of this
13 subdivision relevant to the filing for which it was installed.

14 (b) In every case in which the commission installs an affordability
15 monitor, it shall have authority to select the monitor, who shall not be
16 affiliated with, or have a financial interest in such corporation or be
17 an existing employee of the department, to enter into a contract with
18 the monitor, and ensure the monitor's services are paid for. Such
19 contract shall provide further that the monitor shall work for and under
20 the direction of the commission according to such terms as the commis-
21 sion may determine are necessary and reasonable.

22 (c) (i) Such affordability monitor shall have power to examine
23 records, including but not limited to, the accounts, books, contracts,
24 property, assets, procurement history, taxes, accounting, operations,
25 maintenance, past and present customer billing systems and related docu-
26 ments, customer complaints, as well as financial documents, reports, and
27 papers of the corporation and shall have full access to management meet-
28 ings and related records in order to review the corporation's operations
29 and expenditures, and the corporation shall provide such materials and
30 such access to the affordability monitor.

31 (ii) The affordability monitor shall report to the commission at least
32 biannually the primary cost drivers that caused the energy burden to
33 rise more than three percent for residential electric service or greater
34 than three percent for residential gas service, or greater than six
35 percent for residential combination gas and electric service, opportu-
36 nities for cost savings and residential rate reduction, recommended
37 changes in corporation operations, incentives, practices, or policies to
38 achieve savings, and other information the affordability monitor deter-
39 mines relevant. Such report shall be publicly available and posted prom-
40 inently on the commission's website.

41 (iii) The commission upon receiving a report from the affordability
42 monitor shall review the primary cost drivers and identified opportu-
43 nities for savings.

44 (iv) The commission in its review shall make a determination of wheth-
45 er the opportunities for savings detailed by the energy affordability
46 monitor merit implementation. If the commission determines that any of
47 the identified opportunities for savings are not efficient, just and
48 reasonable, or would impact safety or reliability, or otherwise do not
49 merit implementation, the commission shall explain the basis for that
50 determination. If the commission determines an opportunity for savings
51 merits implementation, it shall issue an order within 180 days to imple-
52 ment such opportunity.

53 (d) Any gas corporation, electric corporation, or combination electric
54 and gas corporation shall promptly and comprehensively comply with any
55 investigation or investigation request.



1 (e) (i) If the energy affordability monitor discovers evidence of
 2 widespread errors, including but not limited to errors in billing,
 3 rates, charges, and compensation for employees or third-party contrac-
 4 tors, miscategorization of expenses, fraud, or wrongdoing, and the
 5 department, after reviewing the evidence from the monitor, determines
 6 such evidence constitutes a credible and actionable allegation of a
 7 violation of the law, the department shall initiate an investigation or
 8 enforcement action.

9 (ii) The commission shall determine whether the corporation was at
 10 fault and shall take any corrective action it deems appropriate. Any
 11 settlement, interest, fees, penalties or disgorged profits collected by
 12 the commission as a result of investigations pursuant to this subdivi-
 13 sion shall be returned to impacted residential and small non-residential
 14 ratepayers in the form of on-bill credits.

15 § 4. This act shall take effect January 1, 2027. Effective immediate-
 16 ly, the addition, amendment and/or repeal of any rule or regulation
 17 necessary for the implementation of this act on its effective date are
 18 authorized to be made and completed on or before such date.

PART Q

Intentionally Omitted

PART R

22 Section 1. Subdivision 5 of section 8-0105 of the environmental
 23 conservation law, as amended by chapter 228 of the laws of 1976, is
 24 amended and three new subdivisions 11, 12 and 13 are added to read as
 25 follows:

26 5. "Actions" do not include:

27 (i) enforcement proceedings or the exercise of prosecutorial
 28 discretion in determining whether or not to institute such proceedings;

29 (ii) official acts of a ministerial nature, involving no exercise of
 30 discretion;

31 (iii) maintenance or repair involving no substantial changes in
 32 [exsiting] existing structure or facility.

33 11. "Previously disturbed site" means a parcel of land that:

34 (i) is determined by a responsible agency to have been substantially
 35 altered by an occupied, formerly occupied, or demolished building or by
 36 another improvement or use at least two years prior to the application
 37 for a permit or authorization for an action;

38 (ii) for any parcel located within a city, town, or village with a
 39 population of fewer than one million persons and located outside of an
 40 urban area, as such term or equivalent term is or comes to be defined by
 41 the United States Census Bureau in the most recent decennial census
 42 beginning on or after the two thousand twenty decennial census, such
 43 parcel shall abut, adjoin, or be opposite from another parcel that is or
 44 has been occupied or formerly occupied by a building, or demolished
 45 building, or another improvement or use at least two years prior to the
 46 application for a permit or authorization for an action, provided such
 47 abutting, adjoining, or opposite parcel shall not be occupied by an
 48 industrial or agricultural use;

49 (iii) for any parcel that is located within a city, town, or village
 50 with a population of fewer than one million persons, is not located in a
 51 Federal Emergency Management Agency (FEMA) designated 100-year flood-

1 plain, or special flood hazard area, provided that this paragraph shall
2 not apply if such a city, town, or village has adopted a law or ordi-
3 nance that requires new construction to be elevated above the base flood
4 elevation as defined by FEMA;

5 (iv) for any parcel that is located within a city, town, or village
6 with a population of more than one million persons, is not located in
7 a flood hazard area, as defined in section two hundred two of the New
8 York city building code, provided that this paragraph shall not apply if
9 such a city, town, or village has adopted a law or ordinance that
10 requires new construction to be elevated above the base flood elevation
11 as defined by FEMA;

12 (v) is not currently being used for agricultural purposes and has not
13 been used for agricultural purposes within: (a) the immediately preced-
14 ing two years, or (b) three of the last five years before the applica-
15 tion for a permit or authorization for an action; and

16 (vi) is not located in a designated coastal erosion hazard area.

17 12. "Small community water system" means a public water system which
18 serves at least five service connections used by year-round residents or
19 regularly serves at least twenty-five year-round residents, and serves
20 thirty-three hundred or fewer persons.

21 13. "Public school facilities" shall mean educational facilities, as
22 defined in section twenty-five hundred ninety-a of the education law, of
23 a city school district in a city having a population of one million or
24 more persons, over which the department of education for such city has
25 jurisdiction, for purposes of meeting the class size compliance targets
26 set forth in subdivision two of section two hundred eleven-d of the
27 education law.

28 § 2. The opening paragraph of subdivision 4 of section 8-0109 of the
29 environmental conservation law, as amended by chapter 49 of the laws of
30 2023, is amended to read as follows:

31 As early as possible in the formulation of a proposal for an action
32 but not more than one year from the establishment of a lead agency, the
33 responsible agency shall make an initial determination as to whether an
34 environmental impact statement need be prepared for the action. In
35 making such determination for any proposed action the responsible agency
36 shall consider whether such action may cause or increase a dispropor-
37 tionate pollution burden on a disadvantaged community that is directly
38 or significantly indirectly affected by such action. When an action is
39 to be carried out or approved by two or more agencies, such determi-
40 nation shall be made as early as possible after the designation of the
41 lead agency.

42 § 3. Subdivision 5 of section 8-0109 of the environmental conservation
43 law, as amended by chapter 252 of the laws of 1977, the opening para-
44 graph as amended by chapter 749 of the laws of 1991, is amended to read
45 as follows:

46 5. After the filing of a draft environmental impact statement the
47 agency shall determine whether or not to conduct a public hearing on the
48 environmental impact of the proposed action. If the agency determines to
49 hold such a hearing, it shall commence the hearing within sixty days of
50 the filing and unless the proposed action is withdrawn from consider-
51 ation shall prepare the environmental impact statement within forty-five
52 days after the close of the hearing, except as otherwise provided. The
53 need for such a hearing shall be determined in accordance with proce-
54 dures adopted by the agency pursuant to section 8-0113 of this article.
55 If no hearing is held, the agency shall prepare and make available the

1 environmental impact statement within sixty days after the filing of the
2 draft, except as otherwise provided.

3 Notwithstanding the specified time periods established by this arti-
4 cle[,]:

5 (a) an agency shall vary the times so established herein for prepara-
6 tion, review and public hearings to coordinate the environmental review
7 process with other procedures relating to review and approval of an
8 action. An application for a permit or authorization for an action upon
9 which a draft environmental impact statement is determined to be
10 required shall not be complete until such draft statement has been filed
11 and accepted by the agency as satisfactory with respect to scope,
12 content and adequacy for purposes of [paragraph] subdivision four of
13 this section. Commencing upon such acceptance, the environmental impact
14 statement process shall run concurrently with other procedures relating
15 to the review and approval of the action so long as reasonable time is
16 provided for preparation, review and public hearings with respect to the
17 draft environmental impact statement[.]; and

18 (b) for actions involving applications for a permit or authorization,
19 the agency shall prepare and make available the environmental impact
20 statement within two years after the date a draft environmental impact
21 statement is determined to be required, unless the agency extends the
22 deadline in writing and, in consultation with an applicant and at the
23 discretion of the agency, establishes a new deadline that provides only
24 so much additional time as is necessary to complete the environmental
25 impact statement, considering any changes made by the applicant to the
26 project design after the issuance of the scoping document that result in
27 new significant environmental impacts, or additional actions that could
28 not have been reasonably anticipated during scoping, or the failure of
29 an applicant to timely provide necessary information despite good faith
30 effort by an agency, or delay in circumstances beyond the control of an
31 agency or an applicant.

32 § 4. Section 8-0111 of the environmental conservation law is amended
33 by adding a new subdivision 5-a to read as follows:

34 5-a. Exemptions. (a) Notwithstanding any law, rule, or regulation to
35 the contrary, the qualified actions listed in paragraph (b) of this
36 subdivision shall be exempt from the requirements of this article as
37 determined by the responsible agency. In making this determination, the
38 responsible agency shall consider the action as a whole. If the respon-
39 sible agency determines that no aspect of the action requires review
40 under this article, meaning every aspect of the action meets criteria
41 for exemption pursuant to paragraph (b) of this subdivision or is other-
42 wise exempt from the requirements of this article, the agency may
43 proceed in accordance with the criteria and standards for final decision
44 under other applicable laws, regulations, and ordinances.

45 (b) An action that is not otherwise exempt from the requirements of
46 this article, which may include building permits, special use permits,
47 variances, subdivision approvals, site plan approvals, zoning text or
48 map amendments, disposition or acquisition of real property, provision
49 of financial assistance, any other actions governed by laws, rules,
50 regulations, or procedures concerning land use, zoning, permitting, real
51 property acquisition or disposition, or development financial assist-
52 ance, or any combination thereof, shall be a qualified action exempt
53 from the requirements of this article if the responsible agency deter-
54 mines that the action is for the purposes of:

55 (i) construction of housing in cities, towns, and villages with popu-
56 lations of one million or more that shall:

- 1 (1) be connected to existing community or public water and sewerage
2 systems at the commencement of habitation;
3 (2) be located at a previously disturbed site;
4 (3) not be located within an area zoned exclusively for industrial
5 uses;
6 (4) contain no more than fifty thousand square feet of commercial,
7 retail, community facility, or other non-industrial non-residential
8 uses;
9 (5) not exceed two hundred fifty dwelling units, provided, however,
10 that for housing that shall be located within a zoning district where,
11 at the time of application, (A) the standard maximum residential build-
12 ing height is greater than forty-five feet, (B) the maximum height of a
13 building is regulated by something other than a horizontal plane and
14 that allows residential buildings to exceed forty-five feet, or (C)
15 there is no such maximum building height, such housing shall not exceed
16 five hundred dwelling units; and
17 (6) not include construction of only one single-family residence on a
18 parcel of one-half or more acres;
19 (ii) construction of housing in cities, towns, and villages with popu-
20 lations of fewer than one million persons that shall:
21 (1) be connected to existing community or public water and sewerage
22 systems at the commencement of habitation;
23 (2) be located at a previously disturbed site;
24 (3) contain no more than twenty percent commercial, retail, community
25 facility, or other non-industrial non-residential uses by gross floor
26 area;
27 (4) not exceed one hundred dwelling units, provided, however, for
28 housing within cities, towns, or villages without zoning, such housing
29 shall not exceed twenty dwelling units, and provided further, that for
30 housing not within cities, towns, or villages without zoning but within
31 an urban area, as such term or equivalent term is or comes to be defined
32 by the United States Census Bureau in the most recent decennial census
33 beginning on or after the two thousand twenty decennial census, such
34 housing shall not exceed three hundred dwelling units; and
35 (5) not include construction of only one single-family residence on a
36 parcel of one or more acres;
37 (iii) construction located at a previously disturbed site of public
38 parks that do not include performance centers, athletic stadiums, or
39 other venues for mass gatherings, or other buildings or structures which
40 do not serve public park, recreation, or open space purposes;
41 (iv) construction located at a previously disturbed site of multi-use
42 bicycle and pedestrian trails;
43 (v) construction of public school facilities to be connected at the
44 commencement of use to existing community or public water and sewerage
45 systems, including sewage treatment works, in a city with a population
46 of one million or more;
47 (vi) water and wastewater infrastructure projects that:
48 (1) replace, rehabilitate or reconstruct municipal water or wastewater
49 infrastructure, in-kind and on the same site, including lead service
50 line replacement;
51 (2) replace, rehabilitate, upgrade or reconstruct an existing small
52 community water system, including lead service line replacement; or
53 (3) provide sewer service to a disadvantaged community served by one
54 or more inadequate sewage treatment systems that has been determined by
55 the department not to require a permit or approval pursuant to articles



1 fifteen, twenty-four or twenty-five of this chapter or any rules or
2 regulations promulgated thereunder; or

3 (vii) retrofit of an existing structure and its appurtenant areas to
4 incorporate green infrastructure.

5 (c) (i) For an application for a permit or authorization for a quali-
6 fied action listed in subparagraph (i) or (v) of paragraph (b) of this
7 subdivision, to qualify for exemption from the requirements of this
8 article pursuant to this subdivision, such action shall be subject to a
9 requirement to comply with local municipal requirements regarding
10 hazardous materials remediation to the extent applicable, and the appli-
11 cant for a permit or authorization for such qualified action shall
12 certify that (1) it has followed and will follow all applicable laws,
13 rules, and regulations regarding hazardous waste, (2) for an application
14 for a permit or authorization for a qualified action other than a land
15 use action, zoning text amendment, zoning map amendment, or variance, a
16 Phase I Environmental Site Assessment has been conducted for the parcel
17 in accordance with the all appropriate inquiries regulations of the
18 United States Environmental Protection Agency under the federal Compre-
19 hensive Environmental Response, Compensation and Liability Act (40 CFR §
20 312) to identify any recognized environmental conditions, (3) it has
21 followed or will follow all applicable recommendations of the Phase I
22 Environmental Site Assessment, and (4) it will report contamination at,
23 on, or under the parcel as required by applicable laws, rules, and regu-
24 lations.

25 (ii) For an application for a permit or authorization for a qualified
26 action listed in subparagraph (ii) of paragraph (b) of this subdivision,
27 other than a land use action, zoning text amendment, zoning map amend-
28 ment, or variance, to qualify for exemption from the requirements of
29 this article pursuant to this subdivision, the applicant for a permit or
30 authorization for such qualified action shall certify to the responsible
31 agency that (1) a Phase I Environmental Site Assessment has been
32 conducted for the parcel in accordance with the all appropriate
33 inquiries regulations of the United States Environmental Protection
34 Agency under the federal Comprehensive Environmental Response, Compen-
35 sation and Liability Act (40 CFR § 312) to identify any recognized envi-
36 ronmental conditions, (2) it has followed and will follow all applicable
37 laws, rules, and regulations regarding hazardous waste, including, to
38 the extent applicable, complying with local municipal requirements
39 regarding hazardous materials remediation, (3) it has followed or will
40 follow all applicable recommendations of the Phase I Environmental Site
41 Assessment, and (4) it will report contamination at, on, or under the
42 parcel as required by applicable laws, rules, and regulations.

43 (iii) The requirements of this paragraph shall not apply (1) to a
44 qualified action initiated by an agency, or (2) if the applicant was
45 previously granted an exemption pursuant to subparagraphs (i), (ii), or
46 (v) of paragraph (b) of this subdivision for the same parcel.

47 (d) For actions involving applications for a permit or authorization,
48 the responsible agency shall determine whether such action is a quali-
49 fied action pursuant to this subdivision within one hundred twenty days
50 of receipt of such application, unless the responsible agency extends
51 the deadline in writing and, in consultation with an applicant and at
52 the discretion of the agency, establishes a new deadline that provides
53 only so much additional time as is necessary to make such determination.
54 In no event shall the deadline be extended by more than thirty days,
55 except where (i) changes are made by the applicant to the application
56 after its submission to the responsible agency and such changes relate



1 to the criteria for exemption pursuant to paragraph (b) of this subdivi-
 2 sion, (ii) an applicant fails to timely provide necessary information
 3 despite good faith effort by an agency, or (iii) there are circumstances
 4 beyond the control of the agency or an applicant that cause delay
 5 requiring an extension beyond thirty days. If the responsible agency
 6 fails to make a determination pursuant to this subdivision within the
 7 delineated time limits, an applicant may institute a proceeding in a
 8 court of competent jurisdiction under article seventy-eight of the civil
 9 practice law and rules seeking appropriate relief from the court, which
 10 may include an order directing the agency to make a determination by a
 11 deadline specified by the court.

12 § 5. Section 8-0111 of the environmental conservation law is amended
 13 by adding two new subdivisions 7 and 8 to read as follows:

14 7. Statute of limitations. The time to commence a proceeding to review
 15 an agency determination under the provisions of this article or under
 16 the rules or regulations implementing the provisions of this article
 17 shall begin to accrue when the agency determination to approve or disap-
 18 prove the action becomes final and binding upon the petitioner or the
 19 person whom the petitioner represents in law or in fact.

20 8. Construction. Nothing contained in the chapter of the laws of two
 21 thousand twenty-six which added this subdivision shall be interpreted or
 22 construed as superseding, limiting, modifying or affecting any authori-
 23 zations, requirements, or procedures under the national historic preser-
 24 vation act of nineteen hundred sixty-six, the New York state historic
 25 preservation act of nineteen hundred eighty, the parks, recreation and
 26 historic preservation law, or any other state or local law governing the
 27 identification, protection, or management of historic properties, or
 28 under any rules or regulations promulgated thereunder. Nor shall
 29 anything in the chapter of the laws of two thousand twenty-six which
 30 added this subdivision be interpreted or construed as superseding,
 31 limiting, modifying or affecting any authorizations, requirements, or
 32 procedures, including but not limited to laws, rules and regulations
 33 applicable to disadvantaged communities, stormwater management or the
 34 protection of water quality, air quality, soil erosion and drainage,
 35 freshwater wetlands, tidal wetlands, critical environmental areas, or
 36 threatened or endangered species, or any otherwise applicable statutory
 37 or regulatory standards, criteria, and permitting procedures, other than
 38 those pertaining to environmental review conducted pursuant to this
 39 article and any state and local regulations promulgated thereunder. Nor
 40 shall anything in the chapter of the laws of two thousand twenty-six
 41 which added this subdivision be interpreted or construed as superseding,
 42 limiting, modifying or affecting the authority or discretion of cities,
 43 towns, and villages under applicable state or local law, rule, regu-
 44 lation, charter, code, resolution, or ordinance regarding zoning or land
 45 use, including but not limited to any such authority or discretion
 46 regarding site plan review or other discretionary zoning or land use
 47 permits, procedures, review, or approvals, such as traffic studies,
 48 contamination testing, and determinations of the sufficiency of wastewa-
 49 ter and drinking water capacity.

50 § 6. This act shall take effect immediately and shall apply to all
 51 pending proceedings on and after such effective date; provided, however,
 52 that actions for which a determination to require an environmental
 53 impact statement are made prior to the effective date of this act shall
 54 not be subject to the provisions of this act.

1 Section 1. Subdivision 3 of section 54-1521 of the environmental
2 conservation law, as amended by section 1 of part CCC of chapter 55 of
3 the laws of 2021, and paragraph a of subdivision 3 as amended by section
4 1 of part CCC of chapter 58 of the laws of 2025, is amended to read as
5 follows:

6 3. a. Until April 1, 2029, the commissioner, in consultation with the
7 New York state energy research and development authority, is authorized
8 to issue rebates until the annual allocation is exhausted to munici-
9 palities toward the cost of eligible purchases of clean vehicles.

10 b. The department, in consultation with the New York state energy
11 research and development authority, shall determine the amount of the
12 rebate taking into consideration the electric range of the vehicle,
13 provided that a rebate of an eligible purchase shall be not less than
14 two thousand five hundred dollars per vehicle and not more than [seven]
15 thirty thousand [five hundred] dollars per vehicle.

16 § 2. This act shall take effect immediately.

17

PART T

18 Section 1. Section 2 of chapter 584 of the laws of 2011, amending the
19 public authorities law relating to the powers and duties of the dormito-
20 ry authority of the state of New York relative to the establishment of
21 subsidiaries for certain purposes, as amended by section 1 of part V of
22 chapter 58 of the laws of 2024, is amended to read as follows:

23 § 2. This act shall take effect immediately and shall expire and be
24 deemed repealed on July 1, [2026] 2028; provided however, that the expi-
25 ration of this act shall not impair or otherwise affect any of the
26 powers, duties, responsibilities, functions, rights or liabilities of
27 any subsidiary duly created pursuant to subdivision twenty-five of
28 section 1678 of the public authorities law prior to such expiration.

29 § 2. This act shall take effect immediately.

30

PART U

31 Section 1. This Part enacts into law components of legislation relat-
32 ing to the conveyance and use of real property owned and maintained by
33 the state university of New York and the New York state department of
34 transportation. Each component is wholly contained within a Subpart
35 identified as Subparts A through D. The effective date for each partic-
36 ular provision contained within such Subpart is set forth in the last
37 section of such Subpart. Any provision in any section contained within a
38 Subpart, including the effective date of the Subpart, which makes refer-
39 ence to a section "of this act", when used in connection with that
40 particular component, shall be deemed to mean and refer to the corre-
41 sponding section of the Subpart in which it is found. Section three of
42 this Part sets forth the general effective date of this Part.

43

SUBPART A

44 Section 1. Legislative findings. The legislature finds that Farming-
45 dale State College is the state university of New York's largest college
46 of applied science and technology, offering 49 degree-granting programs
47 and a growing number of graduate programs focused on emerging, high-de-
48 mand, and relevant careers ("the college"). More than half of the
49 college's students graduate debt-free, and about 80% are employed six
50 months after graduation or enrolled in graduate school. The college

1 consists of a 380 acre campus located at the center of Long Island in
2 Farmingdale, NY, and an aviation Flight Center, located fewer than two
3 miles from the main campus.

4 The legislature finds that the college seeks to use approximately 9.26
5 acres of underutilized land across from its campus to build multi-pur-
6 pose facilities to support housing needs and supporting amenities
7 (including, but not limited to food and dining options, parking, and
8 fitness centers) for the college's undergraduate and graduate students,
9 as well as junior faculty and certain college employees, fulfilling a
10 necessary and vital public purpose. The college is currently seeing a
11 record increase in enrollment, which has caused significant demand for
12 residence halls. The college's three residence halls are at capacity
13 with wait lists. In order to maintain current enrollment, as local
14 school districts continue to see a significant long-term decline in
15 student enrollment across Long Island, the college must grow its housing
16 opportunities to attract students, faculty, and staff from across New
17 York state. It is expected that up to 350 beds would be made available
18 for the college's students and employees. By providing more housing
19 options for the college's community, it will help the college continue
20 to meet the demand of its growing enrollment, while providing greater
21 options for students and faculty with young families to move into the
22 area and help retain those students and employees already here but
23 commuting long distances to school and work.

24 The legislature further finds that granting the trustees of the state
25 university of New York ("trustees") the authority and power to lease and
26 otherwise contract to make available grounds and facilities across from
27 the Farmingdale campus will ensure such land is utilized for the benefit
28 of the college, the surrounding community, and the general public.

29 § 2. Notwithstanding any other law to the contrary, the state univer-
30 sity trustees are hereby authorized and empowered, without any public
31 bidding, to lease and otherwise contract to make available to Farming-
32 dale state development corporation, a not-for-profit corporation (the
33 "ground lessee"), a portion of the lands of the college generally
34 described in this act for the purpose of developing, constructing, main-
35 taining and operating multi-purpose facilities to support housing needs
36 and supporting amenities. Such lease or contract shall be for a period
37 not exceeding ninety-nine years without any fee simple conveyance and
38 otherwise upon terms and conditions determined by such trustees, subject
39 to the approval of the director of the division of the budget, the
40 attorney general and the state comptroller. In the event that the real
41 property that is the subject of such lease or contract shall cease to be
42 used for the purpose described in this act, such lease or contract shall
43 immediately terminate, and the real property and any improvements there-
44 on shall revert to the state university of New York. Any lease or
45 contract entered into pursuant to this act shall provide that the real
46 property that is the subject of such lease or contract and any improve-
47 ments thereon shall revert to the state university of New York on the
48 expiration of such contract or lease. Any and all proceeds related to
49 the leases authorized by this act shall be used for the benefit of the
50 Farmingdale campus and the allocation of such proceeds shall be subject
51 to approval by the trustees.

52 § 3. Any contract or lease entered into pursuant to this act shall be
53 deemed to be a state contract for purposes of article 15-A of the execu-
54 tive law, and any contractor, subcontractor, lessee or sublessee enter-
55 ing into such contract or lease for the construction, demolition, recon-
56 struction, excavation, rehabilitation, repair, renovation, alteration or

1 improvement authorized pursuant to this act shall be deemed a state
2 agency for the purposes of article 15-A of the executive law and subject
3 to the provisions of such article.

4 § 4. Notwithstanding any general, special or local law or judicial
5 decision to the contrary, all work performed on a project authorized by
6 this act where all or any portion thereof involves a lease or agreement
7 for construction, demolition, reconstruction, excavation, rehabili-
8 tation, repair, renovation, alteration or improvement shall be deemed
9 public work and shall be subject to and performed in accordance with the
10 provisions of article 8 of the labor law to the same extent and in the
11 same manner as a contract of the state, and compliance with all the
12 provisions of article 8 of the labor law shall be required of any
13 lessee, sublessee, contractor or subcontractor on the project, including
14 the enforcement of prevailing wage requirements by the fiscal officer as
15 defined in paragraph e of subdivision 5 of section 220 of the labor law
16 to the same extent as a contract of the state.

17 § 5. Notwithstanding any law, rule or regulation to the contrary, the
18 state university of New York shall not contract out to the ground lessee
19 or any subsidiary for the instruction or any pedagogical functions or
20 services, or any administrative services, and similar professional
21 services currently being performed by state employees. All such func-
22 tions and services shall be performed by state employees pursuant to the
23 civil service law. Nothing in this act shall result in the displacement
24 of any currently employed state worker or the loss of position (includ-
25 ing partial displacement such as reduction in the hours of non-overtime,
26 wages or employment benefits), or result in the impairment of existing
27 contracts for services or collective bargaining rights pursuant to
28 existing agreements as provided under article 14 of the civil service
29 law. All positions currently at the state university of New York in the
30 unclassified service shall remain in the unclassified service. No
31 services or work on the property described in this act currently
32 performed by public employees at the time of the effective date of this
33 act, or that is similar in scope and nature to the work being currently
34 performed by public employees at the time of the effective date of this
35 act, shall be contracted out or privatized by the state university of
36 New York. The state university of New York acknowledges its obligations
37 as an employer under the civil service law and agrees that it will not
38 exercise its right to contract out for goods and services under any
39 applicable collective bargaining agreement.

40 § 6. 1. The provisions of this section shall only apply to employees
41 in the unclassified service at the state university of New York.

42 2. Notwithstanding any law, rule or regulation to the contrary, the
43 state university of New York or an affiliated or associated entity of
44 the state university of New York shall not contract out to the ground
45 lessee or any subsidiary of the ground lessee or the research foundation
46 for the state university of New York for any services or privatize any
47 services currently being performed by employees in the unclassified
48 service at the state university of New York at Farmingdale. All such
49 functions and services currently performed by employees in unclassified
50 service shall be performed by employees in the unclassified service.

51 3. Nothing in this act relating to the lease of property to private
52 entities for the development, construction, or operation of facilities
53 shall be deemed to waive or impair any rights or benefits of employees
54 of the state university of New York that otherwise would be available to
55 them pursuant to the terms of agreements between the certified represen-
56 tatives of such employees and the state of New York or provisions of

1 article fourteen of the civil service law. The state university of New
2 York and the state of New York acknowledge their obligations as an
3 employer and agree that they will not exercise their right to contract
4 out for services under any applicable collective bargaining agreement.

5 § 7. For the purposes of this act:

6 (a) "project" shall mean work at the property authorized by this act
7 to be leased to the ground lessee as described in section thirteen of
8 this act that involves the design, construction, reconstruction, demoli-
9 tion, excavating, rehabilitation, repair, renovation, alteration or
10 improvement of such property.

11 (b) "project labor agreement" shall mean a pre-hire collective
12 bargaining agreement between a contractor and a labor organization,
13 establishing the labor organization as the collective bargaining repre-
14 sentative for all persons who will perform work on the project, and
15 which provides that only contractors and subcontractors who sign a pre-
16 negotiated agreement with the labor organization can perform project
17 work.

18 § 8. Nothing in this act shall be deemed to waive or impair any rights
19 or benefits of employees of the state university of New York that other-
20 wise would be available to them pursuant to the terms of agreements
21 between the certified representatives of such employees and the state of
22 New York pursuant to article 14 of the civil service law, and all work
23 performed on such property that ordinarily would be performed by employ-
24 ees subject to article 14 of the civil service law shall continue to be
25 performed by such employees.

26 § 9. Notwithstanding the provisions of any general, special, or local
27 law or judicial decision to the contrary, the ground lessee shall
28 require the use of a project labor agreement, as defined in subdivision
29 1 of section 222 of the labor law, for all contractors and subcontrac-
30 tors on the project, consistent with paragraph (a) of subdivision 2 of
31 section 222 of the labor law.

32 § 10. Without limiting the determination of the terms and conditions
33 of such contracts or leases, such terms and conditions may provide for
34 leasing, subleasing, construction, reconstruction, rehabilitation,
35 improvement, operation and management of and provision of services and
36 assistance and the granting of licenses, easements and other arrange-
37 ments with regard to such grounds and facilities by the ground lessee
38 and parties contracting with, the ground lessee and in connection with
39 such activities, the obtaining of funding or financing, whether public
40 or private, unsecured or secured, including, but not limited to, secured
41 by leasehold mortgages and assignments of rents and leases, by the
42 ground lessee and parties contracting with the ground lessee for the
43 purposes of completing the project described in this act.

44 § 11. Such lease shall include an indemnity provision whereby the
45 lessee or sublessee promises to indemnify, hold harmless and defend the
46 lessor against all claims, suits, actions, and liability to all persons
47 on the leased premises, including tenant, tenant's agents, contractors,
48 subcontractors, employees, customers, guests, licensees, invitees and
49 members of the public, for damage to any such person's property, whether
50 real or personal, or for personal injuries arising out of tenant's use
51 or occupation of the demised premises.

52 § 12. Any contracts entered into pursuant to this act between the
53 ground lessee and parties contracting with the ground lessee shall be
54 awarded by a competitive process.

55 § 13. The property authorized by this act to be leased to the ground
56 lessee is generally described as that parcel of real property with

1 improvements thereon consisting of a total of 9.26 acres situated on the
2 campus of the state university of New York at Farmingdale, subject to
3 all existing easements and restrictions of record. The description in
4 this section of the parcel to be made available pursuant to this act is
5 not meant to be a legal description, but is intended only to identify
6 the parcel:

7 All that certain plot, piece or parcel of land, situate, lying and
8 being at Melville, Town of Huntington, County of Suffolk and State of
9 New York, being more particularly bounded and described as follows:
10 BEGINNING at the corner formed by the intersection of the southerly side
11 of Melville Road with the westerly side of Route 110 (Broad Hollow
12 Road). Running Thence the following 12 (twelve) courses and distances:
13 1. Southerly, along the westerly side of Route 110, along the arc of a
14 curve, bearing to the right, having a radius of 5629.58 feet and a
15 length of 241.37 feet; 2. Still along said side, South 18 degrees 09
16 minutes 05 seconds West, a distance of 121.11 feet; 3. Westerly, North
17 56 degrees 29 minutes 30 seconds West, a distance of 100.00 feet; 4.
18 Southerly, South 15 degrees 47 minutes 32 seconds West, a distance of
19 125.97 feet; 5. Westerly, North 56 degrees 29 minutes 30 seconds West,
20 a distance of 545.14 feet; 6. Still westerly, North 56 degrees 05
21 minutes 25 seconds West, a distance of 382.45 feet; 7. Still westerly,
22 North 56 degrees 57 minutes 00 seconds West, a distance of 300 feet, to
23 the southerly side of Melville Road; 8. Easterly, along said side, along
24 the arc of a curve, bearing to the right, having a radius of 512.54
25 feet, and a length of 485.98 feet; 9. Still along said side, South 66
26 degrees 50 minutes 52 seconds East, a distance of 196.45 feet; 10. Still
27 along said side, along the arc of a curve, bearing to the left, having a
28 radius of 1313.24 feet and a length of 274.97 feet; 11. Still along said
29 side, South 78 degrees 50 minutes 40 seconds East, a distance of 228.40
30 feet; 12. Still along said side, South 45 degrees 52 minutes 29 seconds
31 East, a distance of 130.39 feet, to the westerly side of Route 110, at
32 the Point or Place of BEGINNING. Containing within said bounds an area
33 of 9.26 acres or more or less. Subject to all existing easements and
34 restrictions of record.

35 § 14. The state university of New York shall not lease lands
36 described in this act unless any such lease shall be executed within 5
37 years of the effective date of this act.

38 § 15. Insofar as the provisions of this act are inconsistent with the
39 provisions of any law, general, special or local, the provisions of this
40 act shall be controlling.

41 § 16. This act shall take effect immediately.

42

SUBPART B

43 Section 1. Legislative findings. The legislature finds and declares
44 that the state university of New York at Stony Brook ("the university")
45 is one of the state's university centers with its main campus in the
46 town of Brookhaven and its Southampton campus in the Town of Southampton
47 ("Southampton campus"). The Southampton campus is home to various
48 programs including Stony Brook's School of Marine and Atmospheric
49 Sciences, School of Health Professions, School of Social Work, and
50 Southampton Arts. The legislature further finds that Stony Brook South-
51 ampton Hospital is one of Stony Brook's four hospitals, located several
52 miles east of its Southampton campus. Legislation enacted in 2018
53 provided for the development of a new Stony Brook Southampton Hospital
54 on the Southampton campus. To support the hospital moving further West,

1 in 2025 Stony Brook Southampton Hospital and the Southampton hospital
2 association opened a standalone emergency department in the town of East
3 Hampton.

4 The legislature further finds that the East end of Long Island has a
5 limited housing supply, particularly for the growing healthcare work-
6 force. Stony Brook seeks to use approximately 11.5 acres of underuti-
7 lized land on Stony Brook's Southampton campus to build multi-purpose
8 facilities to support housing needs and supporting amenities (including
9 but not limited to food and dining options, parking, and fitness
10 centers) for Stony Brook's healthcare workforce on the East end,
11 fulfilling a necessary and vital public purpose. By providing housing
12 options for its workforce across Stony Brook Southampton Hospital, the
13 East Hampton Emergency Department, and various clinical facilities
14 across the South fork, it will improve Stony Brook's ability to recruit
15 and retain the best faculty and staff on the East end. It will also
16 support the continued growth and development of the Southampton campus
17 by providing workforce housing opportunities adjacent to a future hospi-
18 tal and future train station.

19 The legislature further finds that granting the trustees of the state
20 university of New York ("trustees") the authority and power to lease and
21 otherwise contract to make available grounds and facilities on the
22 Southampton campus will ensure such land is utilized for the benefit of
23 Stony Brook, the surrounding community, and the general public.

24 § 2. Notwithstanding any other law to the contrary, the state univer-
25 sity trustees are authorized and empowered, without any public bidding,
26 to lease and otherwise contract to make available to Stony Brook South-
27 ampton Housing Development Corp., a not-for-profit (ground lessee), a
28 portion of the lands of the university generally described in this act
29 for the purpose of developing, constructing, maintaining and operating
30 multi-purpose facilities to support housing needs and supporting amen-
31 ities. Such lease or contract shall be for a period not exceeding nine-
32 ty-nine years without any fee simple conveyance and otherwise upon terms
33 and conditions determined by such trustees, subject to the approval of
34 the director of the division of the budget, the attorney general and the
35 state comptroller. In the event that the real property that is the
36 subject of such lease or contract shall cease to be used for the purpose
37 described in this act, such lease or contract shall immediately termi-
38 nate and the real property and any improvements thereon shall revert to
39 the state university of New York. Any lease or contract entered into
40 pursuant to this act shall provide that the real property that is the
41 subject of such lease or contract and any improvements thereon shall
42 revert to the state university of New York on the expiration of such
43 contract or lease.

44 § 3. Any contract or lease entered into pursuant to this act shall be
45 deemed to be a state contract for purposes of article 15-A of the execu-
46 tive law, and any contractor, subcontractor, lessee or sublessee enter-
47 ing into such contract or lease for the construction, demolition, recon-
48 struction, excavation, rehabilitation, repair, renovation, alteration or
49 improvement authorized pursuant to this act shall be deemed a state
50 agency for the purposes of article 15-A of the executive law and subject
51 to the provisions of such article.

52 § 4. Notwithstanding any general, special or local law or judicial
53 decision to the contrary, all work performed on a project authorized by
54 this act where all or any portion thereof involves a lease or agreement
55 for construction, demolition, reconstruction, excavation, rehabili-
56 tation, repair, renovation, alteration or improvement shall be deemed

1 public work and shall be subject to and performed in accordance with the
2 provisions of article 8 of the labor law to the same extent and in the
3 same manner as a contract of the state, and compliance with all the
4 provisions of article 8 of the labor law shall be required of any
5 lessee, sublessee, contractor or subcontractor on the project, including
6 the enforcement of prevailing wage requirements by the fiscal officer as
7 defined in paragraph e of subdivision 5 of section 220 of the labor law
8 to the same extent as a contract of the state.

9 § 5. Notwithstanding any law, rule or regulation to the contrary, the
10 state university of New York shall not contract out to the ground lessee
11 or any subsidiary for the instruction or any pedagogical functions or
12 services, or any administrative services, and similar professional
13 services currently being performed by state employees. All such func-
14 tions and services shall be performed by state employees pursuant to the
15 civil service law. Nothing in this act shall result in the displacement
16 of any currently employed state worker or the loss of position (includ-
17 ing partial displacement such as reduction in the hours of non-overtime,
18 wages or employment benefits), or result in the impairment of existing
19 contracts for services or collective bargaining rights pursuant to
20 existing agreements as provided under article 14 of the civil service
21 law. All positions currently at the state university of New York in the
22 unclassified service shall remain in the unclassified service. No
23 services or work on the property described in this act currently
24 performed by public employees at the time of the effective date of this
25 act, or that is similar in scope and nature to the work being currently
26 performed by public employees at the time of the effective date of this
27 act, shall be contracted out or privatized by the state university of
28 New York. The state university of New York acknowledges its obligations
29 as an employer under the civil service law and agrees that it will not
30 exercise its right to contract out for goods and services under any
31 applicable collective bargaining agreement.

32 § 6. 1. The provisions of this section shall only apply to employees
33 in the unclassified service at the state university of New York.

34 2. Notwithstanding any law, rule or regulation to the contrary, the
35 state university of New York or an affiliated or associated entity of
36 the state university of New York shall not contract out to the ground
37 lessee or any subsidiary of the ground lessee or the research foundation
38 for the state university of New York for any services or privatize any
39 services currently being performed by employees in the unclassified
40 service at the state university of New York at Stonybrook. All such
41 functions and services currently performed by employees in unclassified
42 service shall be performed by employees in the unclassified service.

43 3. Nothing in this act relating to the lease of property to private
44 entities for the development, construction, or operation of facilities
45 shall be deemed to waive or impair any rights or benefits of employees
46 of the state university of New York that otherwise would be available to
47 them pursuant to the terms of agreements between the certified represen-
48 tatives of such employees and the state of New York or provisions of
49 article 14 of the civil service law. The state university of New York
50 and the state of New York acknowledge their obligations as an employer
51 and agree that they will not exercise their right to contract out for
52 services under any applicable collective bargaining agreement.

53 § 7. For the purposes of this act:

54 (a) "project" shall mean work at the property authorized by this act
55 to be leased to the ground lessee as described in section thirteen of
56 this act that involves the design, construction, reconstruction, demoli-



1 tion, excavating, rehabilitation, repair, renovation, alteration or
2 improvement of such property.

3 (b) "project labor agreement" shall mean a pre-hire collective
4 bargaining agreement between a contractor and a labor organization,
5 establishing the labor organization as the collective bargaining repre-
6 sentative for all persons who will perform work on the project, and
7 which provides that only contractors and subcontractors who sign a pre-
8 negotiated agreement with the labor organization can perform project
9 work.

10 § 8. Nothing in this act shall be deemed to waive or impair any rights
11 or benefits of employees of the state university of New York that other-
12 wise would be available to them pursuant to the terms of agreements
13 between the certified representatives of such employees and the state of
14 New York pursuant to article 14 of the civil service law, and all work
15 performed on such property that ordinarily would be performed by employ-
16 ees subject to article 14 of the civil service law shall continue to be
17 performed by such employees.

18 § 9. Notwithstanding the provisions of any general, special, or local
19 law or judicial decision to the contrary, the ground lessee shall
20 require the use of a project labor agreement, as defined in subdivision
21 1 of section 222 of the labor law, for all contractors and subcontrac-
22 tors on the project, consistent with paragraph (a) of subdivision 2 of
23 section 222 of the labor law

24 § 10. Without limiting the determination of the terms and conditions
25 of such contracts or leases, such terms and conditions may provide for
26 leasing, subleasing, construction, reconstruction, rehabilitation,
27 improvement, operation and management of and provision of services and
28 assistance and the granting of licenses, easements and other arrange-
29 ments with regard to such grounds and facilities by the ground lessee,
30 and parties contracting with the ground lessee, and in connection with
31 such activities, the obtaining of funding or financing, whether public
32 or private, unsecured or secured, including, but not limited to, secured
33 by leasehold mortgages and assignments of rents and leases, by the
34 ground lessee and parties contracting with the ground lessee for the
35 purposes of completing the project described in this act.

36 § 11. Such lease shall include an indemnity provision whereby the
37 lessee or sublessee promises to indemnify, hold harmless and defend the
38 lessor against all claims, suits, actions, and liability to all persons
39 on the leased premises, including tenant, tenant's agents, contractors,
40 subcontractors, employees, customers, guests, licensees, invitees and
41 members of the public, for damage to any such person's property, whether
42 real or personal, or for personal injuries arising out of tenant's use
43 or occupation of the demised premises.

44 § 12. Any contracts entered into pursuant to this act between the
45 ground lessee and parties contracting with the ground lessee shall be
46 awarded by a competitive process.

47 § 13. The property authorized by this act to be leased to the ground
48 lessee is generally described as that parcel of real property with
49 improvements thereon consisting of a total of approximately 11.5 acres
50 of land situated on the Southampton campus of the state university of
51 New York at Stony Brook. The description in this section of the parcel
52 to be made available pursuant to this act is not meant to be a legal
53 description, but is intended only to identify the parcel:

54 Beginning at a point on the southerly sideline of section 211, block
55 6, lot 9, now or formerly belonging to the MTA-LIRR, the said point
56 being distant 1135.50 feet on a bearing of south 86 degrees 01 minutes

1 07 seconds west from the intersection of the said lirr sideline with the
2 westerly sideline of tuckahoe road (50 feet wide), and running from the
3 said point of beginning; thence running through section 211, block 1,
4 lot 1 the following nine (9) courses:
5 (1) South 00 degrees 15 minutes 03 seconds east for a distance of 456.85
6 feet; thence
7 (2) South 85 degrees 52 minutes 00 seconds west, a distance of 97.30
8 feet to a point of curvature; thence
9 (3) On a curve to the left having a radius of 100.00 feet, a central
10 angle of 19 degrees 15 minutes 58 seconds and an arc length of 33.63
11 feet to a point of reverse curvature; thence
12 (4) On a curve to the right having a radius of 100.00 feet, a central
13 angle of 17 degrees 48 minutes 58 seconds and an arc length of 31.09
14 feet to a point of tangency; thence
15 (5) South 84 degrees 25 minutes 00 seconds west, a distance of 105.00
16 feet to a point of curvature; thence
17 (6) On a curve to the left having a radius of 65.00 feet, a central
18 angle of 73 degrees 17 minutes 00 seconds and an arc length of 83.14
19 feet to a point of tangency; thence
20 (7) South 11 degrees 08 minutes 00 seconds west, a distance of 54.50
21 feet; thence
22 (8) South 31 degrees 46 minutes 02 seconds west, being radial to the
23 following course, a distance of 48.50 feet; thence
24 (9) On a curve to the left having a radius of 125.00 feet, a central
25 angle of 39 degrees 49 minutes 32 seconds, and an arc length of 86.89
26 feet to a point of tangency; thence
27 (10) Continuing through said lot lot 1, passing through section 210,
28 block 2, lot 26 and then crossing into section 210, block 2, lot 25,
29 south 81 degrees 56 minutes 30 seconds west, a distance of 326.00 feet
30 to a point of curvature; thence
31 (11) Continuing through said lot 25, on a curve to the left having a
32 radius of 100.00 feet, a central angle of 43 degrees 59 minutes 00
33 seconds, and an arc length of 76.77 feet to a point of tangency; thence
34 (12) Continuing through said lot 25 and crossing back into aforemen-
35 tioned lot 26, south 37 degrees 57 minutes 30 seconds west, a distance
36 of 250.00 feet; thence
37 (13) Continuing through said lot 26, south 59 degrees 26 minutes 00
38 seconds west, a distance of 32.50 feet; thence
39 (14) Continuing through said lot 26 and crossing back into aforemen-
40 tioned lot 25, north 30 degrees 34 minutes 00 seconds west, a distance
41 of 126.00 feet to a point of curvature; thence
42 (15) Continuing through said lot 25, on a curve to the left having a
43 radius of 65.00 feet, a central angle of 48 degrees 54 minutes 30
44 seconds, and an arc length of 55.48 feet to a point of tangency; thence
45 (16) Continuing through the same, north 79 degrees 28 minutes 30 seconds
46 west, a distance of 92.22 feet; thence
47 (17) Along the dividing line of said lot 25 to the east with section
48 210, block 2, lot 11.3 to the west, north 17 degrees 43 minutes 47
49 seconds east, a distance of 160.35 feet; thence
50 (18) Along the dividing line of said lot 25 to the southeast with
51 section 210, block 2, lots 11.3, 11.4 and 11.5 to the northwest, north
52 55 degrees 50 minutes 47 seconds east, a distance of 438.30 feet; thence
53 (19) Along the dividing line of aforementioned lot 1 to the southeast
54 with said lot 11.5 to the northwest, north 55 degrees 51 minutes 07
55 seconds east, a distance of 315.93 feet; thence



1 (20) Along same, north 24 degrees 08 minutes 33 seconds west, a distance
2 of 155.67 feet; thence

3 (21) Along the dividing line of said lot 1 to the south with aforemen-
4 tioned lot 9 to the north, north 86 degrees 01 minutes 07 seconds east,
5 a distance of 593.70 feet to the point and place of beginning.

6 The above-described lease area contains 500,818 square feet or 11.4972
7 acres of land. Subject to all existing easements and restrictions of
8 record.

9 § 14. The state university of New York shall not lease lands
10 described in this act unless any such lease shall be executed within 5
11 years of the effective date of this act.

12 § 15. Insofar as the provisions of this act are inconsistent with the
13 provisions of any law, general, special or local, the provisions of this
14 act shall be controlling.

15 § 16. This act shall take effect immediately.

16

SUBPART C

17 Section 1. Notwithstanding the provisions of section 400 of the trans-
18 portation law, or any other provision of law to the contrary, the
19 commissioner of transportation is hereby authorized and empowered to
20 transfer and convey certain state-owned real property, as described in
21 section two of this act, for the purpose of developing, constructing,
22 maintaining and operating multi-purpose facilities to support housing
23 needs and supporting amenities, upon such terms and conditions as the
24 commissioner may deem appropriate. The commissioner of transportation
25 shall convey the property to the New York state urban development corpo-
26 ration, which shall transfer and convey such property as limited to the
27 purpose, terms, and objectives set out in a request for proposal by the
28 New York state urban development corporation, provided that no such
29 transfer and conveyance shall occur unless the purpose, terms, and
30 objectives set out in such request for proposal includes the develop-
31 ment, construction, maintenance, and operation of multi-purpose facili-
32 ties to support housing needs and supporting amenities.

33 § 2. The lands authorized by this act to be conveyed consist of two
34 parcels of land in the town of Babylon, Suffolk county, constituting tax
35 map numbers 0100-050.00-01.00-003.000 and 0100-050.00-01.00-002.000, and
36 generally described as approximately twelve and one-half acres of land
37 located north of Conklin Street and east of Route 110.

38 § 3. The description in this section of the lands to be conveyed is
39 not intended to be a legal description and is intended only to identify
40 the premises to be conveyed:

41 Beginning at a point at the intersection of the easterly side of Broad-
42 hollow Road (N.Y.S. Routh 110) with the northerly side of Conklin Street:
43 Running thence along the said easterly side of Broadhollow Road (N.Y.S.
44 Route 110) North 02 degrees 20 minutes 42 seconds East, 9.77 feet to
45 land now or formerly of LILCO;

46 Thence along said land the following two (2) courses and distances:

47 (1) North 67 degrees 48 minutes 35 seconds East, 412.07 feet;

48 (2) North 22 degrees 11 minutes 19 seconds West, 264.95 feet to land now
49 or formerly of LIRR-MTA;

50 Thence along said land North 72 degrees 58 minutes 09 seconds East,
51 1,553.65 feet to the land now or formerly of Conklin Street Partners
52 LLC;

53 Thence along said land South 22 degrees 30 minutes 10 seconds East,
54 249.98 feet to the northerly side of Conklin Street;



1 Thence along said northerly side of Conklin Street the following six (6)
2 courses and distances:
3 (1) South 67 degrees 48 minutes 04 seconds West, 1,696.88 feet;
4 (2) South 80 degrees 10 minutes 54 seconds West, 121.73 feet;
5 (3) South 67 degrees 13 minutes 48 seconds West, 70.68 feet;
6 (4) South 88 degrees 06 minutes 32 seconds West, 27.07 feet;
7 (5) North 69 degrees 43 minutes 35 seconds West, 35.74 feet;
8 (6) North 47 degrees 09 minutes 09 seconds West, 63.13 feet to the east-
9 erly side of Broadhollow Road (N.Y.S. Route 110) and the point or place
10 of beginning.
11 Subject to all existing easements and restrictions on record.
12 § 4. This act shall take effect immediately.

13

SUBPART D

14 Section 1. Legislative findings. The legislature finds that the state
15 university of New York College of Environmental Science and Forestry
16 ("ESF") is one of the nation's premier colleges focused on the study of
17 the environment, developing renewable technologies, and building a
18 sustainable future. Located in downtown Syracuse, right across from
19 Syracuse University, ESF is on a mission to educate future environmental
20 leaders, particularly at a time when New York state is working to meet
21 its statewide climate goals and transition into a clean energy economy.

22 The legislature further finds that ESF seeks to use approximately 1.6
23 acres of underutilized land on its campus to build multi-purpose facili-
24 ties to support housing needs and supporting amenities for the college's
25 undergraduate and graduate students. In the past five years, ESF's
26 enrollment has increased by 4.7%, ranking fourth in state university of
27 New York's campuses seeing enrollment growth. Currently, ESF requires
28 freshmen to live on campus and has one residence hall, which can accom-
29 modate 549 students. As a result, most transfer students, upper class
30 students, and graduate students live off-campus at private facilities.
31 ESF believes additional housing will help to attract a diverse student
32 population and continue to meet the demands of its growing enrollment.

33 The legislature further finds that granting the trustees of the state
34 university of New York the authority and power to lease and otherwise
35 contract to make available grounds and facilities on ESF's campus will
36 ensure land is utilized for the benefit of ESF and the surrounding
37 community.

38 § 2. Notwithstanding any other law to the contrary, the state univer-
39 sity trustees are hereby authorized and empowered, without any public
40 bidding, to lease and otherwise contract to make available to the Abby
41 Lane Housing Corporation, a not-for-profit corporation (the "ground
42 lessee"), a portion of the lands of the university, generally described
43 in this act for the purpose of building undergraduate and graduate
44 student housing and amenities. Such lease or contract shall be for a
45 period not exceeding 100 years without any fee simple conveyance and
46 otherwise upon terms and conditions determined by such trustees, subject
47 to the approval of the director of the division of the budget, the
48 attorney general and the state comptroller. In the event that the real
49 property that is the subject of such lease or contract shall cease to be
50 used for the purpose described in this act, such lease or contract shall
51 immediately terminate, and the real property and any improvements there-
52 on shall revert to the state university of New York. Any lease or
53 contract entered into pursuant to this act shall provide that the real
54 property that is the subject of such lease or contract and any improve-

1 ments thereon shall revert to the state university of New York on the
2 expiration of such contract or lease.

3 § 3. Any contract or lease entered into pursuant to this act shall be
4 deemed to be a state contract for purposes of article 15-A of the execu-
5 tive law, and any contractor, subcontractor, lessee or sublessee enter-
6 ing into such contract or lease for the construction, demolition, recon-
7 struction, excavation, rehabilitation, repair, renovation, alteration or
8 improvement authorized pursuant to this act shall be deemed a state
9 agency for the purposes of article 15-A of the executive law and subject
10 to the provisions of such article.

11 § 4. Notwithstanding any general, special or local law or judicial
12 decision to the contrary, all work performed on a project authorized by
13 this act where all or any portion thereof involves a lease or agreement
14 for construction, demolition, reconstruction, excavation, rehabili-
15 tation, repair, renovation, alteration or improvement shall be deemed
16 public work and shall be subject to and performed in accordance with the
17 provisions of article 8 of the labor law to the same extent and in the
18 same manner as a contract of the state, and compliance with all the
19 provisions of article 8 of the labor law shall be required of any
20 lessee, sublessee, contractor or subcontractor on the project, including
21 the enforcement of prevailing wage requirements by the fiscal officer as
22 defined in paragraph (e) of subdivision 5 of section 220 of the labor
23 law to the same extent as a contract of the state.

24 § 5. Notwithstanding any law, rule or regulation to the contrary, the
25 state university of New York shall not contract out to the ground lessee
26 or any subsidiary for the instruction or any pedagogical functions or
27 services, or any administrative services, and similar professional
28 services currently being performed by state employees. All such func-
29 tions and services shall be performed by state employees pursuant to the
30 civil service law. Nothing in this act shall result in the displacement
31 of any currently employed state worker or the loss of position (includ-
32 ing partial displacement such as reduction in the hours of non-overtime,
33 wages or employment benefits), or result in the impairment of existing
34 contracts for services or collective bargaining rights pursuant to
35 existing agreements as provided under article 14 of the civil service
36 law. All positions currently at the state university of New York in the
37 unclassified service shall remain in the unclassified service. No
38 services or work on the property described in this act currently
39 performed by public employees at the time of the effective date of this
40 act, or that is similar in scope and nature to the work being currently
41 performed by public employees at the time of the effective date of this
42 act, shall be contracted out or privatized by the state university of
43 New York. The state university of New York acknowledges its obligations
44 as an employer under the civil service law and agrees that it will not
45 exercise its right to contract out for goods and services under any
46 applicable collective bargaining agreement.

47 § 6. 1. The provisions of this section shall only apply to employees
48 in the unclassified service at the state university of New York.

49 2. Notwithstanding any law, rule or regulation to the contrary, the
50 state university of New York or an affiliated or associated entity of
51 the state university of New York shall not contract out to the ground
52 lessee or any subsidiary of the ground lessee or the research foundation
53 for the state university of New York for any services or privatize any
54 services currently being performed by employees in the unclassified
55 service at the state university of New York college of environmental
56 science and forestry. All such functions and services currently

1 performed by employees in unclassified service shall be performed by
2 employees in the unclassified service.

3 3. Nothing in this act relating to the lease of property to private
4 entities for the development, construction, or operation of facilities
5 shall be deemed to waive or impair any rights or benefits of employees
6 of the state university of New York that otherwise would be available to
7 them pursuant to the terms of agreements between the certified represen-
8 tatives of such employees and the state of New York or provisions of
9 article 14 of the civil service law. The state university of New York
10 and the state of New York acknowledge their obligations as an employer
11 and agree that they will not exercise their right to contract out for
12 services under any applicable collective bargaining agreement.

13 § 7. For the purposes of this act:

14 (a) "project" shall mean work at the property authorized by this act
15 to be leased to the ground lessee as described in section thirteen of
16 this act that involves the design, construction, reconstruction, demoli-
17 tion, excavating, rehabilitation, repair, renovation, alteration or
18 improvement of such property.

19 (b) "project labor agreement" shall mean a pre-hire collective
20 bargaining agreement between a contractor and a labor organization,
21 establishing the labor organization as the collective bargaining repre-
22 sentative for all persons who will perform work on the project, and
23 which provides that only contractors and subcontractors who sign a pre-
24 negotiated agreement with the labor organization can perform project
25 work.

26 § 8. Nothing in this act shall be deemed to waive or impair any rights
27 or benefits of employees of the state university of New York that other-
28 wise would be available to them pursuant to the terms of agreements
29 between the certified representatives of such employees and the state of
30 New York pursuant to article 14 of the civil service law, and all work
31 performed on such property that ordinarily would be performed by employ-
32 ees subject to article 14 of the civil service law shall continue to be
33 performed by such employees.

34 § 9. Notwithstanding the provisions of any general, special, or local
35 law or judicial decision to the contrary, the ground lessee shall
36 require the use of a project labor agreement, as defined in subdivision
37 1 of section 222 of the labor law, for all contractors and subcontrac-
38 tors on the project, consistent with paragraph (a) of subdivision 2 of
39 section 222 of the labor law.

40 § 10. Without limiting the determination of the terms and conditions
41 of such contracts or leases, such terms and conditions may provide for
42 leasing, subleasing, construction, reconstruction, rehabilitation,
43 improvement, operation and management of and provision of services and
44 assistance and the granting of licenses, easements and other arrange-
45 ments with regard to such grounds and facilities by the ground lessee,
46 and parties contracting with the ground lessee, and in connection with
47 such activities, the obtaining of funding or financing, whether public
48 or private, unsecured or secured, including, but not limited to, secured
49 by leasehold mortgages and assignments of rents and leases, by the
50 ground lessee and parties contracting with the ground lessee for the
51 purposes of completing the project described in this act.

52 § 11. Such lease shall include an indemnity provision whereby the
53 lessee or sublessee promises to indemnify, hold harmless and defend the
54 lessor against all claims, suits, actions, and liability to all persons
55 on the leased premises, including tenant, tenant's agents, contractors,
56 subcontractors, employees, customers, guests, licensees, invitees and

1 members of the public, for damage to any such person's property, whether
2 real or personal, or for personal injuries arising out of tenant's use
3 or occupation of the demised premises.

4 § 12. Any contracts entered into pursuant to this act between the
5 ground lessee and parties contracting with the ground lessee shall be
6 awarded by a competitive process.

7 § 13. The property authorized by this act to be leased to the ground
8 lessee is generally described as that parcel of real property with
9 improvements thereon consisting of a total of approximately 1.624 acres
10 of land situated on the campus of the state university of New York
11 college of environmental science and forestry. The description in this
12 section of the parcel to be made available pursuant to this act is not
13 meant to be a legal description, but is intended only to identify the
14 parcel:

15 All that piece or parcel of land situate in the City of Syracuse,
16 County of Onondaga, State of New York, being lots 1-10 of Block 605
17 (part of Farm Lot 185) bounded and described as follows:

18 BEGINNING at a point in the southerly street boundary of the existing
19 East Raynor Avenue (66' ROW) at its intersection with the westerly
20 street boundary of the existing Stadium Place (66' ROW); thence

21 1) Southerly along the westerly street boundary of the existing Stadi-
22 um Place (66' ROW) on a bearing of South 03°44'57" East a distance of
23 268.00 feet to a point in the northerly street boundary of the existing
24 Standart Street (66'ROW); thence

25 2) Westerly along the northerly street boundary of the existing Stan-
26 dart Street (66' ROW) on a bearing of South 86°21'13" West a distance of
27 264.00 feet to a point in the easterly street boundary of the existing
28 Henry Street (66'ROW); thence

29 3) Northerly along the easterly street boundary of the existing Henry
30 Street (66' ROW) on a bearing of North 03°45'17" West a distance of
31 268.00 feet to a point in the southerly street boundary of the existing
32 East Raynor Avenue (66'ROW); thence

33 4) Easterly along the southerly street boundary of the existing East
34 Raynor Avenue (66' ROW) on a bearing of North 86°21'13" East a distance
35 of 264.03 feet to the point of beginning, being 1.624 acres, more or
36 less. Subject to all existing easements and restrictions of record.

37 § 14. The state university of New York shall not lease lands described
38 in this act unless any such lease shall be executed within 5 years of
39 the effective date of this act.

40 § 15. Insofar as the provisions of this act are inconsistent with the
41 provisions of any law, general, special or local, the provisions of this
42 act shall be controlling.

43 § 16. This act shall take effect immediately.

44 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
45 sion, section, or subpart of this part shall be adjudged by any court of
46 competent jurisdiction to be invalid, such judgment shall not affect,
47 impair, or invalidate the remainder of that subpart or this part, but
48 shall be confined in its operation to the clause, sentence, paragraph,
49 subdivision, section, or subpart directly involved in the controversy in
50 which such judgment shall have been rendered. It is hereby declared to
51 be the intent of the legislature that this part and each subpart herein
52 would have been enacted even if such invalid provisions had not been
53 included herein.

54 § 3. This act shall take effect immediately; provided, however, that
55 the applicable effective date of Subparts A through D of this act shall
56 be as specifically set forth in the last section of such Subparts.

1

PART V

2 Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174
3 of the laws of 1968 constituting the New York state urban development
4 corporation act, as amended by section 1 of part EE of chapter 58 of the
5 laws of 2025, is amended to read as follows:

6 3. The provisions of this section shall expire, notwithstanding any
7 inconsistent provision of subdivision 4 of section 469 of chapter 309 of
8 the laws of 1996 or of any other law, on July 1, [2026] 2027.

9 § 2. This act shall take effect immediately.

10

PART W

11 Section 1. Section 2 of chapter 393 of the laws of 1994, amending the
12 New York state urban development corporation act, relating to the powers
13 of the New York state urban development corporation to make loans, as
14 amended by section 1 of part FF of chapter 58 of the laws of 2025, is
15 amended to read as follows:

16 § 2. This act shall take effect immediately provided, however, that
17 section one of this act shall expire on July 1, [2026] 2027, at which
18 time the provisions of subdivision 26 of section 5 of the New York state
19 urban development corporation act shall be deemed repealed; provided,
20 however, that neither the expiration nor the repeal of such subdivision
21 as provided for herein shall be deemed to affect or impair in any manner
22 any loan made pursuant to the authority of such subdivision prior to
23 such expiration and repeal.

24 § 2. This act shall take effect immediately.

25

PART X

26

Intentionally Omitted

27

PART Y

28 Section 1. Short title. This act shall be known and may be cited as
29 the "Safe by Design Act".

30 § 2. The general business law is amended by adding a new article 45-B
31 to read as follows:

ARTICLE 45-B

SAFE BY DESIGN ACT

34 Section 1539. Definitions.

35 1540. Privacy by default and parental approvals.

36 1541. Prohibition on features that subvert the purposes of this
37 article.

38 1542. Nondiscrimination.

39 1543. Scope.

40 1544. Rulemaking authority.

41 1545. Construction of article.

42 1546. Language access.

43 1547. Remedies.

44 § 1539. Definitions. For the purposes of this article, the following
45 terms shall have the following meanings:

46 1. "Connected" and variations thereof shall mean that two users using
47 the covered platform or two accounts on the covered platform are
48 connected to each other by:

1 (a) sending a request to connect to another user or account holder and
2 having the request to connect accepted by the other user or account
3 holder; or

4 (b) receiving a request to connect from another user or account holder
5 and accepting the request to connect.

6 2. "Covered minor" shall mean any user in New York who has been
7 reasonably determined by an operator, via age assurance, as set forth in
8 this article, to be under the age of eighteen.

9 3. "Operator" shall mean any person, business, or other legal entity
10 who operates or provides a covered platform.

11 4. "Parent" shall mean a parent or legal guardian.

12 5. "Tag" shall mean when a user clearly identifies a second user in
13 posted media.

14 6. "User" shall mean a user of a covered platform not acting as an
15 operator, or agent or affiliate of such operator, of such platform or
16 any portion thereof.

17 7. "Covered user" shall mean a user of a covered platform in New York
18 not acting as an operator, agent or affiliate of such operator, of such
19 platform or of any portion thereof.

20 8. "Money" shall mean a medium of exchange currently authorized or
21 adopted by a domestic or foreign government.

22 9. "Digital currency" shall mean a digital representation of value,
23 recognized only on the covered platform, that is supplied, exchanged and
24 managed pursuant to the policies or rules of such covered platform, and
25 is not accepted or considered a medium of exchange currently authorized
26 or adopted by a domestic or foreign government.

27 10. "AI companion" shall have the same meaning as subdivision four of
28 section seventeen hundred of this chapter; provided, however, that an
29 "AI companion" shall not include an artificial intelligence system or
30 non-player character that operates exclusively within a game or immer-
31 sive digital environment, provided that such system's interactions are
32 strictly constrained to the fictional context of such game or environ-
33 ment and do not initiate, encourage, or sustain dialogue concerning the
34 user's real-world life, emotional state, or personal affairs.

35 11. "Integrated AI companion" shall mean an AI companion that is an
36 accessible or usable feature of a covered platform.

37 12. "Covered platform" shall mean a public or semi-public website,
38 online service, online application, or mobile application that:

39 (a) is used by a covered minor in this state;

40 (b) allows users to construct a public or semi-public profile for the
41 purposes of using such website, service, or application; and

42 (c) offers or provides the following features:

43 (i) a mechanism to allow users to communicate privately with each
44 other within the website, service or application or through platform
45 integration with a separate website, service, or application; and

46 (ii) (A) a mechanism to create or post media that is viewable by other
47 users and a mechanism to respond to such media, including but not limit-
48 ed to, through a landing page or feed that presents the user with media
49 created or posted by other users; or

50 (B) a mechanism: (1) to create games or immersive digital environments
51 for other users or to play online games; and (2) to make in game
52 purchases using money or to exchange money for digital currency as well
53 as to exchange digital currency for money.

54 13. "Media" shall mean text, an image or a video. Games and immer-
55 sive digital environments are not media.

1 14. "Age assurance" shall mean reasonable and technically feasible
2 methods to determine the age of a user, made consistent with subdivision
3 one of section fifteen hundred forty of this article.

4 15. "Syncing" shall mean when a user imports existing connections or
5 contact information pertaining to other users into a covered platform.

6 16. "Platform integration" shall mean any form of linking a user's
7 account on a covered platform with the user's account on one or more
8 different covered platforms.

9 § 1540. Privacy by default and parental approvals. 1. (a) The attor-
10 ney general may promulgate rules and regulations identifying methods for
11 reasonable and technically feasible age assurance, which may consider
12 the size, financial resources, and technical capabilities of covered
13 platforms, the costs and effectiveness of available age determination
14 techniques for users of such platforms, the audience of such platforms,
15 and prevalent practices of the industry of the operator. Such rules or
16 regulations may also identify the appropriate levels of accuracy that
17 would be considered reasonable for operators to achieve in determining
18 whether a user is a covered minor. Such rules or regulations may speci-
19 fy that information collected under this article shall not be used for
20 any purpose other than age assurance and shall be deleted immediately
21 after an attempt to determine a user's age, except where necessary for
22 compliance with any applicable provisions of New York state or federal
23 law or rule or regulation.

24 (b) Until such time as the rules or regulations referenced in para-
25 graph (a) of this subdivision may have been promulgated and are in
26 effect, an operator shall use age assurance methods that meet the
27 requirements of article forty-five of this chapter and its implementing
28 rules or regulations, as amended, except that for purposes of this arti-
29 cle, an operator may not use self-declaration of age or minor status to
30 determine whether a covered user is a covered minor.

31 (c) To the extent rules or regulations referenced in paragraph (a) of
32 this subdivision are not in effect and rules or regulations referenced
33 in paragraph (b) of this subdivision regarding age assurance methods
34 promulgated pursuant to article forty-five of this chapter are not in
35 effect, an operator shall rely on a determination of a covered user's
36 age made using a reasonable age assurance method that meets the follow-
37 ing requirements:

38 (i) such age assurance method shall reasonably guard against circum-
39 vention and reasonably minimize the retention of information collected
40 for age assurance purposes;

41 (ii) an operator may not use self-declaration of age or minor status
42 to determine whether a covered user is a covered minor; and

43 (iii) an operator must make available more than one age assurance
44 method to covered users, including at least one method that either does
45 not rely on government issued identification or that allows a covered
46 user to maintain anonymity as to the operator.

47 2. An operator may not offer or make available to a covered user the
48 feature of communicating privately with a user within the covered plat-
49 form or through platform integration, viewing the full profile of a
50 user, responding to or downloading media created or posted by a user,
51 tagging a user in posted media or viewing the geographic location infor-
52 mation of a user, unless the operator has conducted age assurance to
53 determine whether a covered user is a covered minor.

54 3. For all users determined by an operator to be a covered minor, such
55 operator shall utilize the following settings by default for covered

1 minors, which shall ensure that no user age eighteen or older who is not
2 already connected to a covered minor may:

3 (a) communicate privately with such covered minor within the covered
4 platform or through platform integration;

5 (b) view the full profile of such covered minor;

6 (c) respond to or download media created or posted by such covered
7 minor;

8 (d) tag such covered minor in posted media; or

9 (e) view the geographic location information, where such information
10 is derived from or captured by device or network signals, including but
11 not limited to global position system, IP address or Wi-Fi positioning,
12 of such covered minor.

13 4. If an operator provides a mechanism on the covered platform to
14 suggest or recommend the profile of a user to another user to connect
15 with, an operator may not suggest or recommend the profile of a covered
16 minor to another user age eighteen or older who is not already connected
17 to such covered minor. This subdivision shall not apply to profile
18 suggestions or recommendations that are made as a result of a covered
19 minor or other user syncing contacts with a covered platform.

20 4-a. Nothing in this subdivision is intended to prohibit actions
21 reasonably necessary for platform safety, abuse prevention, customer
22 support, legal compliance or emergency response, as may be further
23 defined in rules or regulations promulgated by the attorney general.

24 5. (a) A parent of a covered minor may override the default privacy
25 settings provided in subdivisions three and four of this section at such
26 parent's discretion. An operator shall allow a parent to override or
27 maintain each setting provided in subdivision three of this section
28 separately.

29 (b) An operator shall notify a parent of a covered minor whenever such
30 covered minor requests that the operator obtain approval from a covered
31 minor's parent to consent to change a default setting provided in subdi-
32 vision three or four of this section. Such notice shall include a
33 statement that informs the parent that they are changing a default
34 setting required under New York law. The parent may then either provide
35 or withhold such consent to the request to change the settings for such
36 minor, provided there is separate consent provided for each request by a
37 covered minor.

38 6. A request by a user to connect with a covered minor may be sent
39 simultaneously with a request by such user to communicate privately with
40 such covered minor and a request by a covered minor to connect with a
41 user may be sent simultaneously with a request by such covered minor to
42 communicate privately with such user, provided, however, that no such
43 private communication may be returned or responded to, until the
44 connection has been approved and/or any parental consent required by
45 subdivision eight of this section has been provided.

46 7. (a) An operator may not offer or make available to a covered user
47 the use or access of an integrated AI companion, unless the operator has
48 conducted age assurance to determine whether a covered user is a covered
49 minor.

50 (b) An operator shall, by default, disable the access or use of any
51 integrated AI companion for any covered minor.

52 (c) A parent of a covered minor may override the default disabled
53 access or use of an integrated AI companion, provided in paragraph (b)
54 of this subdivision, at such parent's discretion. An operator shall
55 allow a parent to override or maintain the setting provided for in para-

1 graph (b) of this subdivision separately from any other mechanisms to
2 override other default settings.

3 (d) An operator shall notify a parent of a covered minor whenever such
4 minor requests that the operator obtain consent from such covered
5 minor's parent to change the default setting provided in paragraph (b)
6 of this subdivision. Such notice shall include a statement that informs
7 the parent that the parent is being asked to provide consent to change a
8 default setting required under New York law. The parent may thereafter
9 provide or withhold such consent.

10 8. (a) For any covered minor under the age of thirteen, an operator
11 shall require the parent of such covered minor to provide consent before
12 the account of such covered minor and the account of another user may be
13 connected. For any covered minor under the age of thirteen, an operator
14 shall also establish a mechanism by which a parent of such minor may
15 easily view the list of all users or accounts currently connected with
16 the account of the minor.

17 (b) For any covered minor, an operator shall establish a mechanism by
18 which a parent of such minor may easily view a list of any covered plat-
19 forms that have been linked to or requested to be linked to the account
20 of the minor, if the covered platform offers a mechanism for platform
21 integration.

22 9. (a) An operator of a covered platform that offers or provides the
23 feature described in item two of clause (B) of subparagraph (ii) of
24 paragraph (c) of subdivision twelve of section fifteen hundred thirty-
25 nine of this article, may not offer or make available such feature to a
26 covered user unless the operator has conducted age assurance to deter-
27 mine whether a covered user is a covered minor.

28 (b) For all users determined by such operator to be a covered minor,
29 such operator shall establish a mechanism that either: (i) enables the
30 parent of such covered minor to set a monthly limit on the spending of
31 money, whether by charging a credit card or other means, in connection
32 with the direct or indirect purchase or acquisition of anything on or
33 via the covered platform, including but not limited to digital currency,
34 relating to such covered minor's account and where the amount of such
35 limit is set at the parent's discretion; or

36 (ii) enables the parent of such covered minor to opt out of setting
37 such limits.

38 (c) Such an operator may establish a mechanism to enable the covered
39 minor to request that the operator obtain consent from the parent of
40 such covered minor for the further expenditure of money, such as charg-
41 ing the credit card associated with such covered minor's account, once
42 the limit set forth in subparagraph (i) of paragraph (b) of this subdi-
43 vision is reached. In such an instance, the operator shall obtain such
44 consent from such parent before any such charges may be processed by the
45 operator.

46 (d) Such operator shall further establish a mechanism by which a
47 parent of a covered minor may easily view a history of all financial
48 transactions relating to such covered minor's account at any time, which
49 at a minimum, identifies the users involved in each such transaction, in
50 addition to the covered minor, as well as the amounts of money or
51 digital currency associated with each transaction.

52 § 1541. Prohibition on features that subvert the purposes of this
53 article. It shall be unlawful for an operator to deploy on a covered
54 platform any mechanism or design feature which has the effect of inhib-
55 iting the purpose of this article, subverts covered minor and/or parent

1 choice or autonomy or renders it more difficult for a covered minor
2 and/or parent to exercise any of the options provided in this article.

3 § 1542. Nondiscrimination. An operator shall not withhold, degrade,
4 lower the quality of, or increase the price of any product, service, or
5 feature of a covered platform, other than as necessary for compliance
6 with the provisions of this article or any rules or regulations promul-
7 gated pursuant to this article, to a user due to such operator being
8 required to comply with this article.

9 § 1543. Scope. 1. This article shall apply to conduct that occurs in
10 whole or in part in New York.

11 2. Nothing in this article shall be construed to impose liability for
12 commercial activities or actions by operators subject to 15 U.S.C. §
13 6501 that is inconsistent with the treatment of such activities or
14 actions under 15 U.S.C. § 6502.

15 § 1544. Rulemaking authority. The attorney general may promulgate any
16 other such rules and regulations as are necessary to effectuate and
17 enforce the provisions of this article.

18 § 1545. Construction of article. Nothing in this article shall be
19 construed to prohibit an operator from implementing a default privacy
20 setting for covered minors and/or other users that is more protective
21 than that required by this article.

22 § 1546. Language access. 1. Instructions to parents on how to provide
23 parental consent and to exercise parental controls, overrides, settings,
24 and other permissions required by this article shall clearly and
25 conspicuously be made available in no fewer than the twelve most common-
26 ly spoken languages in New York state consistent with section two
27 hundred two-a of the executive law and as further defined by regulations
28 that may be promulgated by the attorney general.

29 2. The attorney general shall ensure that any public information or
30 guidance that it may provide concerning this article is available in the
31 twelve most commonly spoken languages in New York state consistent with
32 section two hundred two-a of the executive law.

33 § 1547. Remedies. 1. On or after the effective date of this article,
34 whenever it appears to the attorney general, upon complaint or other-
35 wise, that any person, within or outside the state, has violated the
36 provisions of this article, the attorney general may bring an action or
37 special proceeding in the name and on behalf of the people of the state
38 of New York to enjoin any such violation, to obtain restitution of any
39 moneys or property obtained directly or indirectly by any such
40 violation, to obtain disgorgement of any profits or gains obtained
41 directly or indirectly by any such violation, to obtain damages caused
42 directly or indirectly by any such violation, to obtain civil penalties
43 of up to five thousand dollars per violation, and to obtain any such
44 other and further relief as the court may deem proper, including prelim-
45 inary relief.

46 2. The attorney general shall maintain a website to receive
47 complaints, information, and/or referrals from members of the public
48 concerning an operator's or covered platform's alleged compliance or
49 noncompliance with the provisions of this article.

50 § 3. Severability. If any clause, sentence, paragraph, subdivision,
51 section or part of this act shall be adjudged by any court of competent
52 jurisdiction to be invalid, such judgment shall not affect, impair, or
53 invalidate the remainder thereof, but shall be confined in its operation
54 to the clause, sentence, paragraph, subdivision, section or part thereof
55 directly involved in the controversy in which such judgment shall have
56 been rendered. It is hereby declared to be the intent of the legislature

1 that this act would have been enacted even if such invalid provisions
2 had not been included herein.

3 § 4. This act shall take effect January 1, 2027. Effective immediate-
4 ly, the addition, amendment and/or repeal of any rule or regulation
5 necessary for the implementation of this act on its effective date are
6 authorized to be made and completed on or before such effective date.

7 PART Z

8 Intentionally Omitted

9 PART AA

10 Intentionally Omitted

11 PART BB

12 Section 1. The insurance law is amended by adding a new section 2356
13 to read as follows:

14 § 2356. Premium change explanations. (a) An insurer shall include a
15 notice accompanying the premium bill that includes the amount of the
16 premium increase from the prior policy period and a written explanation
17 for the premium increase, including the primary rating factors causing
18 the increase, for a covered policy as defined in paragraph one and in
19 subparagraph (A) of paragraph two of subsection (a) of section three
20 thousand four hundred twenty-five of this chapter, where the total poli-
21 cy premium increase is in excess of ten percent, exclusive of any premi-
22 um increase due to insured value added.

23 (b) (1) Except when an insurer provides an explanation pursuant to
24 subsection (a) of this section, an insurer shall include a prominent
25 notice accompanying the premium bill, for a policy covering a motor
26 vehicle or a policy covering loss of or damage to real property used
27 predominantly for residential purposes, that states the following:
28 "Policyholders receiving an increase to their premiums at renewal may
29 request a written explanation, including the primary rating factors
30 causing the increase, by contacting their insurers in writing." An
31 insurer shall include its contact information with the prominent notice.

32 (2) Upon a policyholder's written request at policy renewal, an insur-
33 er shall provide a written explanation for the increased premiums,
34 including the primary rating factors causing the increase, for a policy
35 covering a motor vehicle or a policy covering loss of or damage to real
36 property used predominantly for residential purposes. An insurer shall
37 provide the written explanation to the policyholder, including the
38 primary rating factors causing the increase, within twenty days from
39 receipt of the policyholder's written request.

40 (c) For the purpose of this section, primary rating factors shall
41 include factors that resulted in a premium rate increase, such as:

- 42 (1) individual claims history;
- 43 (2) changes made to the policy, including the policyholder adding or
44 replacing a vehicle, family members being added to the policy, or a
45 change in address;
- 46 (3) anticipated losses in the rating territory that would require a
47 need for an increased premium; and

1 (4) increased costs associated with claims, including the increased
2 cost of vehicle repairs, claims processing, or medical costs.

3 (d) If an insurer offering a private passenger automobile insurance
4 policy reduces premium rates due to the reforms of the state fiscal year
5 two thousand twenty-six -- two thousand twenty-seven budget, such insur-
6 er shall provide notice to the policyholder of this rate reduction and
7 indicate that the reduction was due to the reforms of the state fiscal
8 year two thousand twenty-six -- two thousand twenty-seven budget.

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

11 PART CC

12 Intentionally Omitted

13 PART DD

14 Intentionally Omitted

15 PART EE

16 Section 1. Subsection (d) of section 5102 of the insurance law, as
17 amended by chapter 955 of the laws of 1984, is amended to read as
18 follows:

19 (d) "Serious injury" means a personal injury which results in death;
20 dismemberment; significant disfigurement; a fracture; loss of a fetus;
21 permanent loss of use of a body organ, member, function or system;
22 permanent consequential limitation of use of a body organ or member; or
23 significant limitation of use of a body function or system[; or a
24 medically determined injury or impairment of a non-permanent nature
25 which prevents the injured person from performing substantially all of
26 the material acts which constitute such person's usual and customary
27 daily activities for not less than ninety days during the one hundred
28 eighty days immediately following the occurrence of the injury or
29 impairment].

30 § 2. Subsection (a) of section 5104 of the insurance law is amended
31 and a new subsection (d) is added to read as follows:

32 (a) Notwithstanding any other law, in any action by or on behalf of a
33 covered person against another covered person for personal injuries
34 arising out of negligence in the use or operation of a motor vehicle in
35 this state, there shall be no right of recovery for non-economic loss,
36 except in the case of a serious injury, or for basic economic loss. The
37 owner, operator or occupant of a motorcycle which has in effect the
38 financial security required by article six or eight of the vehicle and
39 traffic law, or which is referred to in subdivision two of section three
40 hundred twenty-one of such law, shall not be subject to an action by or
41 on behalf of a covered person for recovery for non-economic loss, except
42 in the case of a serious injury, or for basic economic loss. No liabil-
43 ity for non-economic loss shall be fixed unless and until the trier of
44 fact has determined the existence of a serious injury. In any action to
45 recover non-economic loss pursuant to this article, the trier of fact
46 shall not determine the question of whether an injury is a serious inju-
47 ry until the trier of fact has determined the party or parties at fault.

1 (d) Notwithstanding the foregoing, and other than in an action for
2 damages for injuries resulting in death, recovery for non-economic loss
3 shall be limited to one hundred thousand dollars in the case of a seri-
4 ous injury in any action by or on behalf of an injured person who is at
5 fault, is not barred from recovery by section fourteen hundred eleven of
6 the civil practice law and rules, and was (1) operating an uninsured
7 motor vehicle and responsible under article six of the vehicle and traf-
8 fic law for insuring such motor vehicle, except if a lapse in motor
9 vehicle insurance coverage occurs for a period of time less than thirty
10 days; (2) operating a motor vehicle while impaired at the time of the
11 accident and convicted of such; or (3) operating a motor vehicle in the
12 commission of a felony, or immediate flight therefrom, at the time of
13 the accident and has been convicted of such felony.

14 § 3. Section 1411 of the civil practice law and rules, as added by
15 chapter 69 of the laws of 1975, is amended to read as follows:

16 § 1411. Damages recoverable when contributory negligence or assumption
17 of risk is established. [In] (a) Except as provided in subsection (b) of
18 this section, in any action to recover damages for personal injury,
19 injury to property, or wrongful death, the culpable conduct attributable
20 to the claimant or to the decedent, including contributory negligence or
21 assumption of risk, shall not bar recovery[, but the]. The amount of
22 damages otherwise recoverable shall be diminished in the proportion
23 which the culpable conduct attributable to the claimant or decedent
24 bears to the culpable conduct which caused the damages.

25 (b) In any action to recover damages for personal injury subject to
26 article fifty-one of the insurance law, the culpable conduct attrib-
27 utable to the claimant shall bar recovery if the culpable conduct attrib-
28 utable to the claimant is greater than the culpable conduct of the
29 person against whom recovery is sought or is greater than the combined
30 culpable conduct of the persons against whom recovery is sought.

31 § 4. This act shall take effect immediately and shall be applicable to
32 all actions and proceedings commenced on or after such date.

33 PART FF

34 Intentionally Omitted

35 PART GG

36 Section 1. The insurance law is amended by adding a new section 346 to
37 read as follows:

38 § 346. Annual report on insurance for multi-family buildings. An
39 authorized insurer that issues or delivers in this state a policy that
40 insures loss of or damage to real property used predominantly for resi-
41 dential purposes and that consists of two or more dwelling units, other
42 than hotels and motels, shall file a report with the superintendent by
43 March first of each year, in a form prescribed by the superintendent,
44 that includes information on such policies for the preceding calendar
45 year, including premiums collected, claims paid, and such other informa-
46 tion as the superintendent shall deem necessary, in consultation with
47 the commissioner of housing and community renewal. The superintendent
48 shall publish on the department's website the reports required by this
49 section.

50 § 2. This act shall take effect immediately.

1

PART HH

2 Section 1. This Part enacts into law components of legislation relat-
3 ing to pre-authorization, access to specialty care, and formulary lists.
4 Each component is wholly contained within a Subpart identified as
5 Subparts A through D. The effective date for each particular provision
6 contained within such Subpart is set forth in the last section of such
7 Subpart. Any provision in any section contained within a Subpart,
8 including the effective date of the Subpart, which makes reference to a
9 section "of this act", when used in connection with that particular
10 component, shall be deemed to mean and refer to the corresponding
11 section of the Subpart in which it is found. Section two of this Part
12 sets forth the general effective date of this Part.

13

SUBPART A

14 Section 1. Section 210 of the insurance law, as amended by chapter 579
15 of the laws of 1998, subsection (d) as amended by chapter 207 of the
16 laws of 2019, is amended to read as follows:

17 § 210. Annual consumer guide of health insurers, and entities certi-
18 fied pursuant to article forty-four of the public health law.

19 (a) The superintendent shall annually publish on or before September
20 first, nineteen hundred ninety-nine, and annually thereafter, a consumer
21 guide to insurers providing managed care products, individual accident
22 and health insurance or group or blanket accident and health insurance
23 and entities licensed pursuant to article forty-four of the public
24 health law providing comprehensive health service plans which includes,
25 in detail, a ranking from best to worst based upon each company's claim
26 processing or medical payments record during the preceding calendar year
27 using criteria available to the department, adjusted for volume of
28 coverage provided. Such ranking shall also take into consideration the
29 corresponding total number or percentage of claims denied which were
30 reversed or compromised after intervention by the department and the
31 department of health, consumer complaints to the department and the
32 department of health, violations of section three thousand two hundred
33 twenty-four-a of this chapter and other pertinent data which would
34 permit the department to objectively determine a company's performance.
35 The department in publishing such consumer guide shall publish one
36 state-wide guide or no more than five regional guides so as to facili-
37 tate comparisons among individual insurers and entities within a service
38 market area. Such rankings shall be printed in a format which ranks all
39 health insurers and all entities certified pursuant to article forty-
40 four of the public health law in one combined list.

41 (b) [Beginning September first, nineteen hundred ninety-nine and annu-
42 ally thereafter, the] The superintendent shall include in such guide
43 annually, and insurers and entities certified pursuant to article
44 forty-four of the public health law shall provide to the superintendent
45 the information required for such guide in a timely fashion, the follow-
46 ing information:

47 (1) The number of grievances filed pursuant to section forty-four
48 hundred eight-a of the public health law, section three thousand two
49 hundred seventeen-d of this chapter, section four thousand three hundred
50 six-c of this chapter, or article forty-eight of this chapter and the
51 number of such grievances in which an adverse determination of the
52 insurer or entity was reversed in whole or in part versus the number of
53 such determinations which were upheld; [and]



1 (2) Beginning September first, two thousand twenty-seven, the number
2 of approvals and the number of adverse determinations in whole or part
3 issued by utilization review agents pursuant to section forty-nine
4 hundred three of the public health law or section four thousand nine
5 hundred three of this chapter; and

6 (3) The number of appeals to utilization review determinations [which]
7 that were filed pursuant to [article forty-nine of the public health law
8 or article forty-nine] section forty-nine hundred four of the public
9 health law and section four thousand nine hundred four of this chapter
10 and the number of such determinations [which] that were reversed in
11 whole or in part versus the number of such determinations [which] that
12 were upheld.

13 (c) Beginning September first, nineteen hundred ninety-nine and annu-
14 ally thereafter, in addition to the information required in subsections
15 (a) and (b) of this section, the superintendent, in conjunction with the
16 commissioner of health, in consultation with the National Committee on
17 Quality Assurance or a similar national organization, shall include in
18 such guide the following additional information, for the most recent
19 year in which such information is available and where applicable, for
20 health insurers, health insurers providing managed care products and
21 entities certified under article forty-four of the public health law
22 providing comprehensive health service plans pursuant to such article:

23 (1) the percentage of physicians who are either board certified or
24 board eligible;

25 (2) the percentage of primary care physicians who remained participat-
26 ing providers, provided however, that such percentage shall exclude
27 voluntary terminations due to physician retirement, relocation or other
28 similar reasons;

29 (3) the percentage of enrollees aged twenty-three to thirty-nine and
30 forty to sixty-four who had one or more visits to a health plan practi-
31 tioner during the three years of their continual enrollment.

32 (4) the methods used to compensate primary care physicians and other
33 providers, provided however, that nothing in this section shall be
34 construed to require disclosure of the specific details of any financial
35 arrangement between the insurer or entity and an individual provider or
36 practice;

37 (5) the national accreditation status of insurers and entities, where
38 applicable;

39 (6) indices of the quality of care provided, such as the rates of
40 mammography, prostate, and cervical cancer screening, prenatal care,
41 well-child care, immunization and such other information collected by
42 the commissioner of health through the health plan employer data and
43 information set (HEDIS); or through the quality assurance reporting
44 requirements for entities not otherwise required to collect and report
45 health plan employer data and information set (HEDIS) data;

46 (7) the results of a consumer satisfaction survey among enrollees of
47 the various health insurers and entities, which shall be conducted by
48 the superintendent and commissioner of health, in consultation with the
49 National Committee on Quality Assurance or a similar national organiza-
50 tion;

51 (8) a toll-free telephone number for each health insurer or plan;

52 (9) toll-free telephone numbers at the department and the department
53 of health to which consumers can make complaints about insurers or enti-
54 ties; and

55 (10) except as required in paragraph seven of this subsection, health
56 insurers and entities certified pursuant to article forty-four of the

1 public health law shall report the information required under this
2 subdivision to the commissioner of health, and the commissioner shall
3 provide such information to the superintendent for inclusion in the
4 annual consumer guide.

5 (d) Beginning September first, two thousand twenty-seven and annually
6 thereafter, in addition to the information required in subsections (a),
7 (b), and (c) of this section, the superintendent shall include in such
8 guide, and insurers and entities certified pursuant to article forty-
9 four of the public health law shall provide to the superintendent, in a
10 form and manner specified by the superintendent, the information
11 required for such guide in a timely fashion, the following information
12 regarding pre-authorization requests under article forty-nine of the
13 public health law or article forty-nine of this chapter:

14 (1) the number of pre-authorization requests received under section
15 forty-nine hundred three of the public health law and section four thou-
16 sand nine hundred three of this chapter;

17 (2) the number of pre-authorization requests for which an authori-
18 zation was issued under section forty-nine hundred three of the public
19 health law and section four thousand nine hundred three of this chapter;

20 (3) the number of pre-authorization requests for which an adverse
21 determination was issued in whole or part under section forty-nine
22 hundred three of the public health law and section four thousand nine
23 hundred three of this chapter;

24 (4) the number of pre-authorization requests for which an adverse
25 determination was appealed under section forty-nine hundred four of the
26 public health law and section four thousand nine hundred four of this
27 chapter;

28 (5) the number of pre-authorization requests for which an adverse
29 determination was reversed on appeal in whole or part under section
30 forty-nine hundred four of the public health law and section four thou-
31 sand nine hundred four of this chapter;

32 (6) the number of pre-authorization requests for which an adverse
33 determination was upheld under section forty-nine hundred four of the
34 public health law and section four thousand nine hundred four of this
35 chapter;

36 (7) the twenty-five current procedural terminology codes with the
37 highest number of pre-authorization requests and the percentage of
38 authorizations for each of these current procedural terminology codes
39 under section forty-nine hundred three of the public health law and
40 section four thousand nine hundred three of this chapter;

41 (8) the twenty-five current procedural terminology codes with the
42 highest number of pre-authorization requests for which an authorization
43 was issued under section forty-nine hundred three of the public health
44 law and section four thousand nine hundred three of this chapter;

45 (9) the twenty-five current procedural terminology codes with the
46 highest number of pre-authorization requests under section forty-nine
47 hundred three of the public health law and section four thousand nine
48 hundred three of this chapter for which an adverse determination was
49 issued in whole or part but that was reversed by an appeal, in whole or
50 part, under section forty-nine hundred four of the public health law and
51 section four thousand nine hundred four of this chapter; and

52 (10) the twenty-five current procedural terminology codes with the
53 highest number of pre-authorization requests for which an adverse deter-
54 mination was issued in whole or part under section forty-nine hundred
55 three of the public health law and section four thousand nine hundred
56 three of this chapter.

1 (e) Health insurers and entities certified pursuant to article forty-
2 four of the public health law shall provide annually to the superinten-
3 dent and the commissioner of health, and the commissioner of health
4 shall provide to the superintendent by March first of each year, all of
5 the information necessary for the superintendent to produce the annual
6 consumer guide. In compiling the guide, the superintendent shall make
7 every effort to ensure that the information is presented in a clear,
8 understandable fashion [which] that facilitates comparisons among indi-
9 vidual insurers and entities, and in a format [which] that lends itself
10 to the widest possible distribution to consumers. The superintendent
11 shall either include the information from the annual consumer guide in
12 the consumer shopping guide required by subsection (a) of section four
13 thousand three hundred twenty-three of this chapter or combine the two
14 guides as long as consumers in the individual market are provided with
15 the information required by subsection (a) of section four thousand
16 three hundred twenty-three of this chapter.

17 [(e)] (f) The superintendent shall contract with a national organiza-
18 tion for the purposes of drafting and designing the guide, including the
19 preparation of relevant explanatory material. Such organization shall
20 have actual experience in preparing a similar guide for at least one
21 other state. The superintendent, in consultation with the commissioner
22 of health, may also contract with one or more national organizations to
23 assist such commissioner in the collection of data and the analysis and
24 auditing of the clinical measurers. Such organizations shall consult
25 periodically with associations representing health insurers and health
26 maintenance organizations as well as with consumer representatives in
27 New York in preparing the consumer guide.

28 § 2. This act shall take effect immediately.

29

SUBPART B

30 Section 1. Subsection (f) of section 4804 of the insurance law, as
31 added by chapter 705 of the laws of 1996, is amended to read as follows:

32 (f) If a new insured whose health care provider is not a member of the
33 insurer's in-network benefits portion of the provider network enrolls in
34 the managed care product, the insurer shall permit the insured to
35 continue an ongoing course of treatment with the insured's current
36 health care provider during a transitional period of up to [sixty] nine-
37 ty days from the effective date of enrollment[, if (1) the insured has a
38 life-threatening disease or condition or a degenerative and disabling
39 disease or condition or (2)]. If the insured [has entered the second
40 trimester of pregnancy] is pregnant at the time of enrollment, [in which
41 case] the transitional period shall include the provision of [post-par-
42 tum] care for the duration of the pregnancy and postpartum care directly
43 related to the delivery. If an insured elects to continue to receive
44 care from such health care provider pursuant to this paragraph, such
45 care shall be authorized by the insurer for the transitional period only
46 if the health care provider agrees: (A) to accept reimbursement from the
47 insurer at rates established by the insurer as payment in full, which
48 rates shall be no more than the level of reimbursement applicable to
49 similar providers within the in-network benefits portion of the insur-
50 er's network for such services; (B) to adhere to the insurer's quality
51 assurance requirements and agrees to provide to the insurer necessary
52 medical information related to such care; and (C) to otherwise adhere to
53 the insurer's policies and procedures including, but not limited to,
54 procedures regarding referrals and obtaining pre-authorization and a



1 treatment plan approved by the insurer. In no event shall this
2 subsection be construed to require an insurer to provide coverage for
3 benefits not otherwise covered or to diminish or impair pre-existing
4 condition limitations contained within the insured's contract.

5 § 2. Paragraph (f) of subdivision 6 of section 4403 of the public
6 health law, as added by chapter 705 of the laws of 1996, is amended to
7 read as follows:

8 (f) If a new enrollee whose health care provider is not a member of
9 the health maintenance organization's provider network enrolls in the
10 health maintenance organization, the organization shall permit the
11 enrollee to continue an ongoing course of treatment with the enrollee's
12 current health care provider during a transitional period of up to
13 [sixty] ninety days from the effective date of enrollment[, if (i) the
14 enrollee has a life-threatening disease or condition or a degenerative
15 and disabling disease or condition or (ii)]. If the enrollee [has
16 entered the second trimester of pregnancy] is pregnant at the effective
17 date of enrollment, [in which case] the transitional period shall
18 include the provision of [post-partum] care for the duration of the
19 pregnancy and postpartum care directly related to the delivery. If an
20 enrollee elects to continue to receive care from such health care
21 provider pursuant to this paragraph, such care shall be authorized by
22 the health maintenance organization for the transitional period only if
23 the health care provider agrees: (A) to accept reimbursement from the
24 health maintenance organization at rates established by the health main-
25 tenance organization as payment in full, which rates shall be no more
26 than the level of reimbursement applicable to similar providers within
27 the health maintenance organization's network for such services; (B) to
28 adhere to the organization's quality assurance requirements and agrees
29 to provide to the organization necessary medical information related to
30 such care; and (C) to otherwise adhere to the organization's policies
31 and procedures including, but not limited to, procedures regarding
32 referrals and obtaining pre-authorization and a treatment plan approved
33 by the organization. In no event shall this paragraph be construed to
34 require a health maintenance organization to provide coverage for bene-
35 fits not otherwise covered or to diminish or impair pre-existing condi-
36 tion limitations contained within the subscriber's contract.

37 § 3. This act shall take effect on the first of January next succeed-
38 ing the date on which it shall have become a law and shall apply to
39 policies issued, renewed, modified, or amended on or after such date.

40

SUBPART C

41 Section 1. Subsection (a) of section 3242 of the insurance law, as
42 added by section 1 of subpart C of part J of chapter 57 of the laws of
43 2019, is amended to read as follows:

44 (a) Every insurer that delivers or issues for delivery in this state a
45 policy that provides coverage for prescription drugs shall, with respect
46 to the prescription drug coverage, publish an up-to-date, accurate, and
47 complete list of all covered prescription drugs on its formulary drug
48 list, including any tiering structure that it has adopted and any
49 restrictions on the manner in which a prescription drug may be obtained,
50 in a manner that is easily accessible to insureds [and], prospective
51 insureds, health care providers, and other interested parties. The
52 formulary drug list shall clearly identify the preventive prescription
53 drugs that are available without annual deductibles or coinsurance,



1 including co-payments. A formulary drug list shall only be considered
2 easily accessible if:

3 (1) it can be viewed on the insurer's public website without requiring
4 an individual to create or access an account or enter a password or to
5 be covered under an insurance policy issued by the insurer; and

6 (2) an individual can easily discern which formulary drug list applies
7 to which plan, if an insurer offers more than one plan.

8 § 2. Subsection (a) of section 4329 of the insurance law, as added by
9 section 2 of subpart C of part J of chapter 57 of the laws of 2019, is
10 amended to read as follows:

11 (a) Every corporation subject to the provisions of this article that
12 issues a contract that provides coverage for prescription drugs shall,
13 with respect to the prescription drug coverage, publish an up-to-date,
14 accurate, and complete list of all covered prescription drugs on its
15 formulary drug list, including any tiering structure that it has adopted
16 and any restrictions on the manner in which a prescription drug may be
17 obtained, in a manner that is easily accessible to insureds [and],
18 prospective insureds, health care providers, and other interested
19 parties. The formulary drug list shall clearly identify the preventive
20 prescription drugs that are available without annual deductibles or
21 coinsurance, including co-payments. A formulary drug list shall only be
22 considered easily accessible if:

23 (1) it can be viewed on the corporation's public website without
24 requiring an individual to create or access an account or enter a pass-
25 word or to be covered under an insurance policy issued by the corpo-
26 ration; and

27 (2) an individual can easily discern which formulary drug list applies
28 to which plan, if a corporation offers more than one plan.

29 § 3. This act shall take effect on the first of January next succeed-
30 ing the date on which it shall have become a law and shall apply to
31 policies issued, renewed, modified or amended on or after such date.

32 SUBPART D

33 Section 1. Subsection (b-3) of section 4900 of the insurance law is
34 relettered subsection (b-4) and a new subsection (b-3) is added to read
35 as follows:

36 (b-3) "Chronic health condition" means a condition that is expected to
37 last for at least one year and requires ongoing treatment to effectively
38 manage the condition or prevent an adverse health event.

39 § 2. Subsection (f) of section 4905 of the insurance law, as added by
40 chapter 705 of the laws of 1996, is amended to read as follows:

41 (f) Utilization review shall not be conducted more frequently than is
42 reasonably required to assess whether the health care services under
43 review are medically necessary provided, however, that utilization
44 review shall not be conducted more than once per year for an outpatient
45 course of treatment for a chronic health condition starting from the
46 date of a pre-authorization approval for the course of treatment unless
47 the insured's attending provider recommends a change to the course of
48 treatment, then utilization review may be conducted for the new course
49 of treatment. Any new treatment, testing or procedures related to the
50 specific medical problem, condition, or illness being managed but not
51 already included in the approved course of treatment may be subject to a
52 separate pre-authorization.

1 § 3. Subdivision 2-c of section 4900 of the public health law is
2 renumbered subdivision 2-d and a new subdivision 2-c is added to read as
3 follows:

4 (2-c) "Chronic health condition" means a condition that is expected to
5 last for at least one year and requires ongoing treatment to effectively
6 manage the condition or prevent an adverse health event.

7 § 4. Subdivision 6 of section 4905 of the public health law, as added
8 by chapter 705 of the laws of 1996, is amended to read as follows:

9 6. Utilization review shall not be conducted more frequently than is
10 reasonably required to assess whether the health care services under
11 review are medically necessary provided, however, that utilization
12 review shall not be conducted more than once per year for an outpatient
13 course of treatment for a chronic health condition starting from the
14 date of a pre-authorization approval for the course of treatment unless
15 the enrollee's attending provider recommends a change to the course of
16 treatment, then utilization review may be conducted for the new course
17 of treatment. Any new treatment, testing or procedures related to the
18 specific medical problem, condition, or illness being managed but not
19 already included in the approved course of treatment may be subject to a
20 separate pre-authorization.

21 § 5. This act shall take effect on the first of January next succeed-
22 ing the date on which it shall have become a law and shall apply to
23 policies issued, renewed, modified, or amended on or after such date.

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

33 § 3. This act shall take effect immediately; provided, however, that
34 the applicable effective date of Subparts A through D of this act shall
35 be as specifically set forth in the last section of such Subparts.

36 PART II

37 Intentionally Omitted

38 PART JJ

39 Intentionally Omitted

40 PART KK

41 Section 1. Section 2329 of the insurance law, as amended by chapter
42 182 of the laws of 2023, is amended to read as follows:

43 § 2329. Motor vehicle insurance rates; excess profits. [In accordance
44 with regulations prescribed by the superintendent, each] (a) Each insur-
45 er issuing policies that are subject to article fifty-one of this chap-
46 ter, including policies of motor vehicle personal injury liability
47 insurance or policies of motor vehicle property damage liability insur-
48 ance or insurance for loss or damage to a motor vehicle, shall establish

1 a fair, practicable, and nondiscriminatory plan for [refunding or other-
2 wise] crediting to those purchasing such policies their share of the
3 insurer's excess profit, if any, on such policies. An excess profit
4 shall be [a profit beyond a percentage rate of return on net worth
5 attributable to such policies, computed in accordance with the regu-
6 lation required by section two thousand three hundred twenty-three of
7 this article, and determined by the superintendent to be so far above a
8 reasonable average profit as to amount to an excess profit, taking into
9 consideration the fact that losses or profits below a reasonable average
10 profit will not be recouped from such policyholders] an underwriting
11 gain for the three most recent calendar years combined which is greater
12 than the anticipated underwriting profit plus five percent of earned
13 premiums for those calendar years. Each plan shall apply to policy
14 periods for the periods January first, nineteen hundred seventy-four
15 through August second, two thousand one, and the effective date of the
16 property/casualty insurance availability act through June thirtieth, two
17 thousand [twenty-six] twenty-nine. [In prescribing such regulations the]
18 The superintendent may [limit the duration of such plans], through duly
19 promulgated regulations, waive any requirement for [refund or] credit
20 that the superintendent determines to be de minimis or impracticable,
21 adopt forms of returns that shall be made to the superintendent in order
22 to establish the amount of any [refund or] credit due, establish periods
23 and times for the determination and distribution of [refunds and] cred-
24 its, and shall provide that insurers receive appropriate credit against
25 any [refunds or] credits required by any such plan for policyholder
26 dividends and for return premiums that may be due under rate credit or
27 retrospective rating plans based on experience.

28 (b) If an insurer subject to this section distributes a credit pursu-
29 ant to this section due to the reforms enacted in the state fiscal year
30 two thousand twenty-six--two thousand twenty-seven budget, the insurer
31 shall provide notice to policyholders of this credit and indicate that
32 the credit was due to the reforms enacted in the state fiscal year two
33 thousand twenty-six--two thousand twenty-seven budget. This notification
34 shall be made at the time the credit is distributed.

35 (c) As used herein with respect to any three-year period, "anticipated
36 underwriting profit" means the sum of the dollar amounts obtained by
37 multiplying, for each rate filing of the insurer in effect during such
38 period, the earned premiums applicable to such rate filing during such
39 period by the percentage factor included in such rate filing for profit
40 and contingencies. Separate calculations need not be made for consec-
41 utive rate filings containing the same percentage factor for profits and
42 contingencies. Underwriting gain or loss for each calendar year shall be
43 computed as follows: the sum of the incurred losses and loss adjustment
44 expenses as of March thirty-first of the following year, developed to an
45 ultimate basis, plus the administrative and selling expenses incurred in
46 the calendar year, plus policyholder dividends applicable to the calen-
47 dar year, will be subtracted from the calendar year earned premium to
48 determine the underwriting gain or loss.

49 (d) On or before March thirty-first of each year, an insurer subject
50 to this section shall submit a report to the superintendent, in a format
51 specified by the superintendent, demonstrating whether the insurer real-
52 ized an excess profit for the three most recent calendar years combined.
53 Such report shall include all relevant information required to calculate
54 underwriting gain and loss and determine whether an excess profit thres-
55 hold has been realized. If an insurer realized an excess profit, then
56 the insurer shall notify the superintendent when the insurer has



1 completed making any credits required by this section. If an insurer has
2 realized an excess profit, the superintendent shall provide notice to
3 the speaker of the assembly, the temporary president of the senate, the
4 chair of the assembly insurance committee, the chair of the senate
5 insurance committee, and the governor.

6 (e) (1) Each insurer subject to this section shall, by July first, two
7 thousand twenty-seven, and annually thereafter, submit a report to the
8 superintendent that:

9 (A) identifies and quantifies, in a manner prescribed by the super-
10 intendent, the estimated impact on losses, expenses, and premiums
11 resulting from statutory or regulatory reforms enacted in or the result
12 of the state fiscal year two thousand twenty-six--two thousand twenty-
13 seven budget; and

14 (B) reflects such estimated impact in the insurer's proposed rates,
15 rating plans, and rating rules.

16 (2) In reviewing any rate filing submitted after enactment of the
17 state fiscal year two thousand twenty-six--two thousand twenty-seven
18 budget, the superintendent shall consider the estimated impact of the
19 reforms described in paragraph one of this subsection and shall not
20 approve any rate that, after such consideration, fails to meet the stan-
21 dards set forth in section twenty-three hundred three of this article.

22 (3) On or before December thirty-first, two thousand twenty-nine, the
23 superintendent shall submit a report to the governor, the temporary
24 president of the senate, the speaker of the assembly, the chair of the
25 assembly insurance committee, and the chair of the senate insurance
26 committee that:

27 (A) summarizes the estimated aggregate impact of the reforms described
28 in paragraph one of this subsection on insurer losses, expenses, and
29 premiums; and

30 (B) evaluates the extent to which such savings have been reflected in
31 approved rates and realized by policyholders.

32 (4) The superintendent may promulgate regulations or guidance neces-
33 sary to implement the provisions of this subsection.

34 § 2. This act shall take effect immediately.

35 PART LL

36 Section 1. Section 4 of chapter 495 of the laws of 2004, amending the
37 insurance law and the public health law relating to the New York state
38 health insurance continuation assistance demonstration project, as
39 amended by section 1 of part S of chapter 58 of the laws of 2025, is
40 amended to read as follows:

41 § 4. This act shall take effect on the sixtieth day after it shall
42 have become a law; provided, however, that this act shall remain in
43 effect until July 1, [2026] 2027 when upon such date the provisions of
44 this act shall expire and be deemed repealed; provided, further, that a
45 displaced worker shall be eligible for continuation assistance retroac-
46 tive to July 1, 2004.

47 § 2. This act shall take effect immediately.

48 PART MM

49 Intentionally Omitted

50 PART NN

1 Section 1. Short title. This act shall be known and may be cited as
2 the "Long Island MacArthur Airport terminal and rail integration project
3 act".

4 § 2. For the purposes of this act, the following terms shall have the
5 following meanings:

6 1. "Airport" shall mean the Long Island MacArthur Airport owned by and
7 located in the town.

8 2. "Developer lessee" shall mean, in conformity with the requirements
9 of this act, a private entity, which may be a joint venture or other
10 legal entity, acting as a lessee, concessionaire, and/or licensee with
11 respect to the real property and any improvements thereon on which it
12 may undertake the project.

13 3. "Lease and development agreement" shall mean an agreement, includ-
14 ing a lease, concession, license, and/or sub-lease of real property and
15 any improvements thereon, made between the town and a developer lessee
16 pursuant to subdivision 5 of section 352 of the general municipal law,
17 for completion of the Long Island MacArthur Airport terminal and rail
18 integration project.

19 4. "Long Island MacArthur Airport terminal and rail integration
20 project" or "project" shall mean, in conformity with the requirements of
21 this act, any and all phases of planning, development, financing,
22 design, demolition, construction, expansion, improvements, operation,
23 maintenance, and/or repair, which are undertaken, in whole or in part,
24 under a lease, concession, and/or license for the improvement of the
25 airport through development of a north passenger terminal, and any
26 necessary or desirable facilities or improvements for such terminal and
27 associated aviation or non-aviation purposes, including an intermodal
28 interconnection to the Long Island Rail Road Ronkonkoma station.

29 5. "Private design-build contract" shall mean, in conformity with the
30 requirements of this act, a contract for the design and construction of
31 the project between a developer lessee and a single contractor entity,
32 which may be a team comprised of separate entities.

33 6. "Project labor agreement" shall mean a pre-hire collective bargain-
34 ing agreement between a contractor and a bona fide building and
35 construction trade labor organization establishing the labor organiza-
36 tion as the collective bargaining representative for all persons who
37 will perform work on a project, and which provides that only contractors
38 and subcontractors who sign a pre-negotiated agreement with the labor
39 organization can perform project work.

40 7. "Town" shall mean the town of Islip in the county of Suffolk.

41 § 3. Notwithstanding sections 103 and 350 of the general municipal
42 law, section 222 of the town law, or the provisions of any other law to
43 the contrary, in conformity with the requirements of this act, the town
44 may under the terms of a lease and development agreement permit a devel-
45 oper lessee, within the scope of its lease, concession, and/or license
46 rights, to undertake the project, whether utilizing the design-bid-
47 build, design-build, or other delivery method otherwise permitted by the
48 law, without such lease and development agreement, or any resulting
49 private design-build contract or other contracts for design or
50 construction of the project entered into, directly or indirectly, by a
51 developer lessee, being deemed to be a contract for public work, includ-
52 ing for purposes of section 103 of the general municipal law or other-
53 wise requiring procurement and award separate and apart from the
54 procurement and award of any lease and development agreement.

55 § 4. A lease and development agreement entered into pursuant to this
56 act shall:

1 1. be awarded by the town with the approval of the town board pursuant
2 to this act and subdivision 5 of section 352 of the general municipal
3 law to a responsive and responsible entity that is otherwise selected as
4 developer lessee in accordance with law; and

5 2. require performance of a project labor agreement consistent with
6 the provisions of section 222 of the labor law in connection with any
7 resulting private design-build contract.

8 § 4-a. For purposes of this act, an award of a lease and development
9 agreement to a responsive and responsible developer lessee shall be to
10 an entity that is the lowest responsible bidder, or an entity which has
11 been determined to have submitted the proposal that provides the best
12 value to the town, which for purposes of this act shall mean the basis
13 for awarding contracts for services and leases to a proposer that opti-
14 mizes quality, cost and efficiency, price and performance criteria,
15 which may include, but is not limited to:

16 1. The quality of the entity's performance on previous projects;
17 2. The timeliness of the entity's performance on previous projects;
18 3. The level of customer satisfaction with the entity's performance on
19 previous projects;

20 4. The entity's record of performing previous projects on budget and
21 ability to minimize cost overruns;

22 5. The entity's ability to limit change orders;

23 6. The entity's ability to prepare appropriate project plans;

24 7. The entity's technical capacities;

25 8. The individual qualifications of the entity's key personnel;

26 9. The entity's ability to assess and manage risk and minimize risk
27 impact;

28 10. The entity's financial capability;

29 11. The entity's ability to comply with applicable requirements,
30 including the provisions of articles 145, 147 and 148 of the education
31 law;

32 12. The entity's past record of compliance with federal, state, and
33 local laws, rules, licensing requirements, where applicable, and execu-
34 tive orders, including but not limited to compliance with the labor law
35 and other applicable labor and prevailing wage laws, article 15-A of the
36 executive law, and any other applicable laws concerning minority- and
37 women-owned business enterprise participation; and

38 13. The entity's record of complying with existing labor standards,
39 maintaining harmonious labor relations, and protecting the health and
40 safety of workers and payment of wages above any locally-defined living
41 wage.

42 § 5. Nothing in this act shall be construed to prohibit the town from
43 negotiating the terms and conditions of a lease and development agree-
44 ment.

45 § 6. Neither any lease and development agreement, nor any private
46 design-build contract or other contracts for design or construction of
47 the project entered into, directly or indirectly, by a developer lessee,
48 in each case pursuant to this act shall be construed to be a violation
49 of section 6512 of the education law.

50 § 6-a. Any contract entered into pursuant to this act shall include a
51 clause requiring that any professional services regulated by articles
52 145, 147, and 148 of the education law shall be performed and stamped
53 and sealed, where appropriate, by a professional licensed in accordance
54 with the appropriate articles of the education law, and, where applica-
55 ble, the requirements of the National Environmental Policy Act.

1 § 7. Nothing in this act shall be construed to exempt a project under-
2 taken by the town pursuant to this act from the requirements of article
3 8 of the environmental conservation law.

4 § 7-a. Each contract entered into by an authorized entity pursuant to
5 this act shall comply with any applicable legal requirements regarding
6 minority- and women-owned business enterprises, and, for projects or
7 public works receiving federal aid, applicable federal requirements for
8 disadvantaged business enterprises or minority- and women-owned business
9 enterprises.

10 § 8. Nothing contained in this act shall limit the right or obligation
11 of the town to comply with the provisions of any existing contract,
12 including any existing contract with or for the benefit of the holders
13 of the obligations of the town, or to award contracts as otherwise
14 provided by law.

15 § 8-a. 1. Notwithstanding any provision of law to the contrary, all
16 rights or benefits, including terms and conditions of employment, and
17 protection of civil service and collective bargaining status of all
18 employees of the town solely in connection with work on the project
19 directly undertaken by the town pursuant to this act, shall be preserved
20 and protected.

21 2. Nothing in this act shall result in the: (a) non-consensual
22 displacement of any currently employed town worker or loss of position,
23 including partial displacement such as a reduction in the hours of non-
24 overtime work, wages, or employment benefits, or result in the impair-
25 ment of existing collective bargaining agreements, (b) transfer of
26 existing duties and functions related to maintenance and operations
27 currently performed exclusively by existing employees of the town within
28 town operated and maintained facilities to a contractor, or (c) transfer
29 of future duties and functions ordinarily performed exclusively by
30 employees of the town within town operated and maintained facilities to
31 the contracting entity.

32 3. Employees of the authorized entity using a private design build
33 contract serving in positions in newly created titles shall be assigned
34 to the appropriate bargaining unit. Nothing contained in this act shall
35 be construed to affect (a) the existing rights of employees of such
36 entities pursuant to an existing collective bargaining agreement, (b)
37 the existing representational relationships among employee organizations
38 representing employees of such entities, or (c) the bargaining relation-
39 ships between such entities and such employee organizations.

40 § 9. This act shall take effect immediately; provided, however that if
41 the town has not entered into a lease and development agreement as
42 provided under this act on or before 6 years after such date, this act
43 shall expire and be deemed repealed 6 years after such effective date;
44 and provided, further, that, the town of Islip, in the county of
45 Suffolk, shall notify the legislative bill drafting commission upon the
46 occurrence of such town entering into a lease and development agreement
47 as provided under this act in order that the commission may maintain an
48 accurate and timely effective data base of the official text of the laws
49 of the state of New York in furtherance of effectuating the provisions
50 of section 44 of the legislative law and section 70-b of the public
51 officers law.

52

PART OO

53 Section 1. Section 4 of part WW of chapter 56 of the laws of 2022
54 amending the public officers law relating to permitting videoconferenc-



1 ing and remote participation in public meetings under certain circum-
2 stances, as amended by section 1 of part KK of chapter 58 of the laws of
3 2024, is amended to read as follows:

4 § 4. This act shall take effect immediately and shall expire and be
5 deemed repealed July [1, 2026] 15, 2028.

6 § 2. This act shall take effect immediately.

7

PART PP

8 Section 1. For purposes of this act, "major electric generating facil-
9 ity" shall have the same meaning as defined in subdivision 2 of section
10 160 of the public service law.

11 § 2. Any major electric generating facility that provides emergency
12 back-up generation for manufacturing facilities that produce semiconduc-
13 tors to ensure continuity of manufacturing and fabrication operations
14 following disruptions of electric service for limited periods of time
15 shall be exempt from the requirements of article 10 of the public
16 service law, provided, that such manufacturing facility be Green CHIPS
17 projects as defined in section 352 of the economic development law and
18 have been awarded Green CHIPS project excelsior jobs program tax cred-
19 its, as defined in section 355 of the economic development law, between
20 August 12, 2022 and December 31, 2026, and provided, further, that such
21 manufacturing facility shall have received all necessary permits and
22 authorizations related to air emissions and been the subject of environ-
23 mental review pursuant to article 8 of the environmental conservation
24 law.

25 § 3. This act shall take effect immediately and shall expire and be
26 deemed repealed December 31, 2030.

27

PART QQ

28 Section 1. Legislative findings. 1. Anti-religious harassment has a
29 pernicious effect on the health, safety, and well-being of New Yorkers.
30 Verbal harassment can escalate into physical violence if unchecked. The
31 legislature agrees with the Secretary General of the United Nations that
32 "addressing hate speech does not mean limiting or prohibiting freedom of
33 speech. It means keeping hate speech from escalating into more, some-
34 thing more dangerous, particularly incitement to discrimination, hostil-
35 ity and violence, which is prohibited under international law".

36 2. Anti-religious harassment has been on the rise in New York and
37 around the nation.

38 (a) The FBI's 2024 Hate Crimes Report showed an increase in hate
39 crimes from 2023, making it the second worst year on record. According
40 to the report, the top three targets of anti-religious hate crimes are
41 the Jewish, Muslim, and Sikh communities.

42 (b) The Anti-Defamation League has tracked a marked surge in harass-
43 ment of Jews in New York. The ADL reported 240 incidents of harassment
44 in 2022, 783 incidents in 2023, and 912 in 2024. In 2024, the ADL
45 reported a 52% increase of anti-Semitic assaults in New York over 2023.
46 New York has the most incidents of anti-Semitic assaults and second
47 highest rate of anti-Semitic harassment in the nation. In 2024, the ADL
48 reported 255 anti-Semitic incidents at Jewish institutions or schools.

49 (c) According to the Division of Criminal Justice Services, anti-I-
50 slamic hate crimes have increased by 525% between 2020 and 2024. The
51 Council on American-Islamic relations published a paper entitled "Feel-
52 ing the Hate: Bias and Hate Crimes Experienced by Muslim New Yorkers"



1 in September 2022 that revealed 61% of Muslims have experienced verbal
2 harassment.

3 3. Recent anti-religious harassment incidents have been well-publi-
4 cized and include (a) a large, organized crowd on January 8, 2026,
5 chanting in support of the terrorist organization that coordinated the
6 largest single-day slaughter of Jews since the Holocaust across the
7 street from Young Israel of Kew Gardens Hills; (b) another large, organ-
8 ized crowd shouting anti-Semitic chants at people entering the Park East
9 Synagogue in Manhattan on November 21, 2025, with the express intent of
10 intimidating them from entering; (c) a September 14, 2025, protest
11 targeting people entering the Young Israel of New Rochelle; (d) a man
12 shouting anti-Islamic slurs outside of the Masjid Nur-Al Islam mosque in
13 Brooklyn on February 18, 2025; (e) an intruder disrupting services at
14 the Antioch Baptist Church on Martin Luther King Day of 2026; (f) a man
15 harassing worshippers outside the Islamic Center of Melville on February
16 21, 2024.

17 4. Religious harassment at places of worship also occurs without
18 publicity. The ADL documented 88 incidents of religious harassment at
19 synagogues throughout New York state in 2025. Thirty of these anti-Semi-
20 tic incidents happened at synagogues outside of New York city. Some of
21 the less publicized incidents included a person shouting obscenities and
22 challenging a family to a fight as they entered a synagogue in Queens, a
23 man shouting "murderers" at congregants leaving Rosh Hashanah services
24 in New Paltz, and multiple individuals performing Nazi salutes outside
25 of synagogues in Westchester county. In Suffolk county, the road and
26 signage outside a Hindu temple were defaced in what appeared to be an
27 anti-Hindu incident. On March 13 and 27, 2026, the Jewish Community
28 Center in Dewitt, New York was defaced with anti-Semitic graffiti.

29 § 2. Section 240.00 of the penal law is amended by adding a new subdivi-
30 sion 8 to read as follows:

31 8. "Place of religious worship" means any building or structure that a
32 reasonable person would know that religious adherents collectively
33 recognize as a place to regularly gather for or hold religious services,
34 observance, prayer, assembly, education, instruction, or devotional
35 practice, including community centers, and shall include its entrance,
36 entryway, exit, parking lot, parking lot entrance, driveway, driveway
37 entrance, or sidewalk that touches such places.

38 § 3. The penal law is amended by adding a new section 240.69 to read
39 as follows:

40 § 240.69 Criminal interference with access to a place of religious
41 worship.

42 1. A person is guilty of criminal interference with access to a place
43 of religious worship when such person, with respect to an individual who
44 was or is seeking to enter into or exit from a place of religious
45 worship:

46 (a) knowingly or intentionally obstructs or otherwise interferes with
47 the entryway into or exit from a place of religious worship, for the
48 purpose of rendering passage by that individual unreasonably difficult
49 or hazardous; or

50 (b) within fifty feet from a place of religious worship, knowingly or
51 intentionally engages in a course of conduct that places that individual
52 in reasonable fear for their safety.

53 2. For purposes of this section, the term "security perimeter" shall
54 mean an area that is established by a law enforcement agency in response
55 to, or in anticipation of, a demonstration outside of a place of reli-
56 gious worship, within which demonstration activity is not allowed.

1 3. Nothing in this section shall limit the authority or discretion of
2 law enforcement agencies for the purpose of public safety to establish
3 security perimeters, including security perimeters that extend beyond
4 fifty feet of distance from a place of religious worship.

5 Criminal interference with access to a place of religious worship is a
6 class B misdemeanor.

7 § 4. Severability clause. If any clause, sentence, paragraph, section
8 or subpart of this act shall be adjudged by any court of competent
9 jurisdiction to be invalid and after exhaustion of all further judicial
10 review, the judgment shall not affect, impair, or invalidate the remain-
11 der thereof, but shall be confined in its operation to the clause,
12 sentence, paragraph, section or subpart of this act directly involved in
13 the controversy in which the judgment shall have been rendered.

14 § 5. This act shall take effect immediately.

15

PART RR

16 Section 1. Section 12 of part F of chapter 58 of the laws of 2013
17 amending the environmental conservation law and the state finance law
18 relating to the "Cleaner, Greener NY Act of 2013", as amended by section
19 1 of part CC of chapter 58 of the laws of 2021, is amended to read as
20 follows:

21 § 12. This act shall take effect immediately and shall be deemed to
22 have been in full force and effect on and after April 1, 2013; provided,
23 however, that the amendments to subdivision 5-a of section 27-1015 of
24 the environmental conservation law, as added by section nine of this
25 act, shall expire and be deemed repealed on April 1, [2026] 2031.

26 § 2. This act shall take effect immediately.

27

PART SS

28 Section 1. Short title. This act shall be known and may be cited as
29 the "accelerate solar for affordable power (ASAP) act".

30 § 2. Legislative findings and intent. The legislature finds that
31 increasing distributed solar energy capacity, reducing interconnection
32 delays, and lowering interconnection costs are essential for achieving
33 the state's affordability, economic development, and environmental
34 goals.

35 § 3. The public service law is amended by adding a new section 66-aa
36 to read as follows:

37 § 66-aa. Interconnection reforms. 1. (a) Within ninety days of the
38 effective date of this section the commission shall commence a proceed-
39 ing requiring every electric corporation to file a report with the
40 commission which shall include broken down costs of completed upgrades
41 to the electric distribution system required in order to interconnect
42 new distributed energy resources in the prior calendar year categorized
43 by upgrade type and equipment type annually by March thirty-first of
44 each year. Such reports shall be accompanied by sufficiently detailed
45 supporting documentation as determined by the commission. Costs included
46 in such reports shall be intergrated into electric corporations' efforts
47 to develop distribution upgrade cost estimates.

48 (b) Electric corporations shall track actual costs of all distribution
49 upgrades they perform and disclose such costs to the department and to
50 the distributed energy resource company that paid for the upgrade.

51 2. The commission shall consider proposals to create greater cost-cer-
52 tainty for distribution upgrades in order to limit the risk of cost



1 overruns, and the commission shall commence a proceeding to determine
2 whether any such proposal would increase cost certainty for distribution
3 upgrades, would not negatively impact the operation of the distribution
4 system, and would not increase costs to ratepayers. If the commission so
5 determines, and in response to evidence of cost overruns, it shall issue
6 an order with respect thereto to increase distribution upgrade cost-cer-
7 tainty.

8 § 4. Subdivision 1 of section 66-j of the public service law is
9 amended by adding a new paragraph (j) to read as follows:

10 (j) "Flexible interconnection" means the use of smart-grid technology
11 to monitor and actively manage distributed energy resources.

12 § 5. Section 66-j of the public service law is amended by adding two
13 new subdivisions 2-a and 6-a to read as follows:

14 2-a. Flexible interconnection. (a) The commission shall direct elec-
15 tric corporations to develop proposals for a flexible interconnection
16 program to be established in the state. Such proposals shall demon-
17 strate how to implement flexible interconnection without increasing
18 costs to ratepayers of distributed renewable energy resources or
19 increasing the cost of maintaining and operating the distribution
20 system. The commission shall solicit public comments on the electric
21 corporation proposals.

22 (b) Upon review of the proposals and comments received, if the commis-
23 sion determines there is a viable proposal that would not meaningfully
24 increase costs to ratepayers or the cost of maintaining and operating
25 the distribution system, the commission shall commence a proceeding to
26 develop such a proposal and establish guidelines and timelines for the
27 implementation of flexible interconnection procedures.

28 6-a. Distributed energy resource capacity expansion. The commission
29 shall consider opportunities for proactive distribution upgrades that
30 create distributed energy resource hosting capacity as part of its ener-
31 gy system planning. The commission shall take into account affordabili-
32 ty, grid reliability, customer service goals, and costs.

33 § 6. This act shall take effect immediately.

34 PART TT

35 Section 1. For purposes of this act, the following terms shall have
36 the following meanings:

37 (a) "Utility corporation" shall mean any "gas corporation", "electric
38 corporation", or "combination gas and electric corporation", as such
39 terms are defined in section 2 of the public service law and shall not
40 include municipalities.

41 (b) "Electric plant" shall have the same meaning as such term is
42 defined in subdivision 12 of section 2 of the public service law and
43 shall not include municipalities.

44 § 2. Temporary blue ribbon commission on residential affordability
45 through energy savings. (a) There is hereby established a temporary
46 commission to be known as the blue ribbon commission on residential
47 affordability through energy savings, or RATES commission, to study the
48 causes and origins of rising utility rates and to recommend any actions
49 or reforms to reduce such rates.

50 (b) The blue ribbon commission shall be composed of nine appointed
51 voting members, who shall be appointed within 90 days after the effec-
52 tive date of this act, as well as the chairperson of the public service
53 commission, or their designee, and the president of the New York state

1 energy development authority, or their designee. Voting members shall
2 include:

3 (i) five non-agency members to be appointed by the governor;

4 (ii) two members to be appointed by the temporary president of the
5 senate; and

6 (iii) two members to be appointed by the speaker of the assembly.

7 (c) (i) The governor shall appoint a voting commission member to serve
8 as the commission chairperson.

9 (ii) Each member of the blue ribbon commission shall have one vote,
10 and a majority of the total number of voting members which the blue
11 ribbon commission would have were there no vacancies, shall constitute a
12 quorum and shall be required for the blue ribbon commission to conduct
13 business; provided, however, that no business shall be conducted prior
14 to the initial appointment of all voting members;

15 (iii) Any vacancies shall be filled in the manner that provided for
16 the initial appointment;

17 (iv) All meetings of the blue ribbon commission shall be conducted in
18 accordance with the provisions of article seven of the public officers
19 law; and

20 (v) The blue ribbon commission shall meet at least every month, but
21 may meet as frequently as its business may require, and shall hold at
22 least one public hearing prior to the adoption of the report required by
23 paragraph (f) of this section.

24 (d) (i) Each member of the blue ribbon commission shall have profes-
25 sional or academic expertise in one or more of the following areas:
26 utility regulation and oversight; ratepayer or consumer advocacy; utili-
27 ty management, administration, and compliance; energy or public utility
28 law; commodity market and energy market regulation; reliability and
29 adequacy of bulk power transmission systems; federally designated bulk
30 transmission operators; and macro economics. Any person employed by a
31 utility corporation, or employed by a corporation that owns or operates
32 an electric plant, or any current consultant, advisor, board member, or
33 any other person similarly affiliated with any such corporation, shall
34 not be eligible to be appointed to the blue ribbon commission.

35 (ii) Members shall receive no compensation for their services but
36 shall be reimbursed for actual and necessary expenses incurred in the
37 performance of their duties of the commission;

38 (iii) Notwithstanding the provisions of any general, special, or local
39 law, ordinance or city charter to the contrary, no member, officer, or
40 employee of the blue ribbon commission shall be disqualified from hold-
41 ing any other public office or employment, nor shall they forfeit any
42 such office or employment by reason of their appointment to the blue
43 ribbon commission; and

44 (iv) Members shall not be considered "officers" for the purposes of
45 sections seventy-three and seventy-four of the public officers law. The
46 provisions of section seventeen of the public officers law shall apply
47 to members, officers, and employees of the commission in connection with
48 any civil action or proceeding in any state or federal court arising out
49 of any alleged act or omission which occurred or is alleged in the
50 complaint to have occurred while the member, officer, or employee was
51 acting within the scope of their public employment or duties pursuant to
52 the terms of this title. As used in this section the terms "member",
53 "officer", and "employee" shall include a former member, officer, or
54 employee, and the estate or judicially appointed personal representative
55 of the former member, officer, or employee.

1 (e) The blue ribbon commission may request and shall receive from any
2 subdivision, department, board, bureau, commission, office, agency, or
3 other instrumentality of the state or of any political subdivision ther-
4 eof, including, but not limited to, the department of public service,
5 the public service commission, and the Long Island power authority, such
6 facilities, assistance and data as it deems necessary or desirable for
7 the proper execution of its powers and duties.

8 (f) No later than twelve months after the effective date of this act,
9 the blue ribbon commission, shall develop, and after a majority vote of
10 the blue ribbon commission, which shall include at least one member
11 appointed by the governor, temporary president of the senate, and speak-
12 er of the assembly, adopt and make public on the department of public
13 service's website, and deliver to the governor, the temporary president
14 of the senate, and the speaker of the assembly, a report, which at a
15 minimum, shall include:

16 (i) an identification of the causes and origins of rising utility
17 rates, and the relative impacts of each such cause;

18 (ii) an examination of the current regulatory model of entities that
19 deliver electric power, including, but not limited to, utility corpo-
20 rations and merchant market participants, including:

21 (1) the regulatory role of the public service commission over the
22 costs and market prices of electricity generation;

23 (2) the effects of any existing public service commission orders or
24 actions, and relevant statutes, on the ability of utility corporations
25 to construct, own, and operate generating assets;

26 (iii) an examination of the ratemaking process, which at a minimum
27 shall include:

28 (1) embedded cost of service modeling or asset cost distributions, and
29 its effects on the residential price of electric and gas service,
30 particularly for low-use customers;

31 (2) the methodology used to determine a utility corporation's return
32 on equity, the reasonableness of current commission-approved returns,
33 divergence between such returns and the returns of capital investments
34 of similar risk, and ways in which the fiscal impacts of such returns on
35 ratepayers can be minimized and made more transparent;

36 (3) an evaluation of the timing and procedures of the ratemaking proc-
37 ess, including consideration of multi-year rate filings and the treat-
38 ment of full litigated hearings and negotiated settlements and an evalu-
39 ation of the processes and incentives for utilities and other parties to
40 pursue litigated or settled rate proceedings, and any improvements to
41 each process in furtherance of the public interest;

42 (4) mechanisms to reduce rate compression and mitigate the adverse
43 effects of retroactive rate recovery, or other make whole provisions,
44 after a rate proceeding that has extended beyond the suspension period;
45 and

46 (5) an examination of the current treatment of customer arrears, the
47 implication they have in rates, and opportunities to balance decreasing
48 the overall amount of arrears while minimizing residential ratepayer
49 impact;

50 (iv) an evaluation of the impacts of increased demand on commodity and
51 delivery costs, and the sufficiency of current and projected electric
52 supply to meet such increased demands;

53 (v) an examination of actions being taken in other states and juris-
54 dictions to lower residential utility rates;

1 (vi) an examination of the governance structure and powers of other
2 bulk system operators, including federally designated bulk system opera-
3 tors, and implications for wholesale electric prices;

4 (vii) an examination of utility corporation cost management and cost
5 control practices that could be effectively replicated by other utility
6 corporations;

7 (viii) an examination of energy and capacity market design, and an
8 examination of any strategies employed by actors in these markets that
9 may undermine market competitiveness and affect rates;

10 (ix) an assessment of opportunities for the state to subsidize certain
11 programs, including but not limited to, existing electrification, renew-
12 able energy, weatherization, and affordability programs and to stream-
13 line operations for connecting customers to existing renewable energy,
14 weatherization, and affordability programs through revenues or funds of
15 the state;

16 (x) opportunities to reduce costs passed on to ratepayers through the
17 supply side of their utility bills, including an examination of the
18 reasonableness of profits resulting from the participation of electric
19 generating facilities in the federally designated bulk system operator's
20 markets; and

21 (xi) recommendations to the governor, legislature and the public
22 service commission regarding prudent and feasible actions that may be
23 taken to lower or stabilize utility rates in the state.

24 (g) The blue ribbon commission shall be deemed dissolved sixty days
25 after the publication of the report required pursuant to subdivision (f)
26 of this section.

27 § 3. This act shall take effect immediately and shall expire and be
28 deemed repealed twenty-four months after such date.

29

PART UU

30 Section 1. Section 235 of the vehicle and traffic law is amended by
31 adding a new subdivision 1-a to read as follows:

32 1-a. (a) Notwithstanding any inconsistent provision of any general,
33 special or local law or administrative code to the contrary, in any
34 county, city, village, or town which heretofore or hereafter adopts a
35 local law or ordinance establishing a demonstration program imposing
36 monetary liability on the owner of a vehicle for failure of an operator
37 thereof to comply with school bus red visual signals through the instal-
38 lation and operation of school bus photo violation monitoring systems,
39 in accordance with article twenty-nine of this chapter, such county,
40 city, village, or town shall also establish, by local law or ordinance,
41 an administrative tribunal to adjudicate the liability of owners for
42 violations of section eleven hundred seventy-four of this chapter when
43 meeting a school bus marked and equipped as provided in subdivisions
44 twenty and twenty-one-c of section three hundred seventy-five of this
45 chapter imposed pursuant to a local law or ordinance imposing monetary
46 liability on the owner of a vehicle for failure of an operator thereof
47 to comply with school bus red visual signals through the installation
48 and operation of school bus photo violation monitoring systems, in
49 accordance with article twenty-nine of this chapter. Such tribunal and
50 the rules and regulations pertaining thereto shall be constituted in
51 substantial conformance with the following sections and the applicable
52 provisions of article twenty-nine of this chapter. Provided that a
53 county, city, village, or town shall establish such tribunal (i) no
54 later than September first, two thousand twenty-seven where such county,



1 city, village, or town has established and implemented the aforemen-
 2 tioned demonstration program prior to the date upon which this subdivi-
 3 sion takes effect, and (ii) no later than the date upon which such coun-
 4 ty, city, village, or town establishes and implements the aforementioned
 5 demonstration program after the date upon which this subdivision takes
 6 effect.

7 (b) Provided, however, that the provisions of paragraph (a) of this
 8 subdivision requiring the establishment of an administrative tribunal
 9 shall not apply to the city of New York wherein violations are adjudi-
 10 cated by the New York city parking violations bureau, and shall not
 11 apply to any county, city, village, or town in which such notices of
 12 liability are required to be adjudicated within a traffic violations
 13 bureau established pursuant to section three hundred seventy of the
 14 general municipal law, court having jurisdiction, or parking violations
 15 bureau pursuant to the local law or ordinance imposing such monetary
 16 liability in accordance with article twenty-nine of this chapter and
 17 such traffic violations bureau or parking violations bureau is adjudi-
 18 cating such notices of liability or the chief administrative judge or
 19 their designee approves the plan to adjudicate such notices of liability
 20 in such court having jurisdiction.

21 § 2. Subdivision 3 of section 235 of the vehicle and traffic law, as
 22 separately amended by chapters 421, 460 and 773 of the laws of 2021, is
 23 amended to read as follows:

24 3. Nothing set forth in this article shall a. be construed to author-
 25 ize the imposition of monetary liability on the owner of a vehicle for
 26 failure of an operator thereof to comply with any provision of law, rule
 27 or regulation through the installation and operation of a photo enforce-
 28 ment device or system, except as otherwise explicitly authorized by
 29 article twenty-four, twenty-nine or thirty of this chapter, by section
 30 two thousand nine hundred eighty-five of the public authorities law, or
 31 by sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
 32 seventy-four of the laws of nineteen hundred fifty, nor b. be construed
 33 to grant any municipality the authority to establish by local law, ordi-
 34 nance, order, rule, regulation, resolution or any other means, an admin-
 35 istrative tribunal to hear and determine complaints of traffic infrac-
 36 tions or jurisdiction to adjudicate any liability set forth in
 37 subdivision one of this section except for the adjudication of liability
 38 by a traffic camera violations bureau as authorized pursuant to subdivi-
 39 sion one of section two hundred thirty-seven-a of this article.

40 § 3. Subdivision 2 of section 236 of the vehicle and traffic law, as
 41 added by chapter 715 of the laws of 1972 and paragraph d of subdivision
 42 2 as amended by chapter 342 of the laws of 1981, is amended and a new
 43 subdivision 1-a is added to read as follows:

44 1-a. Creation; traffic camera violations bureau. Notwithstanding the
 45 provisions of subdivision one of this section, in any county, city,
 46 village, or town as hereinbefore or hereafter required to establish a
 47 tribunal pursuant to subdivision one-a of section two hundred thirty-
 48 five of this article, such tribunal when created shall be known as the
 49 traffic camera violations bureau and shall have jurisdiction to adjudi-
 50 cate the liability of owners for violations of section eleven hundred
 51 seventy-four of this chapter when meeting a school bus marked and
 52 equipped as provided in subdivisions twenty and twenty-one-c of section
 53 three hundred seventy-five of this chapter imposed pursuant to a local
 54 law or ordinance imposing monetary liability on the owner of a vehicle
 55 for failure of an operator thereof to comply with school bus red visual
 56 signals through the installation and operation of school bus photo

1 violation monitoring systems, in accordance with article twenty-nine of
2 this chapter.

3 2. Personnel. a. The head of any such bureau established pursuant to
4 subdivisions one and one-a of this section shall be the director, who
5 shall be appointed by the commissioner. The director may exercise or
6 delegate any of the functions, powers and duties conferred upon [him]
7 the director or the bureau by the commissioner to any qualified officer
8 or employee of the bureau.

9 b. The commissioner may appoint such number of deputy directors as
10 [he] the commissioner shall deem necessary, but in no event to exceed
11 four and may employ such officers and employees as may be required to
12 perform the work of the bureau, within the amounts available therefor by
13 appropriation.

14 c. The commissioner shall appoint supervising hearing examiners not to
15 exceed six in number and senior hearing examiners, not to exceed six in
16 number. Every supervising hearing examiner shall have been admitted to
17 the practice of law in the state for at least seven years and every
18 senior hearing examiner for at least six years. The duties of each
19 supervising hearing examiner and senior hearing examiner shall include,
20 but not be limited to: (1) presiding at hearings for the adjudication of
21 charges of parking violations and/or, as applicable, the liability of
22 owners as authorized pursuant to section two hundred thirty-seven and
23 subdivision one of section two hundred thirty-seven-a of this article;
24 (2) the supervision and administration of the work of the bureau; and
25 (3) membership on the appeals board of the bureau, as herein provided.

26 d. The commissioner shall appoint hearing examiners who shall preside
27 at hearings for the adjudication of charges of parking violations
28 and/or, as applicable, the liability of owners as authorized pursuant to
29 section two hundred thirty-seven and subdivision one of section two
30 hundred thirty-seven-a of this article. Hearing examiners shall be
31 appointed and shall serve for such number of sessions as may be deter-
32 mined by the commissioner and shall receive therefor, such remuneration
33 as may be fixed. Such hearing examiners shall not be considered employ-
34 ees of the county, city, village, or town in which the administrative
35 tribunal has been established. Every hearing examiner shall have been
36 admitted to the practice of law in this state for a period of at least
37 five years, except in cities having a population of one million or more
38 persons where they shall have been admitted to such practice for a peri-
39 od of at least three years. Hearing examiners shall be appointed from a
40 list of eligible candidates who have satisfied the standards established
41 by a duly constituted committee of the bar association of the county in
42 which the city, village, or town is located, or[,] the association of
43 the bar of that city.

44 § 4. The section heading of section 237 of the vehicle and traffic
45 law, as added by chapter 715 of the laws of 1972, is amended to read as
46 follows:

47 Functions, powers and duties of parking violations bureaus.

48 § 5. The vehicle and traffic law is amended by adding a new section
49 237-a to read as follows:

50 § 237-a. Functions, powers and duties of traffic camera violations
51 bureaus. The traffic camera violations bureau shall have the following
52 functions, powers and duties:

53 1. To hear and determine the liability of owners for violations of
54 section eleven hundred seventy-four of this chapter when meeting a
55 school bus marked and equipped as provided in subdivisions twenty and
56 twenty-one-c of section three hundred seventy-five of this chapter

1 imposed pursuant to a local law or ordinance imposing monetary liability
2 on the owner of a vehicle for failure of an operator thereof to comply
3 with school bus red visual signals through the installation and opera-
4 tion of school bus photo violation monitoring systems, in accordance
5 with article twenty-nine of this chapter;

6 2. To provide for penalties in accordance with a local law or ordi-
7 nance establishing a demonstration program imposing monetary liability
8 on the owner of a vehicle for failure of an operator thereof to comply
9 with school bus red visual signals through the installation and opera-
10 tion of school bus photo violation monitoring systems, in accordance
11 with article twenty-nine of this chapter;

12 3. To adopt rules and regulations not inconsistent with any applicable
13 provision of law to carry out the purposes of this article, including
14 but not limited to rules and regulations prescribing the internal proce-
15 dures and organization of the bureau, the manner and time of entering
16 pleas, the conduct of hearings, and the amount and manner of payment of
17 penalties;

18 4. To issue subpoenas to compel the attendance of persons to give
19 testimony at hearings and to compel the production of relevant books,
20 papers and other things;

21 5. To enter judgments and enforce them, without court proceedings, in
22 the same manner as the enforcement of money judgments in civil actions
23 in any court of competent jurisdiction or any other place provided for
24 the entry of civil judgment within the state of New York;

25 6. To compile and maintain complete and accurate records relating to
26 all notices of liability and dispositions and to prepare complete and
27 accurate transcripts of all hearings conducted by the bureau and to
28 furnish such transcripts to the person issued the notice of liability at
29 said person's own expense upon timely request, and upon said person
30 complying with the regulations of the bureau;

31 7. To remit to the chief financial officer of the county, city, town,
32 or village, on or before the fifteenth day of each month, all monetary
33 penalties or fees received by the bureau during the prior calendar
34 month, along with a statement thereof, and, at the same time, to file
35 duplicate copies of such statement with the comptroller; and

36 8. To answer within a reasonable period of time all relevant and
37 reasonable inquiries made by a person issued a notice of liability or
38 such person's attorney concerning the notice of liability issued to that
39 person. The bureau must also furnish within a reasonable period of time
40 to the person issued a notice of liability, on such person's request and
41 upon complying with the regulations of the bureau, a copy of the
42 original notice of liability including all information contained there-
43 on. Failure by the bureau to comply with the provisions of this subdivi-
44 sion or any part of the provisions of this subdivision, within forty-
45 five days of such inquiry, forwarded to the bureau by certified or
46 registered mail, return receipt requested, will result, upon the request
47 of the person issued the notice of liability, in an automatic dismissal
48 of all liability relating to and only to that notice of liability to
49 which the inquiry was made.

50 § 6. Subdivisions 1 and 1-a and paragraphs a and e of subdivision 2 of
51 section 240 of the vehicle and traffic law, subdivisions 1 and 1-a as
52 amended by section 4 and paragraph a of subdivision 2 as amended by
53 section 5 of part N of chapter 58 of the laws of 2025 and paragraph e of
54 subdivision 2 as added by chapter 715 of the laws of 1972, are amended
55 to read as follows:

1 1. Notice of hearing. Whenever a person charged with a parking
2 violation enters a plea of not guilty; or a person alleged to be liable
3 in accordance with any provisions of law specifically authorizing the
4 imposition of monetary liability on the owner of a vehicle for failure
5 of an operator thereof: to comply with traffic-control indications in
6 violation of subdivision (d) of section eleven hundred eleven of this
7 chapter through the installation and operation of traffic-control signal
8 photo violation-monitoring systems, in accordance with article twenty-
9 four of this chapter; or to comply with certain posted maximum speed
10 limits in violation of subdivision (b), (c), (d), (f) or (g) of section
11 eleven hundred eighty of this chapter through the installation and oper-
12 ation of photo speed violation monitoring systems, in accordance with
13 article thirty of this chapter; or to comply with bus lane restrictions
14 as defined by article twenty-four of this chapter through the installa-
15 tion and operation of bus lane photo devices, in accordance with article
16 twenty-four of this chapter; or to comply with toll collection regu-
17 lations of certain public authorities through the installation and oper-
18 ation of photo-monitoring systems, in accordance with the provisions of
19 section two thousand nine hundred eighty-five of the public authorities
20 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
21 hundred seventy-four of the laws of nineteen hundred fifty; or to stop
22 for a school bus displaying a red visual signal in violation of section
23 eleven hundred seventy-four of this chapter through the installation and
24 operation of school bus photo violation monitoring systems, in accord-
25 ance with article twenty-nine of this chapter; or to comply with certain
26 posted maximum speed limits in violation of subdivision (b), (d), (f) or
27 (g) of section eleven hundred eighty of this chapter within a highway
28 construction or maintenance work area through the installation and oper-
29 ation of photo speed violation monitoring systems, in accordance with
30 article thirty of this chapter; or to comply with gross vehicle weight
31 and/or axle weight restrictions in violation of section three hundred
32 eighty-five of this chapter and the rules of the applicable covered
33 agency or covered authority as such terms are defined in article ten of
34 this chapter through the installation and operation of weigh in motion
35 violation monitoring systems, in accordance with article ten of this
36 chapter; or to comply with bus operation-related traffic regulations as
37 defined by article twenty-four of this chapter in violation of the rules
38 of the department of transportation of the city of New York through the
39 installation and operation of bus operation-related photo devices, in
40 accordance with article twenty-four of this chapter, contests such alle-
41 gation, the parking violations bureau or the traffic camera violations
42 bureau, as applicable, shall advise such person personally by such form
43 of first class mail as the director may direct of the date on which such
44 person must appear to answer the charge at a hearing. The form and
45 content of such notice of hearing shall be prescribed by the director,
46 and shall contain a warning to advise the person so pleading or contest-
47 ing that failure to appear on the date designated, or on any subsequent
48 adjourned date, shall be deemed an admission of liability, and that a
49 default judgment may be entered thereon.

50 1-a. Fines and penalties. Whenever a plea of not guilty has been
51 entered, or the parking violations bureau or the traffic camera
52 violations bureau, as applicable, has been notified that an allegation
53 of liability in accordance with provisions of law specifically authoriz-
54 ing the imposition of monetary liability on the owner of a vehicle for
55 failure of an operator thereof: to comply with traffic-control indi-
56 cations in violation of subdivision (d) of section eleven hundred eleven



1 of this chapter through the installation and operation of traffic-con-
2 trol signal photo violation-monitoring systems, in accordance with arti-
3 cle twenty-four of this chapter; or to comply with certain posted maxi-
4 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)
5 of section eleven hundred eighty of this chapter through the installa-
6 tion and operation of photo speed violation monitoring systems, in
7 accordance with article thirty of this chapter; or to comply with bus
8 lane restrictions as defined by article twenty-four of this chapter
9 through the installation and operation of bus lane photo devices, in
10 accordance with article twenty-four of this chapter; or to comply with
11 toll collection regulations of certain public authorities through the
12 installation and operation of photo-monitoring systems, in accordance
13 with the provisions of section two thousand nine hundred eighty-five of
14 the public authorities law and sections sixteen-a, sixteen-b and
15 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
16 hundred fifty; or to stop for a school bus displaying a red visual
17 signal in violation of section eleven hundred seventy-four of this chap-
18 ter through the installation and operation of school bus photo violation
19 monitoring systems, in accordance with article twenty-nine of this chap-
20 ter; or to comply with certain posted maximum speed limits in violation
21 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
22 this chapter within a highway construction or maintenance work area
23 through the installation and operation of photo speed violation monitor-
24 ing systems, in accordance with article thirty of this chapter; or to
25 comply with gross vehicle weight and/or axle weight restrictions in
26 violation of section three hundred eighty-five of this chapter and the
27 rules of the applicable covered agency or covered authority as such
28 terms are defined in article ten of this chapter through the installa-
29 tion and operation of weigh in motion violation monitoring systems, in
30 accordance with article ten of this chapter; or to comply with bus oper-
31 ation-related traffic regulations as defined by article twenty-four of
32 this chapter in violation of the rules of the department of transporta-
33 tion of the city of New York through the installation and operation of
34 bus operation-related photo devices, in accordance with article twenty-
35 four of this chapter, is being contested, by a person in a timely fash-
36 ion and a hearing upon the merits has been demanded, but has not yet
37 been held, the applicable bureau shall not issue any notice of fine or
38 penalty to that person prior to the date of the hearing.

39 a. Every hearing for the adjudication of a charge of parking violation
40 or an allegation of liability of an owner for a violation of subdivision
41 (d) of section eleven hundred eleven of this chapter imposed pursuant to
42 a local law or ordinance imposing monetary liability on the owner of a
43 vehicle for failure of an operator thereof to comply with traffic-con-
44 trol indications through the installation and operation of traffic-con-
45 trol signal photo violation-monitoring systems, in accordance with arti-
46 cle twenty-four of this chapter, or an allegation of liability of an
47 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
48 section eleven hundred eighty of this chapter imposed pursuant to a
49 demonstration program imposing monetary liability on the owner of a
50 vehicle for failure of an operator thereof to comply with certain posted
51 maximum speed limits through the installation and operation of photo
52 speed violation monitoring systems, in accordance with article thirty of
53 this chapter, or an allegation of liability of an owner for a violation
54 of bus lane restrictions as defined by article twenty-four of this chap-
55 ter imposed pursuant to a bus rapid transit program imposing monetary
56 liability on the owner of a vehicle for failure of an operator thereof

1 to comply with such bus lane restrictions through the installation and
2 operation of bus lane photo devices, in accordance with article twenty-
3 four of this chapter, or an allegation of liability of an owner for a
4 violation of toll collection regulations imposed by certain public
5 authorities pursuant to the law authorizing such public authorities to
6 impose monetary liability on the owner of a vehicle for failure of an
7 operator thereof to comply with toll collection regulations of such
8 public authorities through the installation and operation of photo-moni-
9 toring systems, in accordance with the provisions of section two thou-
10 sand nine hundred eighty-five of the public authorities law and sections
11 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
12 of the laws of nineteen hundred fifty, or an allegation of liability of
13 an owner for a violation of section eleven hundred seventy-four of this
14 chapter when meeting a school bus marked and equipped as provided in
15 subdivisions twenty and twenty-one-c of section three hundred seventy-
16 five of this chapter imposed pursuant to a local law or ordinance impos-
17 ing monetary liability on the owner of a vehicle for failure of an oper-
18 ator thereof to comply with school bus red visual signals through the
19 installation and operation of school bus photo violation monitoring
20 systems, in accordance with article twenty-nine of this chapter, or an
21 allegation of liability of an owner for a violation of subdivision (b),
22 (d), (f) or (g) of section eleven hundred eighty of this chapter imposed
23 pursuant to a demonstration program imposing monetary liability on the
24 owner of a vehicle for failure of an operator thereof to comply with
25 certain posted maximum speed limits within a highway construction or
26 maintenance work area through the installation and operation of photo
27 speed violation monitoring systems, in accordance with article thirty of
28 this chapter, or an allegation of liability of an owner for a violation
29 of section three hundred eighty-five of this chapter and the rules of
30 the applicable covered agency or covered authority as such terms are
31 defined in article ten of this chapter in relation to gross vehicle
32 weight and/or axle weight violations imposed pursuant to a weigh in
33 motion demonstration program imposing monetary liability on the owner of
34 a vehicle for failure of an operator thereof to comply with such gross
35 vehicle weight and/or axle weight restrictions through the installation
36 and operation of weigh in motion violation monitoring systems, in
37 accordance with article ten of this chapter, or an allegation of liabil-
38 ity of an owner for a violation of bus operation-related traffic regu-
39 lations as defined by article twenty-four of this chapter imposed pursu-
40 ant to a demonstration program imposing monetary liability on the owner
41 of a vehicle for failure of an operator thereof to comply with such bus
42 operation-related traffic regulations through the installation and oper-
43 ation of bus operation-related photo devices, in accordance with article
44 twenty-four of this chapter, shall be held before a hearing examiner in
45 accordance with rules and regulations promulgated by the parking
46 violations bureau or the traffic camera violations bureau, as
47 applicable.

48 e. In the case of a refusal to obey a subpoena, the parking violations
49 bureau or the traffic camera violations bureau, as applicable, may make
50 application to the Supreme Court pursuant to section twenty-three
51 hundred eight of the civil practice law and rules, for an order requir-
52 ing such appearance, testimony or production of evidence.

53 § 7. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
54 law, as amended by section 6 of part N of chapter 58 of the laws of
55 2025, are amended to read as follows:

1 1. The hearing examiner shall make a determination on the charges,
2 either sustaining or dismissing them. Where the hearing examiner deter-
3 mines that the charges have been sustained such hearing examiner may
4 examine either the prior parking violations record or the record of
5 liabilities incurred in accordance with any provisions of law specif-
6 ically authorizing the imposition of monetary liability on the owner of
7 a vehicle for failure of an operator thereof: to comply with traffic-
8 control indications in violation of subdivision (d) of section eleven
9 hundred eleven of this chapter through the installation and operation of
10 traffic-control signal photo violation-monitoring systems, in accordance
11 with article twenty-four of this chapter; to comply with certain posted
12 maximum speed limits in violation of subdivision (b), (c), (d), (f) or
13 (g) of section eleven hundred eighty of this chapter through the instal-
14 lation and operation of photo speed violation monitoring systems, in
15 accordance with article thirty of this chapter; to comply with bus lane
16 restrictions as defined by article twenty-four of this chapter through
17 the installation and operation of bus lane photo devices, in accordance
18 with article twenty-four of this chapter; to comply with toll collection
19 regulations of certain public authorities through the installation and
20 operation of photo-monitoring systems, in accordance with the provisions
21 of section two thousand nine hundred eighty-five of the public authori-
22 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
23 seven hundred seventy-four of the laws of nineteen hundred fifty; to
24 stop for a school bus displaying a red visual signal in violation of
25 section eleven hundred seventy-four of this chapter through the instal-
26 lation and operation of school bus photo violation monitoring systems,
27 in accordance with article twenty-nine of this chapter; to comply with
28 certain posted maximum speed limits in violation of subdivision (b),
29 (d), (f) or (g) of section eleven hundred eighty of this chapter within
30 a highway construction or maintenance work area through the installation
31 and operation of photo speed violation monitoring systems, in accordance
32 with article thirty of this chapter; to comply with gross vehicle weight
33 and/or axle weight restrictions in violation of section three hundred
34 eighty-five of this chapter and the rules of the applicable covered
35 agency or covered authority as such terms are defined in article ten of
36 this chapter through the installation and operation of weigh in motion
37 violation monitoring systems, in accordance with article ten of this
38 chapter; or to comply with bus operation-related traffic regulations as
39 defined by article twenty-four of this chapter in violation of the rules
40 of the department of transportation of the city of New York through the
41 installation and operation of bus operation-related photo devices, in
42 accordance with article twenty-four of this chapter, of the person
43 charged, as applicable prior to rendering a final determination. Final
44 determinations sustaining or dismissing charges shall be entered on a
45 final determination roll maintained by the parking violations bureau or
46 the traffic camera violations bureau, as applicable, together with
47 records showing payment and nonpayment of penalties.

48 2. Where an operator or owner fails to enter a plea to a charge of a
49 parking violation or contest an allegation of liability in accordance
50 with any provisions of law specifically authorizing the imposition of
51 monetary liability on the owner of a vehicle for failure of an operator
52 thereof: to comply with traffic-control indications in violation of
53 subdivision (d) of section eleven hundred eleven of this chapter through
54 the installation and operation of traffic-control signal photo viola-
55 tion-monitoring systems, in accordance with article twenty-four of this
56 chapter; to comply with certain posted maximum speed limits in violation

1 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
2 eighty of this chapter through the installation and operation of photo
3 speed violation monitoring systems, in accordance with article thirty of
4 this chapter; to comply with bus lane restrictions as defined by article
5 twenty-four of this chapter through the installation and operation of
6 bus lane photo devices, in accordance with article twenty-four of this
7 chapter; to comply with toll collection regulations of certain public
8 authorities through the installation and operation of photo-monitoring
9 systems, in accordance with the provisions of section two thousand nine
10 hundred eighty-five of the public authorities law and sections
11 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
12 of the laws of nineteen hundred fifty; to stop for a school bus display-
13 ing a red visual signal in violation of section eleven hundred seventy-
14 four of this chapter through the installation and operation of school
15 bus photo violation monitoring systems, in accordance with article twen-
16 ty-nine of this chapter; to comply with certain posted maximum speed
17 limits in violation of subdivision (b), (d), (f) or (g) of section elev-
18 en hundred eighty of this chapter within a highway construction or main-
19 tenance work area through the installation and operation of photo speed
20 violation monitoring systems, in accordance with article thirty of this
21 chapter; to comply with gross vehicle weight and/or axle weight
22 restrictions in violation of section three hundred eighty-five of this
23 chapter and the rules of the applicable covered agency or covered
24 authority as such terms are defined in article ten of this chapter
25 through the installation and operation of weigh in motion violation
26 monitoring systems, in accordance with article ten of this chapter; or
27 to comply with bus operation-related traffic regulations as defined by
28 article twenty-four of this chapter in violation of the rules of the
29 department of transportation of the city of New York through the instal-
30 lation and operation of bus operation-related photo devices, in accord-
31 ance with article twenty-four of this chapter, or fails to appear on a
32 designated hearing date or subsequent adjourned date or fails after a
33 hearing to comply with the determination of a hearing examiner, as
34 prescribed by this article or by rule or regulation of the parking
35 violations bureau or the traffic camera violations bureau, as
36 applicable, such failure to plead or contest, appear or comply shall be
37 deemed, for all purposes, an admission of liability and shall be grounds
38 for rendering and entering a default judgment in an amount provided by
39 the rules and regulations of [the] such bureau. However, after the expi-
40 ration of the original date prescribed for entering a plea and before a
41 default judgment may be rendered, in such case the applicable bureau
42 shall pursuant to the applicable provisions of law notify such operator
43 or owner, by such form of first class mail as the commission may direct;
44 (1) of the violation charged, or liability alleged in accordance with
45 any provisions of law specifically authorizing the imposition of mone-
46 tary liability on the owner of a vehicle for failure of an operator
47 thereof: to comply with traffic-control indications in violation of
48 subdivision (d) of section eleven hundred eleven of this chapter through
49 the installation and operation of traffic-control signal photo viola-
50 tion-monitoring systems, in accordance with article twenty-four of this
51 chapter; to comply with certain posted maximum speed limits in violation
52 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
53 eighty of this chapter through the installation and operation of photo
54 speed violation monitoring systems, in accordance with article thirty of
55 this chapter; to comply with bus lane restrictions as defined by article
56 twenty-four of this chapter through the installation and operation of



1 bus lane photo devices, in accordance with article twenty-four of this
2 chapter; to comply with toll collection regulations of certain public
3 authorities through the installation and operation of photo-monitoring
4 systems, in accordance with the provisions of section two thousand nine
5 hundred eighty-five of the public authorities law and sections
6 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
7 of the laws of nineteen hundred fifty; to stop for a school bus display-
8 ing a red visual signal in violation of section eleven hundred seventy-
9 four of this chapter through the installation and operation of school
10 bus photo violation monitoring systems, in accordance with article twen-
11 ty-nine of this chapter; to comply with certain posted maximum speed
12 limits in violation of subdivision (b), (d), (f) or (g) of section elev-
13 en hundred eighty of this chapter within a highway construction or main-
14 tenance work area through the installation and operation of photo speed
15 violation monitoring systems, in accordance with article thirty of this
16 chapter; to comply with gross vehicle weight and/or axle weight
17 restrictions in violation of section three hundred eighty-five of this
18 chapter and the rules of the applicable covered agency or covered
19 authority as such terms are defined in article ten of this chapter
20 through the installation and operation of weigh in motion violation
21 monitoring systems, in accordance with article ten of this chapter; or
22 to comply with bus operation-related traffic regulations as defined by
23 article twenty-four of this chapter in violation of the rules of the
24 department of transportation of the city of New York through the instal-
25 lation and operation of bus operation-related photo devices, in accord-
26 ance with article twenty-four of this chapter, (2) of the impending
27 default judgment, (3) that such judgment will be entered in the Civil
28 Court of the city in which [the] such bureau has been established, or
29 other court of civil jurisdiction or any other place provided for the
30 entry of civil judgments within the state of New York, and (4) that a
31 default may be avoided by entering a plea or contesting an allegation of
32 liability in accordance with any provisions of law specifically author-
33 izing the imposition of monetary liability on the owner of a vehicle for
34 failure of an operator thereof: to comply with traffic-control indi-
35 cations in violation of subdivision (d) of section eleven hundred eleven
36 of this chapter through the installation and operation of traffic-con-
37 trol signal photo violation-monitoring systems, in accordance with arti-
38 cle twenty-four of this chapter; to comply with certain posted maximum
39 speed limits in violation of subdivision (b), (c), (d), (f) or (g) of
40 section eleven hundred eighty of this chapter through the installation
41 and operation of photo speed violation monitoring systems, in accordance
42 with article thirty of this chapter; to comply with bus lane
43 restrictions as defined by article twenty-four of this chapter through
44 the installation and operation of bus lane photo devices, in accordance
45 with article twenty-four of this chapter; to comply with toll collection
46 regulations of certain public authorities through the installation and
47 operation of photo-monitoring systems, in accordance with the provisions
48 of section two thousand nine hundred eighty-five of the public authori-
49 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
50 seven hundred seventy-four of the laws of nineteen hundred fifty; to
51 stop for a school bus displaying a red visual signal in violation of
52 section eleven hundred seventy-four of this chapter through the instal-
53 lation and operation of school bus photo violation monitoring systems,
54 in accordance with article twenty-nine of this chapter; to comply with
55 certain posted maximum speed limits in violation of subdivision (b),
56 (d), (f) or (g) of section eleven hundred eighty of this chapter within



1 a highway construction or maintenance work area through the installation
2 and operation of photo speed violation monitoring systems, in accordance
3 with article thirty of this chapter; to comply with gross vehicle weight
4 and/or axle weight restrictions in violation of section three hundred
5 eighty-five of this chapter and the rules of the applicable covered
6 agency or covered authority as such terms are defined in article ten of
7 this chapter through the installation and operation of weigh in motion
8 violation monitoring systems, in accordance with article ten of this
9 chapter; or to comply with bus operation-related traffic regulations as
10 defined by article twenty-four of this chapter in violation of the rules
11 of the department of transportation of the city of New York through the
12 installation and operation of bus operation-related photo devices, in
13 accordance with article twenty-four of this chapter; or making an
14 appearance within thirty days of the sending of such notice. Pleas
15 entered and allegations contested within that period shall be in the
16 manner prescribed in the notice and not subject to additional penalty or
17 fee. Such notice of impending default judgment shall not be required
18 prior to the rendering and entry thereof in the case of operators or
19 owners who are non-residents of the state of New York. In no case shall
20 a default judgment be rendered or, where required, a notice of impending
21 default judgment be sent, more than two years after the expiration of
22 the time prescribed for entering a plea or contesting an allegation.
23 When a person has demanded a hearing, no fine or penalty shall be
24 imposed for any reason, prior to the holding of the hearing. If the
25 hearing examiner shall make a determination on the charges, sustaining
26 them, such hearing examiner shall impose no greater penalty or fine than
27 those upon which the person was originally charged.

28 § 8. Section 242 of the vehicle and traffic law, as added by chapter
29 715 of the laws of 1972, subdivision 3 as amended by chapter 900 of the
30 laws of 1982 and subdivision 6 as added by chapter 515 of the laws of
31 2004, is amended to read as follows:

32 § 242. Administrative review. 1. There shall be an appeals board with-
33 in the parking violations bureau and within the traffic camera
34 violations bureau which shall consist of three or more hearing examiners
35 but in no event shall the hearing examiner from whose decision the
36 appeal is taken be included in the panel determining said appeal.

37 2. An appeal from a determination of any hearing examiner after a
38 hearing on a plea denying liability, or from a determination denying a
39 motion to reopen any matter shall be submitted to the applicable appeals
40 board, which shall have power to review the facts and the law, and shall
41 have power to reverse or modify any determination appealed from for
42 error of fact or law.

43 3. A party aggrieved by the final determination of a hearing examiner
44 may obtain a review thereof by serving, either personally in writing or
45 by certified or registered mail, return receipt requested, upon the
46 applicable bureau, within thirty days of the entry of such final deter-
47 mination, a notice of appeal setting forth the reasons why the final
48 determination should be reversed or modified. Upon receipt of such
49 notice of appeal, the applicable bureau shall furnish to the appellant,
50 at [his] the appellant's request and at [his] their own expense, a tran-
51 script of the original hearing. No appeal shall be conducted less than
52 ten days after the mailing of the transcript to the appellant or [his]
53 the appellant's attorney. When the questions presented by an appeal can
54 be determined without an examination of all the pleadings and
55 proceedings, the appellant may prepare and submit a statement showing
56 how the questions arose and were decided by the hearing examiner and

1 setting forth only so much of the facts averred and proved or sought to
2 be proved as are necessary to a decision of the questions.

3 4. Appeals shall be conducted in the presence of the appellant or
4 [his] the appellant's attorney or both, if such right of appearance is
5 expressly requested by the appellant in [his] the appellant's notice of
6 appeal and upon [his] the appellant complying with the regulations of
7 the applicable bureau. If the appellant elects to appear, the applicable
8 bureau within thirty days after the receipt of the notice of appeal
9 shall advise the appellant, either personally or by ordinary first class
10 mail of the date on which [he] such appellant shall appear. No appeal
11 shall be conducted less than ten days after the mailing of such notifi-
12 cation. The appellant shall be notified in writing of the decision of
13 the applicable appeals board.

14 5. The service of a notice of appeal shall not stay the enforcement of
15 a judgment upon the determination appealed from unless the appellant
16 shall have posted a bond in the amount of such determination, at the
17 time of, or before the service of such notice of appeal unless the
18 enforcement of such judgment shall have been stayed by the applicable
19 appeals board.

20 6. When charges have been overturned by a court or any other adminis-
21 trative body or officer, the party in whose favor the appeal is decided
22 shall be entitled to have returned an amount equal to any fine or penal-
23 ty imposed and collected from the parking violations bureau or the traf-
24 fic camera violations bureau, as applicable, within thirty days of the
25 entry of the judgement; provided, however, that such court, administra-
26 tive body or officer shall have the authority to lessen from such amount
27 any debt owed by such party and shall apply this amount to any outstand-
28 ing fines and penalties owed by the same individual. If payment is not
29 made within thirty days, a penalty shall accrue at the same rate as that
30 imposed for failure to make timely payment of a fine and shall be paid
31 by the parking violations bureau or the traffic camera violations
32 bureau, as applicable.

33 § 9. Subparagraph (i) of paragraph a of subdivision 5-a of section 401
34 of the vehicle and traffic law, as amended by section 7 of part N of
35 chapter 58 of the laws of 2025, is amended to read as follows:

36 (i) If at the time of application for a registration or renewal there-
37 of there is a certification from a court, parking violations bureau,
38 traffic and parking violations agency, traffic camera violations bureau
39 or administrative tribunal of appropriate jurisdiction that the regis-
40 trant or their representative failed to appear on the return date or any
41 subsequent adjourned date or failed to comply with the rules and regu-
42 lations of an administrative tribunal following entry of a final deci-
43 sion in response to a total of three or more summonses or other process
44 in the aggregate, issued within an eighteen month period, charging
45 either that: (i) such motor vehicle was parked, stopped or standing, or
46 that such motor vehicle was operated for hire by the registrant or their
47 agent without being licensed as a motor vehicle for hire by the appro-
48 priate local authority, in violation of any of the provisions of this
49 chapter or of any law, ordinance, rule or regulation made by a local
50 authority; or (ii) the registrant was liable for a violation of subdivi-
51 sion (d) of section eleven hundred eleven of this chapter imposed pursu-
52 ant to a local law or ordinance imposing monetary liability on the owner
53 of a vehicle for failure of an operator thereof to comply with traffic-
54 control indications through the installation and operation of traffic-
55 control signal photo violation-monitoring systems, in accordance with
56 article twenty-four of this chapter; or (iii) the registrant was liable

1 for a violation of subdivision (b), (c), (d), (f) or (g) of section
2 eleven hundred eighty of this chapter imposed pursuant to a demon-
3 stration program imposing monetary liability on the owner of a vehicle
4 for failure of an operator thereof to comply with such posted maximum
5 speed limits through the installation and operation of photo speed
6 violation monitoring systems, in accordance with article thirty of this
7 chapter; or (iv) the registrant was liable for a violation of bus lane
8 restrictions as defined by article twenty-four of this chapter imposed
9 pursuant to a bus rapid transit program imposing monetary liability on
10 the owner of a vehicle for failure of an operator thereof to comply with
11 such bus lane restrictions through the installation and operation of bus
12 lane photo devices, in accordance with article twenty-four of this chap-
13 ter; or (v) the registrant was liable for a violation of section eleven
14 hundred seventy-four of this chapter when meeting a school bus marked
15 and equipped as provided in subdivisions twenty and twenty-one-c of
16 section three hundred seventy-five of this chapter imposed pursuant to a
17 local law or ordinance imposing monetary liability on the owner of a
18 vehicle for failure of an operator thereof to comply with school bus red
19 visual signals through the installation and operation of school bus
20 photo violation monitoring systems, in accordance with article twenty-
21 nine of this chapter; or (vi) the registrant was liable for a violation
22 of section three hundred eighty-five of this chapter and the rules of
23 the applicable covered agency or covered authority as such terms are
24 defined in article ten of this chapter in relation to gross vehicle
25 weight and/or axle weight violations imposed pursuant to a weigh in
26 motion demonstration program imposing monetary liability on the owner of
27 a vehicle for failure of an operator thereof to comply with such gross
28 vehicle weight and/or axle weight restrictions through the installation
29 and operation of weigh in motion violation monitoring systems, in
30 accordance with article ten of this chapter; or (vii) the registrant was
31 liable for a violation of subdivision (b), (d), (f) or (g) of section
32 eleven hundred eighty of this chapter imposed pursuant to a demon-
33 stration program imposing monetary liability on the owner of a vehicle
34 for failure of an operator thereof to comply with such posted maximum
35 speed limits within a highway construction or maintenance work area
36 through the installation and operation of photo speed violation monitor-
37 ing systems, in accordance with article thirty of this chapter, or
38 (viii) the registrant was liable for a violation of bus operation-relat-
39 ed traffic regulations as defined by article twenty-four of this chapter
40 imposed pursuant to a demonstration program imposing monetary liability
41 on the owner of a vehicle for failure of an operator thereof to comply
42 with such bus operation-related traffic regulations through the instal-
43 lation and operation of bus operation-related photo devices, in accord-
44 ance with article twenty-four of this chapter, the commissioner or their
45 agent shall deny the registration or renewal application until the
46 applicant provides proof from the court, traffic and parking violations
47 agency, traffic camera violations bureau or administrative tribunal
48 wherein the charges are pending that an appearance or answer has been
49 made or in the case of an administrative tribunal that such applicant
50 has complied with the rules and regulations of said tribunal following
51 entry of a final decision. Where an application is denied pursuant to
52 this section, the commissioner may, in their discretion, deny a regis-
53 tration or renewal application to any other person for the same vehicle
54 and may deny a registration or renewal application for any other motor
55 vehicle registered in the name of the applicant where the commissioner
56 has determined that such registrant's intent has been to evade the



1 purposes of this subdivision and where the commissioner has reasonable
2 grounds to believe that such registration or renewal will have the
3 effect of defeating the purposes of this subdivision. Such denial shall
4 only remain in effect as long as the summonses remain unanswered, or in
5 the case of an administrative tribunal, the registrant fails to comply
6 with the rules and regulations following entry of a final decision.

7 § 10. Subdivisions (e), (h), (i), paragraph 1 of subdivision (j), and
8 paragraphs 8 and 9 of subdivision (m) of section 1174-a of the vehicle
9 and traffic law, as added by chapter 145 of the laws of 2019, are
10 amended to read as follows:

11 (e) An owner liable for a violation of subdivision (a) of section
12 eleven hundred seventy-four of this article pursuant to a local law or
13 ordinance adopted pursuant to this section shall be liable for monetary
14 penalties in accordance with a schedule of fines and penalties to be set
15 forth in such local law or ordinance, except that if a city by local law
16 has authorized the adjudication of such owner liability by a parking
17 violations bureau, such schedule shall be promulgated by such parking
18 violations bureau and except if a county, city, village, or town has
19 authorized the adjudication of such owner liability by a traffic camera
20 violations bureau, such schedule shall be promulgated by such traffic
21 camera violations bureau. The liability of the owner pursuant to this
22 section shall be two hundred fifty dollars for a first violation, two
23 hundred seventy-five dollars for a second violation both of which were
24 committed within a period of eighteen months, and three hundred dollars
25 for a third or subsequent violation all of which were committed within a
26 period of eighteen months; provided, however, that such local law or
27 ordinance may provide for an additional penalty not in excess of twen-
28 ty-five dollars for each violation for the failure to respond to a
29 notice of liability within the prescribed time period.

30 (h) Adjudication of the liability imposed upon owners by this section
31 shall be by a traffic violations bureau established pursuant to section
32 three hundred seventy of the general municipal law where the violation
33 occurred or, if there be none, by the court having jurisdiction over
34 traffic infractions where the violation occurred, except that if a city
35 has established an administrative tribunal to hear and determine
36 complaints of traffic infractions constituting parking, standing or
37 stopping violations such city may, by local law, authorize such adjudi-
38 cation by such tribunal, and except that if a county, city, village, or
39 town has established a traffic camera violations bureau to hear and
40 determine the liability imposed upon owners by this section, adjudi-
41 cation of such liability shall be by such traffic camera violations
42 bureau.

43 (i) If an owner receives a notice of liability pursuant to this
44 section for any time period during which the vehicle was reported to the
45 police as having been stolen, it shall be a valid defense to an allega-
46 tion of liability for a violation of subdivision (a) of section eleven
47 hundred seventy-four of this article pursuant to this section that the
48 vehicle had been reported to the police as stolen prior to the time the
49 violation occurred and had not been recovered by such time. For purposes
50 of asserting the defense provided by this subdivision it shall be suffi-
51 cient that a certified copy of the police report on the stolen vehicle
52 be sent by first class mail to the traffic violations bureau, court
53 having jurisdiction [or], parking violations bureau, or traffic camera
54 violations bureau.

55 1. In such county, city, town or village where the adjudication of
56 liability imposed upon owners pursuant to this section is by a traffic

1 violations bureau [or], a court having jurisdiction, or a traffic camera
2 violations bureau an owner who is a lessor of a vehicle to which a
3 notice of liability was issued pursuant to subdivision (g) of this
4 section shall not be liable for the violation of subdivision (a) of
5 section eleven hundred seventy-four of this article, provided that [he
6 or she] such lessor sends to the traffic violations bureau [or], court
7 having jurisdiction or traffic camera violations bureau a copy of the
8 rental, lease or other such contract document covering such vehicle on
9 the date of the violation, with the name and address of the lessee
10 clearly legible, within thirty-seven days after receiving notice from
11 the bureau [or], court or traffic camera violations bureau of the date
12 and time of such violation, together with the other information
13 contained in the original notice of liability. Failure to send such
14 information within such thirty-seven day time period shall render the
15 owner liable for the penalty prescribed by this section. Where the
16 lessor complies with the provisions of this paragraph, the lessee of
17 such vehicle on the date of such violation shall be deemed to be the
18 owner of such vehicle for purposes of this section, shall be subject to
19 liability for the violation of subdivision (a) of section eleven hundred
20 seventy-four of this article pursuant to this section and shall be sent
21 a notice of liability pursuant to subdivision (g) of this section.

22 8. the total amount of revenue realized by such county, city, town or
23 village from such adjudications;

24 9. the expenses incurred by such county, city, town or village in
25 connection with the program;

26 § 11. Subdivision 10 of section 1803 of the vehicle and traffic law,
27 as added by chapter 145 of the laws of 2019, is amended to read as
28 follows:

29 10. Except where adjudicated by a traffic camera violations bureau or
30 as otherwise provided in paragraph e of subdivision one of this section,
31 where a county has established a demonstration program imposing monetary
32 liability on the owner of a vehicle for failure of an operator thereof
33 to comply with section eleven hundred seventy-four of this chapter in
34 accordance with section eleven hundred seventy-four-a of this chapter,
35 any fine or penalty collected by a court, judge, magistrate or other
36 officer for an imposition of liability which occurs within such county
37 pursuant to such program shall be paid to the state comptroller within
38 the first ten days of the month following collection. Every such
39 payment shall be accompanied by a statement in such form and detail as
40 the comptroller shall provide. The comptroller shall pay ninety percent
41 of any such fine or penalty imposed for such liability to the county in
42 which the violation giving rise to the liability occurred, and ten
43 percent of any such fine or penalty to the city, town or village in
44 which the violation giving rise to the liability occurred.

45 § 12. Pending actions and proceedings. (a) No proceeding involving a
46 notice of liability imposing monetary liability on the owner of a vehi-
47 cle for failure of an operator thereof to comply with section 1174 of
48 the vehicle and traffic law in accordance with a local law or ordinance
49 imposing monetary liability on the owner of a vehicle for failure of an
50 operator thereof to comply with school bus red visual signals through
51 the installation and operation of school bus photo violation monitoring
52 systems, in accordance with article 29 of the vehicle and traffic law,
53 pending at such time when an existing traffic camera violations bureau
54 shall cease to exist shall be affected or abated by the cessation of the
55 existence of any such traffic camera violations bureau. All such
56 proceedings shall, at the time of such cessation of existence, be trans-

1 referred to the traffic violations bureau, parking violations bureau, or
2 court of appropriate jurisdiction in the county, city, village, or town
3 where such violation giving rise to the imposition of monetary liability
4 allegedly occurred.

5 (b) (i) The agency, department, office, or person charged with the
6 custody of the records of an existing traffic camera violations bureau
7 which is about to cease existing under, or in connection with: (A) the
8 repeal of the aforementioned local law or ordinance imposing monetary
9 liability on the owner of a vehicle; or (B) the withdrawal from, or
10 termination of, an agreement for the installation, maintenance and use
11 of school bus photo violation monitoring systems within such county,
12 city, town or village by the county, city, village, town, or district as
13 authorized pursuant to section 22 of chapter 145 of the laws of 2019,
14 shall arrange for the transfer of the records of pending proceedings to
15 the traffic violations bureau, parking violations bureau, or court of
16 appropriate jurisdiction to which the proceedings shall be transferred.
17 The presiding judge of such court or the presiding officer of such traf-
18 fic violations bureau or parking violations bureau shall enter an order
19 providing for adequate notice consistent with due process of law to
20 respondents in such pending proceedings regarding the transfer of such
21 proceedings.

22 (ii) In no event shall any difficulty or delay resulting from the
23 transfer process not caused by the respondent increase the penalty
24 required of the respondent appearing before the traffic violations
25 bureau, parking violations bureau, or court due to a transfer of the
26 notice of liability proceeding or otherwise prejudice such respondent.
27 Respondents before the traffic violations bureau, parking violations
28 bureau, or court due to a transfer of the notice of liability proceeding
29 from a traffic camera violations bureau to the traffic violations
30 bureau, parking violations bureau, or court that fail to appear shall be
31 permitted at least one adjournment before the penalties and procedures
32 pursuant to section 1174-a and subdivision 5-a of section 401 of the
33 vehicle and traffic law shall be available. The presiding judge of such
34 court or the presiding officer of such traffic violations bureau or
35 parking violations bureau shall enter an order providing for adequate
36 notice consistent with due process of law to respondents, including
37 notice of the penalties and procedures available pursuant to section
38 1174-a of the vehicle and traffic law and, if applicable, subdivision
39 5-a of section 401 of such law.

40 § 13. This act shall take effect immediately; provided that the amend-
41 ments to subdivisions (e), (h), (i), paragraph 1 of subdivision (j), and
42 paragraphs 8 and 9 of subdivision (m) of section 1174-a of the vehicle
43 and traffic law made by section ten of this act shall not affect the
44 expiration and repeal of such section and shall be deemed repealed ther-
45 ewith; and provided, further, that the amendments to subdivision 10 of
46 section 1803 of the vehicle and traffic law made by section eleven of
47 this act shall not affect the expiration and repeal of such subdivision
48 and shall be deemed repealed therewith.

49

PART VV

50 Section 1. Subdivisions 2, 8 and 13 of section 75-0101 of the environ-
51 mental conservation law, as added by chapter 106 of the laws of 2019,
52 are amended to read as follows:

53 2. "Carbon dioxide equivalent" means the amount of carbon dioxide by
54 mass that would produce the same global warming impact as a given mass



1 of another greenhouse gas over an integrated [twenty-year] one hundred-
2 year time frame after emission.

3 8. "Greenhouse gas emission limit" means the maximum allowable level
4 of statewide greenhouse gas emissions, excluding emissions identified
5 under paragraph f of subdivision two of section 75-0105 of this article,
6 in a specified year, expressed in tons of carbon dioxide equivalent, as
7 determined by the department pursuant to this article.

8 13. "Statewide greenhouse gas emissions" means the total annual emis-
9 sions of greenhouse gases produced within the state from anthropogenic
10 sources and greenhouse gases produced outside of the state that are
11 associated with the generation of electricity imported into the state
12 [and the extraction and transmission of fossil fuels imported into the
13 state]. Statewide emissions shall be expressed in tons of carbon dioxide
14 equivalents.

15 § 2. Subdivision 15 of section 75-0103 of the environmental conserva-
16 tion law, as added by chapter 106 of the laws of 2019, is amended to
17 read as follows:

18 15. The council shall update its plan [for] toward achieving the
19 statewide greenhouse gas emissions limits [at least once every five
20 years] and shall make such updates available to the governor, the speak-
21 er of the assembly and the temporary president of the senate and post
22 such updates on its website. The first update shall occur in two thou-
23 sand twenty-eight with subsequent updates due every six years thereaft-
24 er.

25 § 3. Paragraphs d and e of subdivision 2 of section 75-0105 of the
26 environmental conservation law, as added by chapter 106 of the laws of
27 2019, are amended and a new paragraph f is added to read as follows:

28 d. information relating to emissions associated with manufacturing,
29 chemical production, cement plants, and other processes that produce
30 non-combustion emissions; [and]

31 e. information from sources that may be required to participate in the
32 registration and reporting system pursuant to subdivision four of this
33 section[.]; and

34 f. carbon dioxide emissions from biogenic sources shall be reported
35 separately, consistent with treatment of biogenic carbon dioxide emis-
36 sions under the methodologies of the Intergovernmental Panel on Climate
37 Change.

38 § 4. Subdivisions 1 and 3 of section 75-0109 of the environmental
39 conservation law, as added by chapter 106 of the laws of 2019, are
40 amended to read as follows:

41 1. No later than [four years after the effective date of this article]
42 December thirty-first, two thousand twenty-eight, the department, after
43 public workshops and consultation with the council, the environmental
44 justice advisory group, and the climate justice working group estab-
45 lished pursuant to section 75-0111 of this article, representatives of
46 regulated entities, community organizations, environmental groups,
47 health professionals, labor unions, municipal corporations, trade asso-
48 ciations and other stakeholders, shall, after no less than two public
49 hearings, promulgate, in accordance with subdivision three of this
50 section, rules and regulations designed to: (i) achieve, to the maximum
51 extent feasible and cost effective, a sixty percent reduction in state-
52 wide greenhouse gas emissions from 1990 emissions by two thousand forty;
53 and (ii) to ensure compliance with the statewide emissions reduction
54 [limits] limit established in paragraph b of subdivision one of section
55 75-0107 of this article, and work with other state agencies and authori-
56 ties to promulgate regulations required by section eight of [the] chap-

1 ter one hundred six of the laws of two thousand nineteen [that added
2 this article].

3 3. In promulgating these regulations, the department shall:

4 a. Design and implement all regulations in a manner that seeks to be
5 equitable, to minimize costs and to maximize the total benefits to New
6 York, and encourages early action to reduce greenhouse gas emissions[.];

7 b. Ensure that greenhouse gas emissions reductions achieved are real,
8 permanent, quantifiable, verifiable, and enforceable by the depart-
9 ment[.];

10 c. Ensure that activities undertaken to comply with the regulations do
11 not result in a net increase in co-pollutant emissions or otherwise
12 disproportionately burden disadvantaged communities as identified pursu-
13 ant to section 75-0111 of this article[.];

14 d. Prioritize measures to maximize net reductions of greenhouse gas
15 emissions and co-pollutants in disadvantaged communities as identified
16 pursuant to section 75-0111 of this article and encourage early action
17 to reduce greenhouse gas emissions and co-pollutants[.];

18 e. Incorporate measures to minimize leakage[.]; and

19 f. Consider the following, in the course of developing a regulatory
20 program or programs as required by this section:

21 i. the feasibility and adoption of: programs that utilize regulatory
22 mechanisms, including a market-based economy-wide cap-and-invest program
23 that could be linked to other jurisdictions and provide market certain-
24 ty; clean energy supply standards; and other regulations;

25 ii. the affordability of the programs identified in subparagraph i of
26 this paragraph for state residents, businesses and other entities,
27 including how the pace and sequencing of the emissions reduction strate-
28 gies affect total costs over time, and through assessing energy cost
29 impacts across customer classes and uses, as well as the utilization of
30 effective cost containment measures as needed;

31 iii. the importance of fostering the state's economic growth and
32 competitiveness, including the creation and maintenance of well-paying
33 and family-sustaining jobs;

34 iv. the economy-wide emissions reduction strategies that result in
35 improved public health, increased quality of life, and a cleaner envi-
36 ronment for all New Yorkers, and that any new revenue equitably supports
37 these outcomes;

38 v. the ability to maximize available funding and other resources to
39 support emissions reductions; and

40 vi. the development and commercialization of low and zero emission
41 technologies to achieve the goals of programs identified in subparagraph
42 i of this paragraph.

43 § 5. Section 75-0117 of the environmental conservation law, as added
44 by chapter 106 of the laws of 2019, is amended to read as follows:

45 § 75-0117. Investment of funds.

46 State agencies, authorities and entities, in consultation with the
47 environmental justice working group and the climate action council,
48 shall, to the extent practicable, invest or direct available and rele-
49 vant programmatic resources in a manner designed to achieve a goal for
50 disadvantaged communities to receive [forty] forty-five percent of over-
51 all benefits of spending on clean energy and energy efficiency programs,
52 projects or investments in the areas of housing, workforce development,
53 pollution reduction, low income energy assistance, energy, transporta-
54 tion and economic development, provided however, that disadvantaged
55 communities shall receive no less than [thirty-five] forty percent of
56 the overall benefits of spending on clean energy and energy efficiency

1 programs, projects or investments and provided further that this section
2 shall not alter funds already contracted or committed as of the effec-
3 tive date of this section.

4 § 6. Subdivision 1 of section 75-0119 of the environmental conserva-
5 tion law, as added by chapter 106 of the laws of 2019, is amended to
6 read as follows:

7 1. The department in consultation with the council shall, not less
8 than every four years after the promulgation of regulations pursuant to
9 section 75-0109 of this article, publish a report which shall include
10 recommendations regarding the implementation of greenhouse gas reduction
11 measures.

12 § 7. This act shall take effect immediately.

13

PART WW

14 Section 1. Sections 3, 4, 5, 6, 7, 8 and 9 of chapter 18 of the laws
15 of 2020 authorizing the commissioner of education to appoint a monitor
16 to oversee the Wyandanch union free school district and establishing the
17 powers and duties of such monitor, are amended to read as follows:

18 § 3. Appointment of [a] monitor team. [The commissioner shall appoint
19 one monitor to provide] In accordance with the powers and duties of the
20 board of regents and the commissioner pursuant to subdivision 2 of
21 section 305 of the education law, section 308 of the education law, and
22 section 215 of the education law, up to two monitors shall be appointed
23 by and serve at the pleasure of the commissioner to carry out the
24 provisions of this act including but not limited to providing oversight,
25 guidance and technical assistance related to the educational and fiscal
26 policies, practices, programs and decisions of the school district, the
27 board of education and the superintendent.

28 1. The monitor or monitors, to the extent practicable, shall have
29 experience in [school district finances and] one or more of the follow-
30 ing areas:

31 (a) school district finances;

32 (b) elementary and secondary education;

33 [(b)] (c) the operation of school districts in New York;

34 [(c)] (d) educating students with disabilities; and

35 [(d)] (e) educating English language learners.

36 2. The monitor or monitors shall be a non-voting ex-officio member or
37 members of the board of education. The monitor or monitors shall be [an
38 individual] individuals who [is] are not [a resident, employee] resi-
39 dents, employees of the school district or [relative] relatives of a
40 board member of the school district at the time of [his or her] their
41 appointment.

42 3. The reasonable and necessary expenses incurred by the monitor or
43 monitors while performing [his or her] their official duties shall be
44 paid by the school district. Notwithstanding any other provision of law,
45 the monitor or monitors shall be entitled to defense and indemnification
46 by the school district to the same extent as a school district employee.

47 § 4. Meetings. 1. The monitor or monitors shall be entitled to attend
48 all meetings of the board, including executive sessions; provided howev-
49 er, such monitor or monitors shall not be considered for purposes of
50 establishing a quorum of the board. The school district shall fully
51 cooperate with [the] any monitor or monitors including, but not limited
52 to, providing such monitor or monitors with access to any necessary
53 documents and records of the district including access to electronic
54 information systems, databases and planning documents, consistent with

1 all applicable state and federal statutes including, but not limited to,
2 Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232g) and
3 section 2-d of the education law.

4 2. The board, in consultation with the monitor or monitors, shall
5 adopt a conflict of interest policy that complies with all existing
6 applicable laws, rules and regulations that ensures its board members
7 and administration act in the school district's best interest and comply
8 with applicable legal requirements. The conflict of interest policy
9 shall include, but not be limited to:

10 (a) a definition of the circumstances that constitute a conflict of
11 interest;

12 (b) procedures for disclosing a conflict of interest to the board;

13 (c) a requirement that the person with the conflict of interest not be
14 present at or participate in board deliberations or votes on the matter
15 giving rise to such conflict, provided that nothing in this subdivision
16 shall prohibit the board from requesting that the person with the
17 conflict of interest present information as background or answer ques-
18 tions at a board meeting prior to the commencement of deliberations or
19 voting relating thereto;

20 (d) a prohibition against any attempt by the person with the conflict
21 to influence improperly the deliberation or voting on the matter giving
22 rise to such conflict; and

23 (e) a requirement that the existence and resolution of the conflict be
24 documented in the board's records, including in the minutes of any meet-
25 ing at which the conflict was discussed or voted upon.

26 § 5. Public hearings. 1. The monitor or monitors shall schedule [two]
27 three public hearings to be held within sixty days of [his or her] their
28 appointment, which shall allow public comment from the district's resi-
29 dents, students, employees, parents, board members and administration.

30 (a) The first hearing shall take public comment on existing statutory
31 and regulatory authority of the commissioner, the department and the
32 board of regents regarding school district governance and intervention
33 under applicable state law and regulations, including but not limited
34 to, section 306 of the education law.

35 (b) The second hearing shall take public comment on the fiscal
36 performance of the district.

37 (c) The third hearing shall take public comment on the academic
38 performance of the district.

39 2. The board of education and the monitor or monitors shall consider
40 these public comments when developing the [financial] long-term strate-
41 gic academic and fiscal improvement plan under this act.

42 § 6. [Financial] Long-term strategic academic and fiscal improvement
43 plan. 1. No later than November first, two thousand [twenty] twenty-six,
44 the board of education [and] working in collaboration with the monitor
45 or monitors shall develop a [proposed financial] long-term strategic
46 academic and fiscal improvement plan for the two thousand [twenty-two
47 thousand twenty-one] twenty-six--twenty-seven and the next four succeed-
48 ing school [year and the four subsequent school] years. [The financial]
49 Such plan, including such annual revisions thereto, shall [ensure that
50 annual aggregate operating expenses shall not exceed annual aggregate
51 operating revenues for such school year and that the major operating
52 funds of the district be balanced in accordance with generally accepted
53 accounting principles. The financial plan shall include statements of
54 all estimated revenues, expenditures, and cash flow projections of the
55 district] be submitted to the commissioner for approval and shall
56 include a set of goals with appropriate benchmarks and measurable objec-



1 tives and identify strategies to address areas where improvements are
2 needed in the district, including but not limited to its financial
3 stability, academic opportunities and outcomes, education of students
4 with disabilities, education of English language learners, the educa-
5 tional, social and emotional welfare of public school students and shall
6 ensure compliance with all applicable state and federal laws and regu-
7 lations.

8 2. If the board of education and the monitor or monitors agree on all
9 the elements of the proposed [financial] long-term strategic academic
10 and fiscal improvement plan, the board of education shall conduct a
11 public hearing on the plan and consider the input of the community. The
12 proposed [financial] long-term strategic academic and fiscal improvement
13 plan shall be made public on the district's website at least three busi-
14 ness days before such public hearing. Once the proposed [financial]
15 long-term strategic academic and fiscal improvement plan has been
16 approved by the board of education, such plan shall be submitted by the
17 monitor or monitors to the commissioner for approval and shall be deemed
18 approved for the purposes of this act.

19 3. If the board of education and the monitor or monitors do not agree
20 on all the elements of the proposed [financial] long-term strategic
21 academic and fiscal improvement plan, the board of education shall
22 conduct a public hearing on the proposed plan that details the elements
23 of disagreement between the monitor or monitors and the board, including
24 documented justification for such disagreements and any requested amend-
25 ments from the monitor or monitors. The proposed [financial] long-term
26 strategic academic and fiscal improvement plan, elements of disagree-
27 ment, and requested amendments shall be made public on the district's
28 website at least three business days before such public hearing. After
29 considering the input of the community, the board may alter the proposed
30 [financial] long-term strategic academic and fiscal improvement plan and
31 the monitor or monitors may alter [his or her] their requested amend-
32 ments, and the monitor or monitors shall submit the proposed [financial]
33 long-term strategic academic and fiscal improvement plan, [his or her]
34 their amendments to the plan, and documentation providing justification
35 for such disagreements and amendments to the commissioner no later than
36 December first, two thousand [twenty] twenty-six. By January fifteenth,
37 two thousand [twenty-one] twenty-seven, the commissioner shall approve
38 the proposed plan with any of the monitor's or monitors' proposed amend-
39 ments, or make other modifications, [he or she] such commissioner deems
40 appropriate. The board of education shall provide the commissioner with
41 any information [he or she] such commissioner requests to approve such
42 plan within three business days of such request. Upon the approval of
43 the commissioner, the [financial] long-term strategic academic and
44 fiscal improvement plan shall be deemed approved for purposes of this
45 act.

46 § 7. Fiscal and operational oversight. 1. The board of education shall
47 annually submit the school district's proposed budget for the next
48 succeeding school year to the monitor or monitors no later than March
49 first prior to the school district's annual budget vote. The monitor or
50 monitors shall review the proposed budget to ensure that it, to the
51 greatest extent possible, is [balanced within the context of revenue and
52 expenditure estimates and mandated programs. The monitor shall also
53 review the proposed budget to ensure that it, to the greatest extent
54 possible, is consistent with the district financial plan developed and
55 approved pursuant to this act] consistent with the long-term strategic
56 academic and fiscal improvement plan developed and adopted pursuant to

1 this act. The monitor or monitors shall also review the proposed budget
2 to ensure that it is balanced within the context of revenue and expendi-
3 ture estimates and mandated programs. The monitor or monitors shall
4 present [his or her] their findings to the board of education and the
5 commissioner no later than forty-five days prior to the date scheduled
6 for the school district's annual budget vote. The commissioner shall
7 require the board of education to make amendments to the proposed budget
8 consistent with any recommendations made by the monitor or monitors if
9 the commissioner determines such amendments are necessary to comply with
10 the [financial] long-term strategic academic and fiscal improvement plan
11 under this act. The school district shall make available on the
12 district's website: the initial proposed budget, the monitor's or moni-
13 tors' findings, and the final proposed budget at least seven days prior
14 to the date of the school district's budget hearing. In the event of a
15 revote, the board of education, in conjunction with the monitor or moni-
16 tors, shall develop and submit the school district's proposed budget for
17 the next succeeding school year to the commissioner no later than seven
18 days prior to the budget hearing. The board of education shall provide
19 the commissioner with any information [he or she] such commissioner
20 requests in order to make a determination pursuant to this subdivision
21 within three business days of such request.

22 2. The district shall provide quarterly reports to the monitor or
23 monitors and annual reports to the commissioner and board of regents on
24 the academic, fiscal and operational status of the school district. In
25 addition, the monitor or monitors shall provide semi-annual reports to
26 the commissioner, board of regents, the governor, the temporary presi-
27 dent of the senate, and the speaker of the assembly on the academic,
28 fiscal and operational status of the school district. Such semi-annual
29 report shall include all the contracts that the district entered into
30 throughout the year.

31 3. The monitor or monitors shall have the authority to disapprove
32 travel outside the state paid for by the district.

33 4. The monitor or monitors shall work with the district's shared deci-
34 sion-making committee as defined in 8 NYCRR Part 100.11 in developing
35 and revising the [financial] long-term strategic academic and fiscal
36 improvement plan, district goals, implementation of district priorities
37 and budgetary recommendations.

38 5. The monitor or monitors shall assist in resolving any disputes and
39 conflicts, including but not limited to, those between the superinten-
40 dent and the board of education and among the members of the board of
41 education.

42 6. The monitor or monitors may recommend, and the board shall consider
43 by vote of a resolution at the next scheduled meeting of the board, cost
44 saving measures including, but not limited to, shared service agree-
45 ments.

46 § 8. The commissioner may overrule any decision of the monitor or
47 monitors, except for decisions related to collective bargaining agree-
48 ments negotiated in accordance with article 14 of the civil service law,
49 if [he or she] such commissioner deems that it is not aligned with the
50 [financial] long-term strategic academic and fiscal improvement plan or
51 the school district's budget.

52 § 9. The monitor or monitors may notify the board and the commissioner
53 in writing when [he or she deems] they deem the district is violating an
54 element of the [financial] long-term strategic academic and fiscal
55 improvement plan in this act. Within twenty days, the commissioner shall
56 determine whether the district is in violation of any of the elements of

1 the plan highlighted by the monitor or monitors and shall order the
2 district to comply immediately with the plan and remedy any such
3 violation. The school district shall suspend all actions related to the
4 potential violation of the [financial] long-term strategic academic and
5 fiscal improvement plan until the commissioner issues a determination.

6 § 2. This act shall take effect immediately; provided, however, that
7 the amendments to sections 3, 4, 5, 6, 7, 8 and 9 of chapter 18 of the
8 laws of 2020 made by section one of this act shall not affect the repeal
9 of such sections and shall be deemed repealed therewith.

10

PART XX

11 Section 1. Subdivisions a-1 and t of section 603 of the retirement and
12 social security law, subdivision a-1 as added and subdivision t as
13 amended by chapter 18 of the laws of 2012, are amended to read as
14 follows:

15 a-1. For members who first become a member of a public retirement
16 system of the state on or after April first, two thousand twelve, the
17 service retirement benefit specified in section six hundred four of this
18 article shall be payable to members who have met the minimum service
19 requirements upon retirement and have attained age sixty-three,
20 provided, however, that members of the New York state teachers' retire-
21 ment system or the New York city teachers' retirement system who first
22 became members of such system on or after April first, two thousand
23 twelve may retire without reduction of their retirement benefit upon
24 attainment of at least fifty-eight years of age and completion of thirty
25 or more years of service.

26 t. Members who join the New York state teachers' retirement system on
27 or after January first, two thousand ten, shall be eligible to retire
28 without reduction of [his or her] their retirement benefit upon attain-
29 ment of at least fifty-seven years of age and completion of thirty or
30 more years of service. Members who retire pursuant to the provisions of
31 this subdivision shall be required to make the member contributions
32 required by subdivision g of section six hundred thirteen of this arti-
33 cle for all years of credited and creditable service. The provisions of
34 this subdivision shall not apply to members who first become a member of
35 the New York state teachers' retirement system on or after April first,
36 two thousand twelve, provided, however, that members of the New York
37 state teachers' retirement system or the New York city teachers' retire-
38 ment system who first became members of such system on or after April
39 first, two thousand twelve may retire without reduction of their retire-
40 ment benefit upon attainment of at least fifty-eight years of age and
41 completion of thirty or more years of service.

42 § 2. Subdivisions a and b-1 of section 604 of the retirement and
43 social security law, subdivision a as amended and subdivision b-1 as
44 added by chapter 18 of the laws of 2012, are amended to read as follows:

45 a. The service retirement benefit at normal retirement age for a
46 member with less than twenty years of credited service, or less than
47 twenty-five years credited service for a member who joins the New York
48 state teachers' retirement system on or after January first, two thou-
49 sand ten, shall be a retirement allowance equal to one-sixtieth of final
50 average salary times years of credited service. Normal retirement age
51 for members who first become members of a public retirement system of
52 the state on or after April first, two thousand twelve shall be age
53 sixty-three, provided, however, that members of the New York state
54 teachers' retirement system or the New York city teachers' retirement

1 system who first became members of such system on or after April first,
 2 two thousand twelve may retire without reduction of their retirement
 3 benefit upon attainment of at least fifty-eight years of age and
 4 completion of thirty or more years of service.

5 b-1. Notwithstanding any other provision of law to the contrary, the
 6 service retirement benefit for members with twenty or more years of
 7 credit service who first become a member of a public retirement system
 8 of the state on or after April first, two thousand twelve at age sixty-
 9 three or for members of the New York state teachers' retirement system
 10 or the New York city teachers' retirement system who first became
 11 members of such system on or after April first, two thousand twelve upon
 12 attainment of at least fifty-eight years of age and completion of thirty
 13 or more years of service, shall be a pension equal to the sum of thir-
 14 ty-five per centum and one-fiftieth of final average salary for each
 15 year of service in excess of twenty times final average salary times
 16 years of credited service. In no event shall any retirement benefit
 17 payable without optional modification be less than the actuarially
 18 equivalent annuitized value of the member's contributions accumulated
 19 with interest at five percent per annum compounded annually to the date
 20 of retirement.

21 § 3. Subdivision a of section 517 of the retirement and social securi-
 22 ty law, as amended by chapter 18 of the laws of 2012 and the second
 23 undesignated paragraph as amended by section 1 of part KK of chapter 55
 24 of the laws of 2024, is amended to read as follows:

25 a. Members shall contribute three percent of annual wages to the
 26 retirement system in which they have membership, provided that such
 27 contributions shall not be required for more than thirty years, for
 28 general members, or twenty-five years, for police/fire members, except
 29 that beginning April first, two thousand thirteen for members who first
 30 become members of the New York state and local employees' retirement
 31 system on or after April first, two thousand twelve, the rate at which
 32 each such member shall contribute in any current plan year (April first
 33 to March thirty-first) shall be determined by reference to the wages of
 34 such member in the second plan year (April first to March thirty-first)
 35 preceding such current plan year as follows:

36 1. members with wages of forty-five thousand dollars per annum or less
 37 shall contribute three per centum of annual wages;

38 2. members with wages greater than forty-five thousand dollars per
 39 annum, but not more than fifty-five thousand dollars per annum shall
 40 contribute three and one-half per centum of annual wages;

41 3. members with wages greater than fifty-five thousand dollars per
 42 annum, but not more than seventy-five thousand dollars per annum shall
 43 contribute four and one-half per centum of annual wages;

44 4. members with wages greater than seventy-five thousand dollars per
 45 annum but not more than one hundred thousand dollars per annum shall
 46 contribute five and three-quarters per centum of annual wages; and

47 5. members with wages greater than one hundred thousand dollars per
 48 annum shall contribute six per centum of annual wages.

49 Notwithstanding the foregoing, during each of the first three plan
 50 years (April first to March thirty-first) in which such member has
 51 established membership in the New York state and local employees'
 52 retirement system, such member shall contribute a percentage of annual
 53 wages in accordance with the preceding schedule based upon a projection
 54 of annual wages provided by the employer.

55 Notwithstanding the foregoing, when determining the rate at which each
 56 such member who became a member of the New York state and local employ-

1 ees' retirement system on or after April first, two thousand twelve
2 shall contribute for any plan year (April first to March thirty-first)
3 between April first, two thousand twenty-two and April first, two thou-
4 sand [twenty-six] twenty-eight, such rate shall be determined by refer-
5 ence to employees annual base wages of such member in the second plan
6 year (April first to March thirty-first) preceding such current plan
7 year, except that beginning on and after October first, two thousand
8 twenty-six, for members who first became members of the New York state
9 and local employees' retirement system on or after April first, two
10 thousand twelve, the contributions in any current plan year (April first
11 to March thirty-first) shall be determined by reference to the base
12 wages of such member in the second plan year (April first to March thir-
13 ty-first) preceding such current plan year as follows:

14 (i) members with wages of seventy-five thousand dollars per annum or
15 less shall contribute three per centum of annual wages;

16 (ii) members with wages greater than seventy-five thousand dollars per
17 annum but not more than one hundred thousand dollars per annum shall
18 contribute four per centum of annual wages;

19 (iii) members with wages greater than one hundred thousand dollars per
20 annum but not more than one hundred twenty-five thousand dollars per
21 annum shall contribute five and one-quarter per centum of annual wages;
22 and

23 (iv) members with wages greater than one hundred twenty-five thousand
24 dollars per annum shall contribute five and three-quarters per centum of
25 annual wages.

26 Base wages shall include regular pay, shift differential pay, location
27 pay, and any increased hiring rate pay, but from April first, two thou-
28 sand twenty-two through March thirty-first, two thousand twenty-eight
29 shall not include any overtime payments.

30 The head of each retirement system shall promulgate such regulations
31 as may be necessary and appropriate with respect to the deduction of
32 such contribution from members' wages and for the maintenance of any
33 special fund or funds with respect to amounts so contributed.

34 § 4. Subdivision a, the second undesignated paragraph of subdivision
35 f, and the second undesignated paragraph of subdivision g of section 613
36 of the retirement and social security law, subdivision a as amended by
37 chapter 10 of the laws of 2000, paragraphs 1 and 2 of subdivision a as
38 amended by chapter 510 of the laws of 2015, the second undesignated
39 paragraph of paragraph 1 of subdivision a, the second undesignated para-
40 graph of paragraph 2 of subdivision a, the second undesignated paragraph
41 of subdivision f and the second undesignated paragraph of subdivision g
42 as amended by section 2 of part KK of chapter 55 of the laws of 2024,
43 are amended to read as follows:

44 a. 1. Except as provided by paragraph two of this subdivision, members
45 shall contribute three percent of annual wages to the retirement system
46 in which they have membership, except that beginning April first, two
47 thousand thirteen for members who first become members of a public
48 retirement system of the state on or after April first, two thousand
49 twelve, the rate at which each such member shall contribute in any
50 current plan year (April first to March thirty-first, except for members
51 of the New York city employees' retirement system, New York city teach-
52 ers' retirement system and New York city board of education retirement
53 system, plan year shall mean January first through December thirty-first
54 commencing with the January first next succeeding the effective date of
55 the chapter of the laws of two thousand fifteen that amended this para-
56 graph) shall be determined by reference to the wages of such member in

1 the second plan year (April first to March thirty-first, except for
2 members of the New York city employees' retirement system, New York city
3 teachers' retirement system and New York city board of education retire-
4 ment system, plan year shall mean January first through December thir-
5 ty-first commencing with the January first next succeeding the effective
6 date of the chapter of the laws of two thousand fifteen that amended
7 this paragraph) preceding such current plan year as follows:

8 (i) members with wages of forty-five thousand dollars per annum or
9 less shall contribute three per centum of annual wages;

10 (ii) members with wages greater than forty-five thousand dollars per
11 annum, but not more than fifty-five thousand dollars per annum shall
12 contribute three and one-half per centum of annual wages;

13 (iii) members with wages greater than fifty-five thousand dollars per
14 annum, but not more than seventy-five thousand dollars per annum shall
15 contribute four and one-half per centum of annual wages;

16 (iv) members with wages greater than seventy-five thousand dollars per
17 annum but not more than one hundred thousand dollars per annum shall
18 contribute five and three-quarters per centum of annual wages; and

19 (v) members with wages greater than one hundred thousand dollars per
20 annum shall contribute six per centum of annual wages.

21 Notwithstanding the foregoing, during each of the first three plan
22 years (April first to March thirty-first, except for members of New York
23 city employees' retirement system, New York city teachers' retirement
24 system and New York city board of education retirement system, plan year
25 shall mean January first through December thirty-first commencing with
26 the January first next succeeding the effective date of chapter five
27 hundred ten of the laws of two thousand fifteen) in which such member
28 has established membership in a public retirement system of the state,
29 such member shall contribute a percentage of annual wages in accordance
30 with the preceding schedule based upon a projection of annual wages
31 provided by the employer. Notwithstanding the foregoing, when determin-
32 ing the rate at which each such member who became a member of the New
33 York state and local employees' retirement system, New York city employ-
34 ees' retirement system, New York city teachers' retirement system and
35 New York city board of education retirement system, on or after April
36 first, two thousand twelve shall contribute for any plan year (April
37 first to March thirty-first, except for members of the New York city
38 employees' retirement system, New York city teachers' retirement system
39 and New York city board of education retirement system, plan year shall
40 mean January first through December thirty-first commencing with January
41 first next succeeding the effective date of chapter five hundred ten of
42 the laws of two thousand fifteen) between April first, two thousand
43 twenty-two and April first, two thousand [twenty-six] twenty-eight, such
44 rate shall be determined by reference to employees annual base wages of
45 such member in the second plan year (April first to March thirty-first)
46 preceding such current plan year, except that beginning on and after
47 October first, two thousand twenty-six, for members of the New York
48 state and local employees' retirement system, the New York city employ-
49 ees' retirement system other than those enrolled in a plan established
50 pursuant to section six hundred four-c of this article, as originally
51 enacted by chapter four hundred seventy-two of the laws of nineteen
52 hundred ninety-five, and members of the New York city board of education
53 retirement system, who first became members of such systems on or after
54 April first, two thousand twelve, the contributions in any current plan
55 year (April first to March thirty-first, except for members of the New
56 York city employees' retirement system and the New York board of educa-



1 tion retirement system, plan year shall mean January first through
2 December thirty-first) shall be determined by reference to the base
3 wages of such member in the second plan year (April first to March thir-
4 ty-first, except for members of the New York city employees'
5 retirement system and the New York city board of education retirement
6 system, plan year shall mean January first through December thirty-
7 first) preceding such current plan year as follows:

8 (A) members with wages of seventy-five thousand dollars per annum or
9 less shall contribute three per centum of annual wages;

10 (B) members with wages greater than seventy-five thousand dollars per
11 annum but not more than one hundred thousand dollars per annum shall
12 contribute four per centum of annual wages;

13 (C) members with wages greater than one hundred thousand dollars per
14 annum but not more than one hundred twenty-five thousand dollars per
15 annum shall contribute five and one-quarter per centum of annual wages;
16 and

17 (D) members with wages greater than one hundred twenty-five thousand
18 dollars per annum shall contribute five and three-quarters per centum of
19 annual wages.

20 Base wages shall include regular pay, shift differential pay, location
21 pay, and any increased hiring rate pay, but from April first, two thou-
22 sand twenty-two through March thirty-first, two thousand twenty-eight
23 shall not include any overtime payments or compensation earned for
24 extracurricular programs or any other pensionable earnings paid in addi-
25 tion to the annual base wages.

26 The head of each retirement system shall promulgate such regulations
27 as may be necessary and appropriate with respect to the deduction of
28 such contribution from members' wages and for the maintenance of any
29 special fund or funds with respect to amounts so contributed.

30 2. A member of the New York city employees' retirement system who is
31 eligible to be a participant in the twenty-five-year and age fifty-five
32 retirement program, as defined by paragraph five of subdivision a of
33 section six hundred four-b of this article shall contribute two percent
34 of annual wages to such system effective on the starting date of the
35 elimination of additional member contributions, as defined in an
36 election made pursuant to paragraph ten of subdivision e of section six
37 hundred four-b of this article, except that beginning April first, two
38 thousand thirteen for members who first become members of the New York
39 city employees' retirement system on or after April first, two thousand
40 twelve, the rate at which each such member shall contribute in any
41 current plan year (April first to March thirty-first, provided, however,
42 that plan year shall mean January first through December thirty-first
43 commencing with the January first next succeeding the effective date of
44 the chapter of the laws of two thousand fifteen that amended this para-
45 graph) shall be determined by reference to the wages of such member in
46 the second plan year (April first to March thirty-first, provided,
47 however, that plan year shall mean January first through December thir-
48 ty-first commencing with the January first next succeeding the effective
49 date of the chapter of the laws of two thousand fifteen that amended
50 this paragraph) preceding such current plan year as follows:

51 (i) members with wages of forty-five thousand dollars per annum or
52 less shall contribute three per centum of annual wages;

53 (ii) members with wages greater than forty-five thousand dollars per
54 annum, but not more than fifty-five thousand dollars per annum shall
55 contribute three and one-half per centum of annual wages;



1 (iii) members with wages greater than fifty-five thousand dollars per
2 annum, but not more than seventy-five thousand dollars per annum shall
3 contribute four and one-half per centum of annual wages;

4 (iv) members with wages greater than seventy-five thousand dollars per
5 annum but not more than one hundred thousand dollars per annum shall
6 contribute five and three-quarters per centum of annual wages; and

7 (v) members with wages greater than one hundred thousand dollars per
8 annum shall contribute six per centum of annual wages.

9 Notwithstanding the foregoing, during each of the first three plan
10 years (April first to March thirty-first, provided, however, that plan
11 year shall mean January first through December thirty-first commencing
12 with the January first next succeeding the effective date of chapter
13 five hundred ten of the laws of two thousand fifteen) in which such
14 member has established membership in the New York city employees'
15 retirement system, such member shall contribute a percentage of annual
16 wages in accordance with the preceding schedule based upon a projection
17 of annual wages provided by the employer. Notwithstanding the foregoing,
18 when determining the rate at which each such member who became a member
19 of, New York city employees' retirement system, on or after April first,
20 two thousand twelve shall contribute for any plan year (April first to
21 March thirty-first, provided, however, that plan year shall mean January
22 first through December thirty-first commencing with the January first
23 next succeeding the effective date of chapter five hundred ten of the
24 laws of two thousand fifteen) between April first, two thousand twenty-
25 two and April first, two thousand [twenty-six] twenty-eight, such rate
26 shall be determined by reference to employees annual base wages of such
27 member in the second plan year (April first to March thirty-first)
28 preceding such current plan year.

29 Base wages shall include regular pay, shift differential pay, location
30 pay, and any increased hiring rate pay, but shall not include any over-
31 time payments.

32 Notwithstanding the foregoing, during each of the first three plan
33 years (April first to March thirty-first) in which such member has
34 established membership in the New York state and local employees'
35 retirement system, such member shall contribute a percentage of annual
36 wages in accordance with the preceding schedule based upon a projection
37 of annual wages provided by the employer. Notwithstanding the foregoing,
38 when determining the rate at which each such member who became a member
39 of the New York state and local employees' retirement system on or after
40 April first, two thousand twelve shall contribute for any plan year
41 (April first to March thirty-first) between April first, two thousand
42 twenty-two and April first, two thousand [twenty-six] twenty-eight, such
43 rate shall be determined by reference to employees annual base wages of
44 such member in the second plan year (April first to March thirty-first)
45 preceding such current plan year. Base wages shall include regular pay,
46 shift differential pay, location pay, and any increased hiring rate pay,
47 but from April first, two thousand twenty-two through March thirty-
48 first, two thousand twenty-eight shall not include any overtime
49 payments.

50 Notwithstanding the foregoing, during each of the first three plan
51 years (July first to June thirtieth) in which such member has estab-
52 lished membership in the New York state teachers' retirement system,
53 such member shall contribute a percentage of annual wages in accordance
54 with the preceding schedule based upon a projection of annual wages
55 provided by the employer. Notwithstanding the foregoing, when determin-
56 ing the contribution rate at which a member of the New York state teach-



1 ers' retirement system with a date of membership on or after April
2 first, two thousand twelve shall contribute for plan years (July first
3 to June thirtieth) between July first, two thousand twenty-two and July
4 first, two thousand [twenty-six] twenty-eight, such rate shall be deter-
5 mined by reference to the member's annual base wages in the second plan
6 year (July first to June thirtieth) preceding such current plan year.
7 Annual base wages from April first, two thousand twenty-two through
8 March thirty-first, two thousand twenty-eight shall not include compen-
9 sation earned for extracurricular programs or any other pensionable
10 earnings paid in addition to the annual base wages.

11 § 5. Section 1204 of the retirement and social security law, as
12 amended by chapter 18 of the laws of 2012 and the second undesignated
13 paragraph as amended by section 3 of part KK of chapter 55 of the laws
14 of 2024, is amended to read as follows:

15 § 1204. Member contributions. Members who are subject to the
16 provisions of this article shall contribute three percent of annual
17 wages to the retirement system in which they have membership, except
18 that beginning April first, two thousand thirteen for members who first
19 become members of the New York state and local police and fire retire-
20 ment system on or after April first, two thousand twelve, the rate at
21 which each such member shall contribute in any current plan year (April
22 first to March thirty-first) shall be determined by reference to the
23 wages of such member in the second plan year (April first to March thir-
24 ty-first) preceding such current plan year as follows:

25 a. members with wages of forty-five thousand dollars per annum or less
26 shall contribute three per centum of annual wages;

27 b. members with wages greater than forty-five thousand dollars per
28 annum, but not more than fifty-five thousand dollars per annum shall
29 contribute three and one-half per centum of annual wages;

30 c. members with wages greater than fifty-five thousand dollars per
31 annum, but not more than seventy-five thousand dollars per annum shall
32 contribute four and one-half per centum of annual wages;

33 d. members with wages greater than seventy-five thousand dollars per
34 annum but not more than one hundred thousand dollars per annum shall
35 contribute five and three-quarters per centum of annual wages; and

36 e. members with wages greater than one hundred thousand dollars per
37 annum shall contribute six per centum of annual wages.

38 Notwithstanding the foregoing, during each of the first three plan
39 years (April first to March thirty-first) in which such member has
40 established membership in the New York state and local police and fire
41 retirement system, such member shall contribute a percentage of annual
42 wages in accordance with the preceding schedule based upon a projection
43 of annual wages provided by the employer. Notwithstanding the foregoing,
44 when determining the rate at which each such member who became a member
45 of the New York state and local police and fire retirement system on or
46 after April first, two thousand twelve shall contribute for any plan
47 year (April first to March thirty-first) between April first, two thou-
48 sand twenty-two and April first, two thousand [twenty-six] twenty-eight,
49 such rate shall be determined by reference to employees annual base
50 wages of such member in the second plan year (April first to March thir-
51 ty-first) preceding such current plan year, except that beginning on and
52 after October first, two thousand twenty-six, for members who first
53 became members of the New York state and local police and fire retire-
54 ment system on or after April first, two thousand twelve, the contrib-
55 utions in any current plan year (April first to March thirty-first)
56 shall be determined by reference to the base wages of such member in the

1 second plan year (April first to March thirty-first) preceding such
2 current plan year as follows:

3 (i) members with wages of seventy-five thousand dollars per annum or
4 less shall contribute three per centum of annual wages;

5 (ii) members with wages greater than seventy-five thousand dollars per
6 annum but not more than one hundred thousand dollars per annum shall
7 contribute four per centum of annual wages;

8 (iii) members with wages greater than one hundred thousand dollars per
9 annum but not more than one hundred twenty-five thousand dollars per
10 annum shall contribute five and one-quarter per centum of annual wages;
11 and

12 (iv) members with wages greater than one hundred twenty-five thousand
13 dollars per annum shall contribute five and three-quarters per centum of
14 annual wages.

15 Base wages shall include regular pay, shift differential pay, location
16 pay, and any increased hiring rate pay, but from April first, two thou-
17 sand twenty-two through March thirty-first, two thousand twenty-eight
18 shall not include any overtime payments. Effective April first, two
19 thousand twelve, all members subject to the provisions of this article
20 shall not be required to make member contributions on annual wages
21 excluded from the calculation of final average salary pursuant to
22 section twelve hundred three of this article. Nothing in this section,
23 however, shall be construed or deemed to allow members to receive a
24 refund of any member contributions on such wages paid prior to April
25 first, two thousand twelve.

26 Members who are enrolled in a retirement plan that limits the amount
27 of creditable service a member can accrue shall not be required to make
28 contributions pursuant to this section after accruing the maximum amount
29 of service credit allowed by the retirement plan in which they are
30 enrolled. The state comptroller shall promulgate such regulations as may
31 be necessary and appropriate with respect to the deduction of such
32 contribution from members' wages and for the maintenance of any special
33 fund or funds with respect to amounts so contributed. In no way shall
34 the member contributions made pursuant to this section be used to
35 provide for pension increases or annuities of any kind.

36 § 6. Subdivisions 1 and 2 of section 182 of the education law, subdi-
37 vision 1 as amended by chapter 63 of the laws of 1993 and subdivision 2
38 as amended by chapter 18 of the laws of 2012, are amended to read as
39 follows:

40 1. Employer contributions. In the case of any electing employee
41 initially appointed on or before June thirtieth, nineteen hundred nine-
42 ty-two, the state shall, during continuance of [his] their employment,
43 make contributions at the rate of nine percentum of that portion of
44 [his] their state salary upon which contributions are or may hereafter
45 be paid to the secretary of the treasury of the United States pursuant
46 to article three of the retirement and social security law and at the
47 rate of twelve percentum of that portion of [his] their state salary
48 above said amount, out of moneys which shall be appropriated to the
49 department for such purpose. In the case of any electing employee
50 initially appointed on or after July first, nineteen hundred ninety-two,
51 the state shall, during continuance of [his] their employment, make
52 contributions at the rate of eight percentum of [his] their state salary
53 during the first seven years of such employment and at the rate of ten
54 percentum of [his] their state salary, thereafter, out of moneys which
55 shall be appropriated to the department for such purpose. For purposes
56 of this subdivision, that portion of the employee's salary upon which

1 contributions are paid to the secretary of the treasury of the United
2 States pursuant to article three of the retirement and social security
3 law shall not exceed sixteen thousand five hundred dollars, provided
4 however, that effective October first, two thousand twenty-six, in the
5 case of any electing employee initially appointed on or after April
6 first, two thousand twelve, with respect to employees of the state
7 university and the electing employer, with respect to employees of a
8 community college, shall, during continuance of their employment, make
9 contributions at the rate of nine percentum of their salary during the
10 first seven years of such employment and at the rate of eleven percentum
11 of their salary thereafter, out of monies which shall be appropriated to
12 the state university or which shall be available to the electing employ-
13 er for such purpose.

14 2. Employee contributions. In the case of any electing employee,
15 contributions at the rate of three per centum of [his] such electing
16 employee's state salary shall be deducted by the state comptroller as
17 the employee contribution, provided however, that such employee contrib-
18 ution shall be made by the state in accordance with subdivision one of
19 this section during such period as (a) either section seventy-a of the
20 retirement and social security law or section five hundred twenty-eight
21 of this title provides that the contribution of each member of the New
22 York state employees' retirement system or the New York state teachers'
23 retirement system in the employ of the state shall be reduced by at
24 least eight per centum of [his] such member's compensation, or (b)
25 employee contributions to either such system are no longer required by
26 reason of such system becoming noncontributory for state employees.

27 Notwithstanding any other law to the contrary, beginning April first,
28 two thousand thirteen any electing employee appointed on or after April
29 first, two thousand twelve, the rate at which each such employee shall
30 contribute in any current plan year (January first to December thirty-
31 first) shall be determined by reference to the wages of such member in
32 the second plan year (January first to December thirty-first) preceding
33 such current plan year as follows:

34 (a) members with wages of forty-five thousand dollars per annum or
35 less shall contribute three per centum of annual wages;

36 (b) members with wages greater than forty-five thousand dollars per
37 annum, but not more than fifty-five thousand dollars per annum shall
38 contribute three and one-half per centum of annual wages;

39 (c) members with wages greater than fifty-five thousand dollars per
40 annum, but not more than seventy-five thousand dollars per annum shall
41 contribute four and one-half per centum of annual wages;

42 (d) members with wages greater than seventy-five thousand dollars per
43 annum but not more than one hundred thousand dollars per annum shall
44 contribute five and three-quarters per centum of annual wages; and

45 (e) members with wages greater than one hundred thousand dollars per
46 annum shall contribute six per centum of annual wages.

47 Notwithstanding the foregoing, during each of the first three plan
48 years (January first to December thirty-first) in which such member has
49 established membership in the Education Department Optional Retirement
50 Program, such employee shall contribute a percent of annual wages in
51 accordance with the preceding schedule based upon a projection of annual
52 wages provided by the employer, provided, however, that notwithstanding
53 any other law to the contrary, on and after October first, two thousand
54 twenty-six, the rate at which any electing employee who is subject to
55 this paragraph shall contribute in any current plan year (January first
56 to December thirty-first) shall be determined by reference to the

1 wages of such member in the second plan year (January first to December
2 thirty-first) preceding such current plan year as follows:

3 (i) members with wages of seventy-five thousand dollars per annum or
4 less shall contribute three per centum of annual wages;

5 (ii) members with wages greater than seventy-five thousand dollars per
6 annum but not more than one hundred thousand dollars per annum shall
7 contribute four per centum of annual wages;

8 (iii) members with wages greater than one hundred thousand dollars per
9 annum but not more than one hundred twenty-five thousand dollars per
10 annum shall contribute five and one-quarter per centum of annual wages;
11 and

12 (iv) members with wages greater than one hundred twenty-five thousand
13 dollars per annum shall contribute five and three-quarters per centum of
14 annual wages.

15 § 7. Subdivisions 1 and 1-a and paragraph (d) of subdivision 2 of
16 section 392 of the education law, subdivision 1 as amended by chapter 63
17 of the laws of 1993 and subdivision 1-a and paragraph (d) of subdivision
18 2 as added by chapter 18 of the laws of 2012, are amended to read as
19 follows:

20 1. Employer contributions. In the case of any electing employee
21 initially appointed on or before June thirtieth, nineteen hundred nine-
22 ty-two, the state, with respect to employees of state university, and
23 the electing employer, with respect to employees of a community college,
24 shall, during continuance of his employment, make contributions at the
25 rate of nine percentum of that portion of [his] their salary upon which
26 contributions, if any, are or may hereafter be paid to the secretary of
27 the treasury of the United States pursuant to article three of the
28 retirement and social security law and at the rate of twelve percentum
29 of any portion of [his] their salary upon which such contributions are
30 not paid, out of monies which shall be appropriated to state university
31 or which shall be available to the electing employer for such purpose.
32 In the case of any electing employee initially appointed on or after
33 July first, nineteen hundred ninety-two, the state, with respect to
34 employees of the state university and the electing employer, with
35 respect to employees of a community college, shall, during continuance
36 of [his] their employment, make contributions at the rate of eight
37 percentum of [his] their salary during the first seven years of such
38 employment and at the rate of ten percentum of [his] their salary there-
39 after, out of monies which shall be appropriated to the state university
40 or which shall be available to the electing employer for such purpose,
41 provided however, that effective October first, two thousand twenty-six,
42 in the case of any electing employee initially appointed on or after
43 April first, two thousand twelve, with respect to employees of the state
44 university and the electing employer, with respect to employees of a
45 community college, shall, during continuance of their employment, make
46 contributions at the rate of nine percentum of their salary during the
47 first seven years of such employment and at the rate of eleven percentum
48 of their salary thereafter, out of monies which shall be appropriated to
49 the state university or which shall be available to the electing employ-
50 er for such purpose. For purposes of this subdivision, that portion of
51 the employee's salary upon which contributions are or may thereafter be
52 paid to the secretary of the treasury of the United States pursuant to
53 article three of the retirement and social security law shall be deemed
54 not to exceed sixteen thousand five hundred dollars.

55 1-a. Employer contributions. In the case of any electing employee
56 excluded from or not encompassed within a negotiating unit within the

1 meaning of article fourteen of the civil service law initially hired on
2 or after July first, two thousand thirteen, the state and the electing
3 employer shall, during the continuance of [his or her] their employment,
4 make contributions at the rate of eight per centum of [his or her] their
5 salary, provided however, that effective October first, two thousand
6 twenty-six, the state and the electing employer shall, during the
7 continuance of their employment, make contributions at the rate of nine
8 per centum of their salary.

9 (d) Notwithstanding any other law to the contrary, beginning April
10 first, two thousand thirteen any electing employee appointed on or after
11 April first, two thousand twelve, the rate at which each such employee
12 shall contribute in any current plan year (January first to December
13 thirty-first) shall be determined by reference to the wages of such
14 member in the second plan year (January first to December thirty-first)
15 preceding such current plan year as follows:

16 (i) members with wages of forty-five thousand dollars per annum or
17 less shall contribute three per centum of annual wages;

18 (ii) members with wages greater than forty-five thousand dollars per
19 annum, but not more than fifty-five thousand dollars per annum shall
20 contribute three and one-half per centum of annual wages;

21 (iii) members with wages greater than fifty-five thousand dollars per
22 annum, but not more than seventy-five thousand dollars per annum shall
23 contribute four and one-half per centum of annual wages;

24 (iv) members with wages greater than seventy-five thousand dollars per
25 annum but not more than one hundred thousand dollars per annum shall
26 contribute five and three-quarters per centum of annual wages; and

27 (v) members with wages greater than one hundred thousand dollars per
28 annum shall contribute six per centum of annual wages.

29 Notwithstanding the foregoing, during each of the first three plan
30 years (January first to December thirty-first) in which such member has
31 established membership in the State University Optional Retirement
32 Program, such employee shall contribute a percent of annual wages in
33 accordance with the preceding schedule based upon a projection of annual
34 wages provided by the employer, provided, however, that notwithstanding
35 any other law to the contrary, on and after October first, two thousand
36 twenty-six, the rate at which any electing employee who is subject to
37 this paragraph shall contribute in any current plan year (January
38 first to December thirty-first) shall be determined by reference
39 to the wages of such member in the second plan year (January first to
40 December thirty-first) preceding such current plan year as follows:

41 (i) members with wages of seventy-five thousand dollars per annum or
42 less shall contribute three per centum of annual wages;

43 (ii) members with wages greater than seventy-five thousand dollars per
44 annum but not more than one hundred thousand dollars per annum shall
45 contribute four per centum of annual wages;

46 (iii) members with wages greater than one hundred thousand dollars per
47 annum but not more than one hundred twenty-five thousand dollars per
48 annum shall contribute five and one-quarter per centum of annual wages;
49 and

50 (iv) members with wages greater than one hundred twenty-five thousand
51 dollars per annum shall contribute five and three-quarters per centum of
52 annual wages.

53 § 8. Subdivision 1 and paragraph (d) of subdivision 2 of section 6252
54 of the education law, subdivision 1 as amended by chapter 63 of the laws
55 of 1993 and paragraph (d) of subdivision 2 as added by chapter 18 of the
56 laws of 2012, are amended to read as follows:

1 1. Employer contributions. In the case of any electing employee
2 initially appointed on or before June thirtieth, nineteen hundred nine-
3 ty-two, the city shall, during continuance of [his] their employment,
4 makes contributions at the rate of nine percentum of that portion of
5 [his] their city salary upon which contributions are or may hereafter be
6 paid to the secretary of the treasury of the United States pursuant to
7 article three of the retirement and social security law and at the rate
8 of twelve percentum of that portion of [his] their city salary above
9 said amount, out of monies which shall be appropriated to the city
10 university for such purposes. In the case of any electing employee
11 initially appointed on or after July first, nineteen hundred ninety-two,
12 the city shall, during continuance of [his] their employment, make
13 contributions at the rate of eight percentum of [his] their city salary
14 during the first seven years of such employment and at the rate of ten
15 percentum of [his] their city salary, thereafter, out of monies which
16 shall be appropriated to the city university for such purpose, provided
17 however, that effective October first, two thousand twenty-six, in the
18 case of any electing employee initially appointed on or after April
19 first, two thousand twelve, the city shall, during continuance of their
20 employment, make contributions at the rate of nine percentum of their
21 salary during the first seven years of such employment and at the rate
22 of eleven percentum of their salary thereafter, out of monies which
23 shall be appropriated to the city university for such purpose. For
24 purposes of this subdivision, that portion of the employee's salary upon
25 which contributions are or may thereafter be paid to the secretary of
26 the treasury of the United States pursuant to article three of the
27 retirement and social security law shall be deemed not to exceed sixteen
28 thousand five hundred dollars.

29 (d) Notwithstanding any other law to the contrary, beginning April
30 first, two thousand thirteen any electing employee appointed on or after
31 April first, two thousand twelve, the rate at which each such employee
32 shall contribute in any current plan year (January first to December
33 thirty-first) shall be determined by reference to the wages of such
34 member in the second plan year (January first to December thirty-first)
35 preceding such current plan year as follows:

36 (1) members with wages of forty-five thousand dollars per annum or
37 less shall contribute three per centum of annual wages;

38 (2) members with wages greater than forty-five thousand dollars per
39 annum, but not more than fifty-five thousand dollars per annum shall
40 contribute three and one-half per centum of annual wages;

41 (3) members with wages greater than fifty-five thousand dollars per
42 annum, but not more than seventy-five thousand dollars per annum shall
43 contribute four and one-half per centum of annual wages;

44 (4) members with wages greater than seventy-five thousand dollars per
45 annum but not more than one hundred thousand dollars per annum shall
46 contribute five and three-quarters per centum of annual wages; and

47 (5) members with wages greater than one hundred thousand dollars per
48 annum shall contribute six per centum of annual wages.

49 Notwithstanding the foregoing, during each of the first three plan
50 years (January first to December thirty-first) in which such member has
51 established membership in the Board of Higher Education Optional Retirement
52 Program, such employee shall contribute a percent of annual wages
53 in accordance with the preceding schedule based upon a projection of
54 annual wages provided by the employer, provided, however, that notwith-
55 standing any other law to the contrary, on and after October first, two
56 thousand twenty-six, the rate at which any electing employee who is

1 subject to this paragraph shall contribute in any current plan year
2 (January first to December thirty-first) shall be determined by refer-
3 ence to the wages of such member in the second plan year (January
4 first to December thirty-first) preceding such current plan year as
5 follows:

6 (i) members with wages of seventy-five thousand dollars per annum or
7 less shall contribute three per centum of annual wages;

8 (ii) members with wages greater than seventy-five thousand dollars per
9 annum but not more than one hundred thousand dollars per annum shall
10 contribute four per centum of annual wages;

11 (iii) members with wages greater than one hundred thousand dollars per
12 annum but not more than one hundred twenty-five thousand dollars per
13 annum shall contribute five and one-quarter per centum of annual wages;
14 and

15 (iv) members with wages greater than one hundred twenty-five thousand
16 dollars per annum shall contribute five and three-quarters per centum of
17 annual wages.

18 § 9. Paragraph (c) of subdivision 24 of section 501 of the retirement
19 and social security law, as amended by chapter 368 of the laws of 2017,
20 is amended to read as follows:

21 (c)[(i)] The "overtime ceiling" shall mean fifteen thousand dollars
22 per annum on January first, two thousand ten, and shall be increased by
23 three percent each year thereafter, provided, however, that [for]:

24 (i) For members who first become members of the New York state and
25 local employees' retirement system on or after April first, two thousand
26 twelve, "overtime ceiling" shall mean fifteen thousand dollars per annum
27 on April first, two thousand twelve, and shall be increased each year
28 thereafter by a percentage to be determined annually by reference to the
29 consumer price index (all urban consumers, CPI-U, U.S. city average, all
30 items, 1982-84=100), published by the United States bureau of labor
31 statistics, for each applicable calendar year. Said percentage shall
32 equal the annual inflation as determined from the increase in the
33 consumer price index in the one year period ending on the December thir-
34 ty-first preceding the overtime ceiling adjustment effective on the
35 ensuing April first.

36 (ii) Commencing January first, two thousand eighteen, and each year
37 thereafter, the overtime ceiling percentage shall be increased by an
38 amount equal to the annual inflation as determined from the increase in
39 the consumer price index in the one year period ending on the September
40 thirtieth prior to the overtime ceiling adjustment effective on the
41 ensuing January first.

42 (iii) Commencing January first, two thousand twenty-seven, for members
43 who first become members of such system on or after January first, two
44 thousand ten, the "over-time ceiling" shall mean thirty thousand dollars
45 per annum and shall be increased by three percent each year thereafter.

46 § 10. Paragraph (c) of subdivision 1 of section 601 of the retirement
47 and social security law, as amended by chapter 368 of the laws of 2017,
48 is amended to read as follows:

49 (c) The "overtime ceiling" shall mean fifteen thousand dollars per
50 annum on January first, two thousand ten, and shall be increased by
51 three [per cent] percent each year thereafter, provided, however, that:

52 (i) [for] For members who first become members of a public retirement
53 system of the state on or after April first, two thousand twelve, "over-
54 time ceiling" shall mean fifteen thousand dollars per annum on April
55 first, two thousand twelve, and shall be increased each year thereafter
56 by a percentage to be determined annually by reference to the consumer

1 price index (all urban consumers, CPI-U, U.S. city average, all items,
2 1982-84=100), published by the United States bureau of labor statistics,
3 for each applicable calendar year. Said percentage shall equal the annu-
4 al inflation as determined from the increase in the consumer price index
5 in the one year period ending on the December thirty-first preceding the
6 overtime ceiling adjustment effective on the ensuing April first.

7 (ii) Commencing January first, two thousand eighteen, and each year
8 thereafter, the overtime ceiling percentage shall be increased by an
9 amount equal to the annual inflation as determined from the increase in
10 the consumer price index in the one year period ending on the September
11 thirtieth prior to the overtime ceiling adjustment effective on the
12 ensuing January first.

13 (iii) Commencing January first, two thousand twenty-seven, for members
14 of the New York state and local employees' retirement system or the
15 New York state teachers' retirement system who first become members
16 of such system on or after January first, two thousand ten and for the
17 New York city revised plan members, "overtime ceiling" shall mean thirty
18 thousand dollars per annum and shall be increased by three percent each
19 year thereafter.

20 § 11. Section 1203 of the retirement and social security law, as added
21 by section 1 of part A of chapter 504 of the laws of 2009, is amended to
22 read as follows:

23 § 1203. Overtime. A member's final average salary shall be calculated
24 in accordance with such provisions of article eight or article eleven of
25 this chapter as govern the member's benefits, except that earnings clas-
26 sified as overtime compensation in an amount in excess of fifteen
27 percent of a member's annual wages not classified as overtime compen-
28 sation shall be excluded from such calculation, provided, however,
29 members who retire on or after January first, two thousand twenty-seven,
30 earnings classified as overtime compensation in an amount in excess of
31 twenty-five percent of a member's annual wages not classified as over-
32 time compensation shall be excluded from such calculation. "Overtime
33 compensation" shall mean, for purposes of this section, compensation
34 paid under any law or policy under which employees are paid at a rate
35 greater than their standard rate for additional hours worked beyond
36 those required, including compensation paid under section one hundred
37 thirty-four of the civil service law and section ninety of the general
38 municipal law.

39 § 12. Nothing in this act shall be construed or deemed to allow
40 members to receive a refund of any member contributions made or
41 collected prior to the effective date of this act.

42 § 13. Notwithstanding any other provision of law to the contrary, none
43 of the provisions of this act shall be subject to section 25 of the
44 retirement and social security law.

45 § 14. This act shall take effect immediately and shall be deemed to
46 have been in full force and effect on and after April 1, 2026; provided,
47 however, that section three, the amendments to subdivision a of section
48 613 of the retirement and social security law made by section four and
49 sections five, six, seven and eight of this act shall take effect Octo-
50 ber 1, 2026, and sections nine, ten and eleven of this act shall take
51 effect January 1, 2027.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would revise the benefit structure of Tier 5 and Tier 6
members in the New York State and Local Retirement System (NYSLRS).

(1) For Tier 6 members only, this bill would reduce member contribution rates, effective October 1, 2026. No member contributions paid before this date will be refunded.

Wage Range

(\$ in thousands)	Current Rate	Proposed Rate
Less than 45	3.00%	3.00%
45 to 55	3.50%	3.00%
55 to 75	4.50%	3.00%
75 to 100	5.75%	4.00%
100 to 125	6.00%	5.25%
125 to 250	6.00%	5.75%

(2) When determining a member's contribution rate, overtime earnings would be excluded from wages until the fiscal year beginning April 1, 2028. Thereafter, all pensionable earnings would be included.

(3) For Tier 5 and Tier 6 members, this bill would increase overtime compensation included in the calculation of final average salary, effective January 1, 2027. Consequently, there will be an increase in the pensionable earnings used in the calculation of member contributions and an increase in the billable salary used to calculate employer contributions.

a. For members of the New York State and Local Employees' Retirement System (NYSLERS), the overtime limit would increase to \$30,000 and would increase by 3% each calendar year thereafter. The current limits are approximately \$24,000 for Tier 5 members and \$22,000 for Tier 6.

b. For members of the New York State and Local Police and Fire Retirement System (NYSLPFRS), the overtime limit would increase to 25 percent of annual wages. The current limit is 15 percent.

No other provisions included in this bill affect NYSLRS.

Insofar as this bill affects NYSLERS, the net present value of benefits would increase by approximately \$1.6 billion.

The provisions of Section 25 will not apply. Benefit improvements will be funded by increasing the billing rates charged annually. The annual contribution required by all participating employers in NYSLERS would increase by 0.6% of billable salary, with Tier 6 billing rates increasing 0.8% on average.

Systemwide, annual contributions would increase by approximately \$90 million for the state of New York and \$125 million for the local participating employers. System average billing rates would increase from approximately 17.6% to 18.2%.

Required contributions will increase significantly as Tier 6 grows. Employer costs would vary according to plan coverage and salary reported in Tier 6.

In addition to employers, NYSLERS members will pay contributions on the \$75 million in newly pensionable overtime earnings, generating approximately \$4 million in member contributions annually. The additional contributions will be paid exclusively by members with overtime earnings more than the existing limits.

Insofar as this bill affects NYSLPFRS, the net present value of benefits would increase by approximately \$1.2 billion.

Benefit improvements would be funded by increasing the billing rates charged annually. The annual billing rate required of all participating employers in NYSLPFRS would increase by 0.8% of billable salary, with Tier 6 billing rates increasing 1.0% on average.

Systemwide, annual contributions would increase approximately \$15 million for the state of New York and \$70 million for the local partic-

ipating employers. System average billing rates would increase from 36.5% to approximately 37.3%.

Required contributions will increase significantly as Tier 6 grows. Employer costs would vary according to plan coverage and salary reported.

In addition to employers, NYSLPFRS members will pay contributions on the \$60 million in newly pensionable overtime earnings, generating approximately \$3 million in member contributions annually. The additional contributions will be paid exclusively by members with overtime earnings more than the existing 15% limit.

These estimated costs are based on members of Tiers 5 and 6 as of March 31, 2025, comprised of 344,860 NYSLERS members with annual salary of approximately \$18 billion and 21,643 NYSLPFRS members with annual salary of approximately \$2.3 billion.

Summary of relevant resources:

Membership data as of March 31, 2025 was used to measure the impact of the bill, the same data used in the Actuarial Valuations dated April 1, 2025. Distributions and other statistics can be found in the 2025 Report of the Actuary and the 2025 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2025 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The fair value of assets and GASB disclosures can be found in the 2025 Financial Statements and Supplementary Information.

Assumptions, demographics, and other considerations may have been modified to better reflect specific provisions of any proposed benefit change(s).

This fiscal note does not constitute a legal opinion on the viability of the bill, nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 19, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-230-R. As Chief Actuary of the New York State and Local Retirement System (NYSLRS), I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member. I am a member of NYSLRS but do not believe it impairs my objectivity.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation, as it relates to Tier 6 members of the New York City Retirement Systems and Pension Funds (NYCRS) would give TRS members unreduced early retirement at age 58 with 30 years of service, reduce required member contribution rates for certain NYCERS and BERS members, and increase the Overtime Ceiling.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS

by Fiscal Year for the first 25 years (\$ in Millions)

Year	NYCERS	TRS	BERS	TOTAL
2027	57.0	86.6	7.5	151.1
2028	61.7	90.4	8.0	160.1
2029	66.5	94.6	8.5	169.6
2030	71.2	99.1	9.1	179.4
2031	75.8	103.9	9.6	189.3
2032	80.5	109.1	10.2	199.8
2033	85.1	114.7	10.8	210.6
2034	89.8	120.7	11.3	221.8



2035	94.4	127.3	11.9	233.6
2036	98.9	134.2	12.6	245.7
2037	103.5	141.7	13.2	258.4
2038	108.0	149.6	13.8	271.4
2039	112.5	158.0	14.4	284.9
2040	116.9	166.8	15.1	298.8
2041	121.3	175.8	13.7	310.8
2042	104.3	185.2	14.3	303.8
2043	108.6	194.6	15.0	318.2
2044	112.8	166.7	15.6	295.1
2045	116.9	176.3	16.3	309.5
2046	120.9	185.7	17.0	323.6
2047	124.8	195.0	17.6	337.4
2048	128.6	204.1	18.3	351.0
2049	132.3	213.0	18.9	364.2
2050	135.8	221.8	19.6	377.2
2051	139.1	230.4	20.2	389.7

Projected contributions include future new hires that may be impacted. For Fiscal Year 2052 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 0.31% for NYCERS, 0.66% for TRS, and 0.44% for BERS.

The initial increase in employer contributions of \$151.1 million is estimated to be \$123.3 million for New York City and \$27.8 million for the other obligors of NYCERS.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2025 (\$ in Millions)

Present Value (PV)	NYCERS	TRS	BERS
(1) PV of Employer Contributions:	606.2	991.1	83.8
(2) PV of Employee Contributions:	<u>(451.9)</u>	<u>(210.9)</u>	<u>(91.5)</u>
Total PV of Benefits (1) + (2):	154.3	780.2	(7.8)

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working lifetime of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS	TRS	BERS
Increase (Decrease) in UAL:	187.7 M	354.2 M	17.0 M
Number of Payments:	15	17	14
Amortization Payment:	21.3 M	37.5 M	2.0 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. The census data for the impacted population is summarized below.

	NYCERS	TRS	BERS
Active Members			
- Number Count:	99,619	71,364	37,490
- Average Age:	43.0	39.0	41.5
- Average Service:	5.2	5.7	2.2



- Average Salary: 87,100 86,500 37,900

IMPACT ON MEMBER BENEFITS: Currently, Tier 6 TRS members are eligible for unreduced service retirement under the Tier 6 basic plan upon attainment of age 63 with at least 5 years of credited service. Members may retire as early as age 55 with a reduction of 6.5% for each year that retirement precedes age 63.

Under the proposed legislation, Tier 6 TRS members would be eligible for unreduced service retirement upon attainment of age 58 with at least 30 years of credited service.

IMPACT ON MEMBER CONTRIBUTIONS: Currently, Tier 6 members are generally required to make Basic Member Contributions (BMC) ranging from 3% to 6% of annual wages, determined by the member's annual wages for the second prior calendar year.

Under the proposed legislation, effective October 1, 2026, the required BMC rates for Tier 6 NYCERS and BERS members, except for members in the Tier 6 Transit 25-Year/Age 55 Retirement Plan or Tier 6 Triborough Bridge and Tunnel Authority 20-Year Retirement Plan, would be reduced as shown in the table below.

Salary Band	Current Rate	Proposed Rate
\$45,000 or less	3.00%	3.00%
\$45,001 up to \$55,000	3.50%	3.00%
\$55,001 up to \$75,000	4.50%	3.00%
\$75,001 up to \$100,000	5.75%	4.00%
\$100,001 up to \$125,000	6.00%	5.25%
Greater than \$125,000	6.00%	5.75%

In addition, the current exclusion of overtime and compensation earned for extracurricular activities from the annual wages used for the determination of the member's salary band for all Tier 6 members, which is currently set to expire on January 1, 2027, would be extended to January 1, 2029.

IMPACT ON OVERTIME CEILING: Currently, the pensionable wages of certain Tier 6 members are capped by an Overtime Ceiling which is \$21,589 in calendar year 2026 and increases annually based on future cost of living increases.

Under the proposed legislation, the Tier 6 Overtime Ceiling would increase to \$30,000 for calendar year 2027 and would increase by 3% each year thereafter. As a result, overtime earnings above the current Overtime Ceiling, but below the proposed Overtime Ceiling, would be included in determining member contribution rates and the annual contributions paid by members.

Participants may be entitled to a higher annual pension benefit if such earnings increase their Final Average Salary. Some members may make larger employee contributions without earning additional benefits and may be entitled to a refund as a result. Potential costs for such additional refunds are not included in this Fiscal Note.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

* The impact of the current and proposed Overtime Ceilings was modeled based on the reported overtime for the last three fiscal years, with the assumption that the historical proportion of earnings above each Overtime Ceiling would remain consistent in future years

* Retirement rates were adjusted on and after age 58 and 30 years of service for TRS to reflect the change in the plan provisions.

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative costs, costs related to changes in the Voluntary Defined Contribution Program, or Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2026-88 dated May 18, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

Bill Description:

This fiscal note is prepared for legislative bill draft #65723-05-6. This bill would amend various sections of Retirement and Social Security Law to permit Tier 6 members of the New York State Teachers' Retirement System (NYSTRS) to retire with an unreduced benefit upon attainment of at least age 58 and 30 years of service credit and reduce their required employee contribution rate. Tier 6 members are currently unable to retire with an unreduced benefit until attainment of age 63, regardless of service credit.

This bill would also amend Section 613 of the Retirement and Social Security Law to extend the period during which the calculation of the employee contribution rate for Tier 6 members is to be determined using only a member's annual base wages and would not include compensation earned for extracurricular programs or any other pensionable earnings paid in addition to the annual base wages. This provision would be extended for two additional fiscal years, those ending June 30, 2027 and June 30, 2028. The current expiration date of this provision is the fiscal year ending June 30, 2026.

Cost:

The annual cost to the participating employers of the New York State Teachers' Retirement System is estimated to be \$94.9 million or 0.46% of payroll if this bill is enacted.

The System's "new entrant rate," a hypothetical employer contribution rate that would be charged if we started a new retirement system without any assets, is equal to 5.52% of pay under the current Tier 6 benefit structure. This can be thought of as the long-term expected employer cost of Tier 6, based on current actuarial assumptions. For the proposed change to the Tier 6 benefit structure under this bill, this new entrant rate is estimated to increase to 5.95% of pay, an increase of 0.43% of pay.

Data:

Member data as of June 30, 2025, prepared for the most recent actuarial valuation was used in determining this cost. The most recent data distributions and statistics can be found in the System's Annual Report for the fiscal year ended June 30, 2025. System assets are as reported in the System's financial statements which can be found in the System's Annual Report. This data will also be presented in the System's Actuarial Valuation Report as of June 30, 2025.

Methods and Assumptions:

A summary of actuarial assumptions and methods will be provided in the System's Actuarial Valuation Report as of June 30, 2025. Further details can be found in the most recent Recommended Actuarial Assumptions 2025 Report.

Actuarial Certification:

We, the undersigned actuaries for the New York State Teachers' Retirement System, certify the following:

1. The actuarial assumptions, methods, and data used are reasonable for the purposes of this fiscal note, internally consistent and are in accordance with standards of practice prescribed by the Actuarial Standards Board and generally accepted actuarial principles and procedures.

2. We relied on member data supplied by the participating employers of the New York State Teachers' Retirement System and assets as supplied in the annual Financial Statements by NYSTRS' Finance Department.

3. Results were prepared based on our current understanding of the proposal as of the date of this fiscal note. If the language or our understanding of the proposal changes, the results could change and require the issuance of a new fiscal note. The next annual update of the actuarial valuation could also produce different results. Results should not be relied upon for any other purpose.

4. This fiscal note was prepared in accordance with New York State Retirement and Social Security Law, New York State Education Law, applicable Internal Revenue Code, and accepted actuarial standards of practice as of the date of this fiscal note. This fiscal note does not constitute a legal opinion on the viability of this legislative proposal.

5. We are members of the American Academy of Actuaries and the Society of Actuaries, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. We are currently compliant with the Continuing Professional Development Requirement of the Society of Actuaries.

Fiscal Note Identification:

This Fiscal Note, 2026-58, revised May 19, 2026, was prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2026 Legislative Session.



1 Section 1. Section 13-638.2 of the administrative code of the city of
2 New York is amended by adding two new subdivisions k-3 and k-4 to read
3 as follows:

4 k-3. All installments of contribution resulting from any unfunded
5 accrued liability established for any retirement system prior to the
6 establishment of the unfunded accrued liability as of June thirtieth,
7 two thousand twenty-four for the retirement systems pursuant to the
8 provisions of paragraph one of subdivision k-4 of this section which are
9 payable to any retirement system on or after July first, two thousand
10 twenty-five are hereby canceled and shall not be due and payable on or
11 after such July first.

12 k-4. (1) (i) The actuary for each of the retirement systems (as
13 defined in paragraph one of subdivision a of this section), upon the
14 basis of the latest mortality and other tables applicable at the time
15 such actuary performs the calculations, and the valuation rate of inter-
16 est (as defined in paragraph eleven of subdivision a of this section),
17 shall calculate separately for each of the retirement systems, as of
18 June thirtieth, two thousand twenty-four and as of each succeeding June
19 thirtieth, an unfunded accrued liability for each of the retirement
20 systems in accordance with the succeeding subparagraphs of this para-
21 graph.

22 (ii) The actuary shall calculate, as of the applicable June thirtieth,
23 an amount equal to the sum of (A) the total actuarial present value of
24 all benefits payable by the retirement system pursuant to applicable
25 law, as determined by the actuary, and (B) the liability of the retire-
26 ment system, as determined by the actuary, for amounts which the retire-
27 ment system may be required by applicable law to pay to any other fund
28 on account of related benefits financed through the retirement system,
29 without a corresponding offset in the liabilities of the retirement
30 system.

31 (iii) The unfunded accrued liability of the retirement system as of
32 the applicable June thirtieth shall be the amount obtained by deducting
33 from the amount of such total liability of the retirement system on
34 account of benefits, as determined by the actuary pursuant to subpara-
35 graph (ii) of this paragraph, the sum of:

36 (A) the actuarial present value of entry age normal contributions
37 payable to the retirement system, as determined by the actuary as of the
38 applicable June thirtieth in a manner consistent with the entry age
39 actuarial cost method, and with the applicable methodologies set forth
40 for NYCERS in subparagraph (d) of paragraph two of subdivision b of
41 section 13-127 of this title, for the PPF in subparagraph (e) of para-
42 graph two of subdivision b of section 13-228 of this title, for the FPF
43 in subparagraph (e) of paragraph two of subdivision b of section 13-331
44 of this title, for the NYCTRS in paragraph five of subdivision b of
45 section 13-527 of this title or for BERS in item (v) of subparagraph
46 four of paragraph (c) of subdivision sixteen of section twenty-five
47 hundred seventy-five of the education law;

48 (B) the present value of future member contributions of all members of
49 the retirement system, as determined by the actuary as of the applicable
50 June thirtieth;

51 (C) the total funds on hand of the retirement system for valuation
52 purposes, as determined by the actuary as of the applicable June thirti-
53 eth;

54 (D) the present value of future installments of unfunded accrued
55 liability contributions to be paid to the retirement system as of the
56 applicable June thirtieth;



1 (E) the present value of the pending normal contribution to the
2 retirement system as of the applicable June thirtieth as determined by
3 the actuary and established in the valuation for the prior year; and

4 (F) the present value of pending contributions to the retirement
5 system for administrative expenses in accordance with the provisions of
6 subdivision f of section 13-103 of this title for NYCERS, subdivision h
7 of section 13-216 of this title for the PPF, subdivision h of section
8 13-316 of this title for the FPF, subdivision d of section 13-518 of
9 this title for the NYCTRS or paragraph (e) of subdivision twenty-three
10 of section twenty-five hundred seventy-five of the education law for
11 BERS.

12 (iv) The actuary, in determining the unfunded accrued liability pursu-
13 ant to this paragraph, may make any adjustments which such actuary deems
14 appropriate due to the calculation of the unfunded accrued liability as
15 of the second June thirtieth preceding the fiscal year in which the
16 first installment of such unfunded accrued liability becomes payable or
17 creditable.

18 (2) (i) The unfunded accrued liability calculated by the actuary as of
19 June thirtieth, two thousand twenty-four for each retirement system
20 pursuant to paragraph one of this subdivision shall be known as the
21 "2024 UAL" or, with respect to NYCERS as the "NYCERS 2024 UAL", with
22 respect to NYCTRS as the "NYCTRS 2024 UAL", with respect to the PPF as
23 the "PPF 2024 UAL", with respect to the FPF as the "FPF 2024 UAL" and
24 with respect to BERS as the "BERS 2024 UAL".

25 (ii) The 2024 UAL for each retirement system shall be amortized in
26 twelve annual installments, as determined by the actuary, with payments
27 commencing with the two thousand twenty-five--two thousand twenty-six
28 fiscal year. The actuary for each of the retirement systems shall deter-
29 mine the schedule of contribution installments such that the first
30 installment is equal to the amount accrued by each obligor for the two
31 thousand twenty-five--two thousand twenty-six fiscal year reduced by
32 one-twelfth of the preliminary annual contribution and by any difference
33 between the preliminary and final total annual contribution for the same
34 fiscal year, as determined by the actuary, followed by eleven equal
35 annual installments. Any overpayments of the first installment shall be
36 applied to the next fiscal year without interest, as determined by the
37 actuary.

38 (3) Notwithstanding paragraph three of subdivision k-2 of this section
39 or any other law to the contrary, the unfunded accrued liability calcu-
40 lated pursuant to paragraph one of this subdivision by the actuary as of
41 June thirtieth, two thousand twenty-five, and as of each succeeding June
42 thirtieth, shall be known as a "post-2024 UAL adjustment". With respect
43 to each retirement system, such unfunded accrued liability shall be
44 known by the name consisting of the applicable abbreviation for the
45 retirement system, as defined in paragraph three, four, five, six or
46 seven of subdivision a of this section, followed by the calendar year as
47 of which the unfunded accrued liability was established, followed by the
48 term "UAL adjustment". Each post-2024 UAL adjustment shall be amortized
49 in the same manner and period as provided in subdivision k-2 of this
50 section relative to post-2010 UAL adjustments.

51 § 2. Notwithstanding any provision of law to the contrary, the board
52 of trustees of each retirement system may elect the amortization sched-
53 ule established pursuant to subdivisions k-3 and k-4 of section 13-638.2
54 of the administrative code of the city of New York as added by section
55 one of this act. Upon such election by the board of trustees of such
56 electing retirement system, the actuary for such retirement system shall

1 implement such amortization schedule commencing with the two thousand
 2 twenty-five--two thousand twenty-six fiscal year in determining the
 3 employer contributions required for such retirement system. Absent an
 4 election by the board of trustees of a retirement system within thirty
 5 days of the effective date of this section, the amortization schedule
 6 established pursuant to this section shall not apply to such retirement
 7 system.

8 § 3. This act shall take effect immediately and shall be deemed to
 9 have been in full force and effect on and after July 1, 2025.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation (see Appendix), would modify the existing amortization schedule for the Unfunded Accrued Liabilities (UAL) of the New York City Retirement Systems and Pension Funds (NYCRS) effective upon enactment and deemed to have been in effect on and after July 1, 2025.

NYCRS TOTAL EMPLOYER CONTRIBUTION IMPACT
 Due to Change in UAL Amortization Schedule (\$ in Millions)

Fiscal Year	Current Schedule	Proposed Schedule	Contribution Impact
2026	6,471.3	5,423.2	(1,048.1)
2027	6,563.0	4,326.5	(2,236.5)
2028	6,744.1	4,326.5	(2,417.6)
2029	6,668.7	4,326.5	(2,342.2)
2030	6,941.8	4,326.5	(2,615.3)
2031	7,233.1	4,326.5	(2,906.6)
2032	7,429.8	4,326.5	(3,103.4)
2033	(747.0)	4,326.5	5,073.4
2034	(428.4)	4,326.5	4,754.9
2035	(718.1)	4,326.5	5,044.6
2036	(766.5)	4,326.5	5,093.0
2037	(13.3)	4,326.5	4,339.8
2038	51.5	0.0	(51.5)
2039	(228.6)	0.0	228.6
2040	178.5	0.0	(178.5)
2041	33.7	0.0	(33.7)
2042	25.8	0.0	(25.8)
2043	18.8	0.0	(18.8)
2044	0.0	0.0	0.0

Allocation of the impact above to New York City and other obligors of NYCRS will vary by year. The initial decrease in employer contributions of approximately \$1.0 billion is estimated to be \$884 million for New York City and \$164 million for the other obligors of NYCRS. Not shown above are other contribution components, such as the Normal Cost and Administrative Expenses, that are not impacted by the proposed legislation.

EMPLOYER CONTRIBUTION IMPACT BY SYSTEM
 Due to Change in UAL Amortization Schedule (\$ in Millions)

Fiscal Year	NYCERS	TRS	BERS	POLICE	FIRE	TOTAL
2026	(353.2)	(312.4)	(21.1)	(232.8)	(128.5)	(1,048.1)
2027	(612.8)	(945.1)	(77.7)	(296.3)	(304.6)	(2,236.5)
2028	(690.4)	(925.3)	(73.9)	(401.5)	(326.4)	(2,417.6)

2029	(735.5)	(744.6)	(40.1)	(477.0)	(344.9)	(2,342.2)
2030	(963.0)	(703.7)	(35.1)	(552.2)	(361.3)	(2,615.3)
2031	(1,090.9)	(695.6)	(24.9)	(707.2)	(388.0)	(2,906.6)
2032	(1,198.5)	(877.0)	(17.3)	(710.1)	(300.3)	(3,103.4)
2033	1,551.4	1,643.6	121.3	1,087.5	669.6	5,073.4
2034	1,510.4	1,570.1	113.4	912.5	648.5	4,754.9
2035	1,780.4	1,586.5	66.0	945.3	666.3	5,044.6
2036	1,796.0	1,580.3	78.5	979.4	658.8	5,093.0
2037	1,559.2	1,277.0	36.9	850.9	615.8	4,339.8
2038	(120.2)	87.3	37.0	19.8	(75.4)	(51.5)
2039	63.8	108.6	23.3	59.1	(26.2)	228.6
2040	0.0	(117.6)	(35.7)	(18.2)	(7.0)	(178.5)
2041	0.0	(19.9)	0.0	(6.8)	(7.0)	(33.7)
2042	0.0	(18.8)	0.0	0.0	(7.0)	(25.8)
2043	0.0	(18.8)	0.0	0.0	0.0	(18.8)
2044	0.0	0.0	0.0	0.0	0.0	0.0

IMPACT ON EMPLOYER CONTRIBUTIONS: The proposed legislation would amend the NYCERS UAL amortization schedule to a twelve-year schedule, bringing forward charges and credits currently scheduled to occur after Fiscal Year 2037. While the proposed changes will impact the timing of employer contributions and interest on those contributions, there is no change to the benefits paid and therefore no ultimate actuarial savings or cost.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases.

**INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2024 (\$)**

Present Value (PV)	NYCERS	TRS	BERS	POLICE	FIRE
(1) PV of Employer Contributions:	0.0	0.0	0.0	0.0	0.0
(2) PV of Employee Contributions:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Total PV of Benefits (1) + (2):	0.0	0.0	0.0	0.0	0.0

IMPACT ON UAL AMORTIZATION: Pursuant to Chapter 3 of the Laws of 2013, an Initial UAL amortization base was established for each of the NYCERS such that the annual amortization payments would increase by 3% per year consistent with the expected annual increases in total payroll, with the final payment scheduled to occur in Fiscal Year 2032.

Subsequent changes in the UAL have their own statutorily defined amortization period, generally amortized using level dollar payments, with those currently scheduled to Fiscal Years 2039 through 2043, depending on the System.

The proposed legislation would re-amortize all outstanding UAL balances as of June 30, 2024, adjusted for Fiscal Year 2025 employer contributions already contributed, over a 12year period starting in Fiscal Year 2026 such that the amortization payment for Fiscal Year 2026 is reduced by 1/12th of the preliminary annual amortization amount and by any difference between the preliminary and final total annual contribution for the same fiscal year, followed by eleven new level dollar payments. Any resulting over-payments for Fiscal Year 2026 will be applied to Fiscal Year 2027 without interest. New amortization bases

after June 30, 2024 for benefit, method, and assumption changes, and actuarial gains and losses would continue to be added on an annual basis in future years using the current statutorily required amortization methods.

IMPACT ON ASSET SMOOTHING: This legislation has no impact on the approach used to smooth investment gains and losses. The current asset smoothing method phases in the recognition of investment gains and losses over a five-year period. Once recognized, each investment gain or loss is then amortized over 14 payments. The amortization of current deferred investment gains and losses is not shown in the Current and Proposed columns and has no impact on the change in employer contributions shown.

COST BASIS: The estimates presented herein are based on census data collected as of June 30, 2024 and the Preliminary June 30, 2024 Actuarial Valuation, with known adjustments for subsequent events, such as data corrections or other legislative changes. If enacted, this legislation would impact and be reflected in the Final June 30, 2024 Actuarial Valuation.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the actuarial assumptions and methods used for the Final Fiscal Year 2026 employer contributions of NYCERS.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2026-73 dated May 3, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.

1

PART ZZ

2 Section 1. Paragraph 2 of subdivision b of section 510 of the retire-
3 ment and social security law, as amended by chapter 18 of the laws of
4 2012, is amended and a new paragraph 2-a is added to read as follows:

5 2. The first day of the month following the date on which a member
6 completes or would have completed twenty-five years of credited service,
7 with respect to service retirement benefits for police/fire members and
8 their beneficiaries, New York city uniformed correction/sanitation
9 revised plan members and their beneficiaries or investigator revised

1 plan members and their beneficiaries, except for uniformed members of
 2 the New York city fire department pension fund and their beneficiaries.

3 2-a. The first day of the month following the date on which a member
 4 completes or would have completed twenty-three years of credited
 5 service, with respect to service retirement benefits for uniformed
 6 members of the New York city fire department pension fund.

7 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation grants earlier Escalation eligibility for Tier 3 FIRE members who retire for service by allowing for Full Escalation at 23 years of service, and commencement of partial escalation for retirements with more than 20 years of service.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	FIRE
2027	5.2
2028	5.6
2029	5.9
2030	6.3
2031	6.7
2032	7.2
2033	7.6
2034	8.1
2035	8.6
2036	9.1
2037	9.7
2038	10.2
2039	10.8
2040	11.5
2041	12.2
2042	12.6
2043	12.8
2044	11.4
2045	11.9
2046	12.3
2047	12.8
2048	13.4
2049	13.8
2050	14.1
2051	14.6

Projected contributions include future new hires that may be impacted. For Fiscal Year 2052 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 0.45%.

The entire increase in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
 as of June 30, 2025 (\$ in Millions)

Present Value (PV)	FIRE
(1) PV of Employer Contributions:	56.1
(2) PV of Employee Contributions:	<u>(1.8)</u>
Total PV of Benefits (1) + (2):	54.3

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working life-time of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY
FIRE

Increase (Decrease) in UAL:	18.6 M
Number of Payments:	17
Amortization Payment:	2.0 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. The census data for the impacted population is summarized below.

Active Members	FIRE
- Number Count:	6,510
- Average Age:	34.5
- Average Service:	6.4
- Average Salary:	118,200

IMPACT ON MEMBER BENEFITS: Tier 3 FIRE members who retire for service are potentially eligible for the following benefit adjustments after retirement:

* Cost-of-Living Adjustments (COLA) which are based on 50% of the change in Consumer Price Index (CPI), limited to between 1% and 3%, and applied to the first \$18,000 of the maximum retirement allowance.

* Escalation which is based on 100% of the change in CPI and is applied to the entire benefit. Yearly increases (or decreases) are limited to 3%, although any such excess is banked and applied cumulatively to the benefit in subsequent years. Members eligible for Escalation are also eligible for COLA, if COLA is greater.

Currently, Tier 3 FIRE members who retire for service are eligible for:

* Full Escalation, if commencing their service retirement benefit on or after the date they attain (or would have attained) 25 years of service.

* Partial Escalation, if commencing their service retirement benefit up to three years prior to their Full Escalation date, wherein 1/36th of Full Escalation is granted for each month that commencement succeeds 22 years of service.

* COLA, if commencing their service benefit at 22 years or fewer.

Under the proposed legislation, Tier 3 FIRE members who retire for service would be eligible for:

* Full Escalation, if commencing their service retirement benefit on or after the date they attain (or would have attained) 23 years of service.

* Partial Escalation, if commencing their service retirement benefit up to three years prior to their Full Escalation date, wherein 1/36th of Full Escalation is granted for each month that commencement succeeds 20 years of service.

* COLA, if commencing their service benefit at 20 years or fewer.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

* Retirement rates were adjusted to reflect the earlier payability of Full Escalation granted by the proposed legislation.

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

This Fiscal Note does not include cost analyses relating to provisions contained in Retirement and Social Security Law Section 500(c).

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2026-11 dated February 10, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.

1

PART AAA

2

Section 1. The administrative code of the city of New York is amended by adding a new section 15-110.1 to read as follows:

3

4 § 15-110.1 Longevity bonuses. a. Notwithstanding any provision of law
5 to the contrary, when a member shall have accrued twenty-five years of
6 uniformed service with the New York city fire department, and retires in
7 any rank, they shall have five per centum of the highest grade of pay
8 under the applicable collective bargaining agreement of such rank in
9 which they retire, added to the applicable salary used for the purposes
10 of computing pension benefits under the plan in which they are enrolled
11 with the New York city fire department pension fund.

12

13 b. In addition to the increase set forth in subdivision a of this
14 section, commencing with the twenty-sixth year of service and for each
year thereafter, such member shall receive an additional one per centum

1 of the highest grade of pay under the applicable collective bargaining
 2 agreement of such rank in which they retire for each year exceeding
 3 twenty-five years, added to the applicable salary used for the purposes
 4 of computing pension benefits under the plan in which they are enrolled
 5 with the New York city fire department pension fund, provided, however,
 6 that the total additional credit provided by this subdivision does not
 7 exceed fifteen per centum and shall be capped upon the completion of
 8 thirty-five years of uniformed service with the department.

9 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation, as it relates to the New York City Fire Pension Fund (FIRE), would increase the salary used for determining pension benefits for members who retire with at least 25 years of uniformed FIRE service.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	FIRE
2027	0.0
2028	3.2
2029	6.4
2030	9.8
2031	13.3
2032	16.8
2033	20.5
2034	24.3
2035	28.1
2036	32.0
2037	36.0
2038	40.0
2039	44.1
2040	48.2
2041	52.4
2042	53.6
2043	54.7
2044	55.8
2045	56.8
2046	57.9
2047	58.9
2048	60.0
2049	61.1
2050	62.2
2051	63.4

Employer Contribution impact beyond Fiscal Year 2051 is not shown. Projected contributions are based on historical experience for Tier 2 members. Future retirement patterns may differ due to a shift in population from Tier 2 to Tier 3.

The entire increase in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits (PVFB) is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases.

The enactment of this proposed legislation is expected to increase the PVFB by approximately \$26.8 million in the first year and every year thereafter, adjusted for inflation, group demographics, and the actual experience of benefiting retirees. Each year's PVFB increase will be recognized in the year benefits are first payable.

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were recognized as future gain/loss.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Recognized as Ongoing Gain/Loss	FIRE
Increase (Decrease) in UAL:	26.8 M
Number of Payments:	14
Amortization Payment:	3.2 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. The census data for FIRE active members is summarized below.

	FIRE
Active Members	
- Number Count:	11,178
- Average Age:	40.3
- Average Service:	13.1
- Average Salary:	141,300

The 2024 salaries used in this analysis were provided by the Uniformed Firefighters Association and are summarized below. The salaries were increased with assumed inflation.

- * Firefighters would use a highest grade of pay of \$140,392.
- * Lieutenants would use a highest grade of pay of \$157,751.
- * Captains would use a highest grade of pay of \$179,842.
- * Chiefs would use a highest grade of pay of \$255,863.
- * Marshals would use a highest grade of pay of \$223,866.
- * Medical Officers would use a highest grade of pay of \$235,229.

Data from the prior eleven years of actuarial valuations was used to estimate the number of retirees who could potentially benefit from this proposed legislation each year and is summarized below.

Average Number Number Retired per Year	Firefighters	Lieutenants	Captains	Chiefs	Marshals*
At least 25 but less than 26 years of service	17	5	3	1	1
At least 26 but less than 27 years of service	12	5	3	1	1
At least 27 but less than 28 years of service	10	5	2	1	1
At least 28 but less than 29 years of service	9	3	2	1	1
At least 29 but					

less than 30 years of service	7	5	3	1	1
At least 30 but less than 31 years of service	7	4	3	2	0
At least 31 but less than 32 years of service	7	2	2	3	1
At least 32 but less than 33 years of service	6	3	3	2	0
At least 33 but less than 34 years of service	4	2	2	2	0
At least 34 but less than 35 years of service	4	2	2	4	1
At least 35 years of service	11	8	8	17	2

* Includes Medical officers.

IMPACT ON MEMBER BENEFITS: The proposed legislation would increase the applicable salary used for computing pension benefits for members who retire with at least 25 years of uniformed FIRE service.

The increase in applicable salary would be equal to:

* 5% for members with at least 25 years of service plus an additional 1% for each year of service exceeding 25, but not more than 15%, multiplied by

* The highest grade of pay under the applicable collective bargaining agreement of the rank in which the member retires.

For example, a Tier 2 firefighter who retires with 32 years of uniformed FIRE service would receive an increase in their annual pension of approximately \$10,143 (based on adding 12% of the highest pay grade for firefighters with assumed overtime and salary inflation of \$158,622 to the applicable salary used for the benefit calculation). Additional benefits would then be subject to applicable Cost-of-Living or Escalation increases.

Based on an estimate of the number of FIRE members who are expected to be impacted by this proposed legislation, the annual increase in FIRE pension benefits paid will be approximately \$2.3 million in the first year and increase in every year thereafter.

With respect to an individual member, the impact on benefits due to this proposed legislation could vary greatly depending on the member's age, years of service, retirement cause, and Tier.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

* Future contribution impacts have been developed assuming a homogeneous population and a consistent retirement pattern.

* Costs for Tier 3 members have been developed by applying the increased salary directly to Final Average Salary (i.e., without limiting salaries in the average based on prior years).

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS but do not believe it impairs our objectivity and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2026-12 dated February 10, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.

1

PART BBB

2 Section 1. Pension system self-reports. (a) No later than twelve
3 months after the effective date of this act, the comptroller shall
4 submit a report to the superintendent of the department of financial
5 services, regarding the financial health of the New York state and local
6 retirement system. Such report shall include a summary of the current
7 provisions underlying the common retirement fund, the assumed rate of
8 return used by the system, an analysis of the stability and solvency of
9 the common retirement fund, the required level of annual employer and
10 employee contributions to the fund, the burden to employees and employ-
11 ers imposed by such contributions, and whether the common retirement
12 fund is adequately funded to provide required benefits to retirees and
13 current members. The report shall also include any specific recommenda-
14 tions for legislative and administrative correction that the comptroller
15 deems necessary.

16 (b) No later than twelve months after the effective date of this act,
17 the president of the board of the New York state teachers' retirement
18 system shall submit a report to the superintendent of the department of
19 financial services, regarding the financial health of the New York state
20 teachers retirement system. Such report shall include a summary of the
21 current provisions underlying the common retirement fund, the assumed
22 rate of return used by the system, an analysis of the stability and
23 solvency of the common retirement fund, the required level of annual
24 employer and employee contributions to the fund, the burden to employees
25 and employers imposed by such contributions, and whether the common
26 retirement fund is adequately funded to provide required benefits to
27 retirees and current members. The report shall also include any specific



1 recommendations for legislative and administrative correction that the
2 president deems necessary.

3 (c) No later than twelve months after the effective date of this act,
4 the comptroller of the city of New York shall submit a report to the
5 superintendent of the department of financial services, regarding the
6 financial health of the New York city employees retirement system, New
7 York city teachers retirement system, New York board of education
8 retirement system, New York city police pension fund, and New York city
9 fire pension fund. Such report shall include a summary of the current
10 provisions underlying the common retirement fund, the assumed rate of
11 return used by the system, an analysis of the stability and solvency of
12 the common retirement fund, the required level of annual employer and
13 employee contributions to the fund, the burden to employees and employ-
14 ers imposed by such contributions, and whether the common retirement
15 fund is adequately funded to provide required benefits to retirees and
16 current members. The report shall also include any specific recommenda-
17 tions for legislative and administrative correction that the president
18 deems necessary.

19 § 2. Report by superintendent of the department of financial services.
20 No later than sixteen months after the effective date of this act, the
21 superintendent of the department of financial services shall submit a
22 report to the governor, the speaker of the assembly, and the temporary
23 president of the senate summarizing the information in the pension
24 system self-reports described in section one of this act. The report
25 shall include the reports provided to the superintendent pursuant to
26 section one of this act and may also include any analysis or further
27 recommendations for legislative or administrative correction that the
28 superintendent deems necessary.

29 § 3. This act shall take effect immediately and shall expire and be
30 deemed repealed twenty-four months after such date.

31

PART CCC

32 Section 1. Subdivision b of section 448 of the retirement and social
33 security law is amended by adding a new paragraph 3 to read as follows:

34 3. Provided further, notwithstanding any other provision of this arti-
35 cle to the contrary, where the member is in a title as defined in subdi-
36 vision i of section eighty-nine of this chapter, and would have been
37 entitled to a service retirement benefit at the time of such member's
38 death and where such member's death occurs on or after July first, two
39 thousand twenty-six, the beneficiary or beneficiaries nominated for the
40 purposes of this subdivision may elect to receive, in a lump sum, an
41 amount payable which shall be equal to the pension reserve that would
42 have been established had the member retired on the date of such
43 member's death, or the value of the death benefit and the reserve-for-
44 increased-take-home-pay, if any, whichever is greater.

45 § 2. Subdivision b of section 508 of the retirement and social securi-
46 ty law, as amended by chapter 476 of the laws of 2018, is amended to
47 read as follows:

48 b. A member of a retirement system subject to the provisions of this
49 article who is a police officer, firefighter, correction officer, inves-
50 tigator revised plan member or sanitation worker and is in a plan which
51 permits immediate retirement upon completion of a specified period of
52 service without regard to age or who is subject to the provisions of
53 section five hundred four or five hundred five of this article, shall
54 upon completion of ninety days of service be covered for financial



1 protection in the event of death in service pursuant to this subdivi-
2 sion.

3 1. Such death benefit shall be equal to three times the member's sala-
4 ry raised to the next highest multiple of one thousand dollars, but in
5 no event shall it exceed three times the maximum salary specified in
6 section one hundred thirty of the civil service law or, in the case of a
7 member of a retirement system other than the New York city employees'
8 retirement system, or in the case of a member of the New York city
9 employees' retirement system who is a New York city uniformed
10 correction/sanitation revised plan member or an investigator revised
11 plan member, the specific limitations specified for age of entrance into
12 service contained in subparagraphs (b), (c), (d), (e) and (f) of para-
13 graph two of subdivision a of this section.

14 2. Provided further, notwithstanding any other provision of this arti-
15 cle to the contrary, where the member is in a title as defined in subdi-
16 vision i of section eighty-nine of this chapter, and would have been
17 entitled to a service retirement benefit at the time of such member's
18 death and where such member's death occurs on or after July first, two
19 thousand twenty-six, the beneficiary or beneficiaries nominated for the
20 purposes of this subdivision may elect to receive, in a lump sum, an
21 amount payable which shall be equal to the pension reserve that would
22 have been established had the member retired on the date of such
23 member's death, or the value of the death benefit and the reserve-for-
24 increased-take-home-pay, if any, whichever is greater.

25 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would modify the in-service death benefit for retirement eligible members of the New York State and Local Employees' Retirement System employed by the state of New York as correction officers and security hospital treatment assistants. The in-service death benefit will be the value of the pension reserve as if the member had retired on their date of death.

We estimate that the state of New York's annual contributions will increase \$1.7 million beginning FYE 2027. Annual costs will vary but are expected to average 0.1% of salary.

In addition, there will be an immediate past service cost of \$25.6 million borne by the state of New York as a one-time payment. This cost assumes that payment will be made on March 1, 2027.

These estimated costs are based on 14,529 affected members employed by the State of New York, with annual salary of approximately \$1.6 billion as of March 31, 2025.

Summary of relevant resources:

Membership data as of March 31, 2025 was used to measure the impact of the bill, the same data used in the Actuarial Valuations dated April 1, 2025. Distributions and other statistics can be found in the 2025 Report of the Actuary and the 2025 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2025 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The fair value of assets and GASB disclosures can be found in the 2025 Financial Statements and Supplementary Information.

Assumptions, demographics, and other considerations may have been modified to better reflect specific provisions of any proposed benefit change(s).

This fiscal note does not constitute a legal opinion on the viability of the bill, nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 5, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-18. As Chief Actuary of the New York State and Local Retirement System (NYSLRS), I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member. I am a member of NYSLRS but do not believe it impairs my objectivity.

1

PART DDD

2 Section 1. Subdivisions a, c, g and h of section 383-e of the retire-
3 ment and social security law, as added by section 1 of part YY of chap-
4 ter 55 of the laws of 2025, are amended to read as follows:

5 a. Membership. Every non-seasonally appointed sworn member or officer
6 of the division of law enforcement in the department of environmental
7 conservation, a forest ranger in the service of the department of envi-
8 ronmental conservation, which shall mean a person who serves on a full-
9 time basis in the title of forest ranger I, forest ranger II, forest
10 ranger III, assistant superintendent of forest fire control, superinten-
11 dent of forest fire control or any successor titles or new titles in the
12 forest ranger title series in the department of environmental conserva-
13 tion, a police officer in the department of environmental conservation,
14 the regional state park police, and university police officers whose
15 date of membership is on or after July first, two thousand twenty-five
16 shall be covered by the provisions of this section. Every member
17 described in this subdivision in such service whose date of membership
18 is on or after January ninth, two thousand ten, but before July first,
19 two thousand twenty-five may irrevocably elect to be covered by the
20 provisions of this section by filing an election therefor with the comp-
21 troller. The deadline to make such election for every member described
22 in this subdivision in such service shall be [within one year of the
23 effective date of this section] December thirty-first, two thousand
24 twenty-six or within one year of employment in an eligible title, which-
25 ever is later. To be effective, such election must be duly executed and
26 acknowledged on a form prepared by the comptroller for that purpose.

27 c. Credit for previous service. In computing the years of total cred-
28 itable service for each member described herein, full credit shall be
29 given and full allowance shall be made for service rendered as a member
30 of a retirement plan established pursuant to section three hundred
31 eighty-one-b of this title, a police officer or state university peace
32 officer or member of a police force or department of a state park
33 authority or commission or an organized police force or department of a
34 county, city, town, village, police district, authority or other partic-
35 ipating employer or member of the capital police force in the office of
36 general services while a member of the New York state and local police
37 and fire retirement system, of the New York state and local employees'
38 retirement system or of the New York city police pension fund and for
39 all service for which full credit has been given and full allowance made
40 pursuant to the provisions of section three hundred seventy-five-h of
41 this article provided, however, that full credit pursuant to the
42 provisions of such section shall mean only such service as would be

1 creditable service pursuant to the provisions of section three hundred
2 eighty-three, three hundred eighty-three-a, three hundred
3 eighty-three-b, as added by chapter six hundred seventy-four of the laws
4 of nineteen hundred eighty-six, three hundred eighty-three-b, as added
5 by chapter six hundred seventy-seven of the laws of nineteen hundred
6 eighty-six, three hundred eighty-three-c or three hundred eighty-three-d
7 of this title or pursuant to the provisions of title thirteen of the
8 administrative code of the city of New York for any member contributing
9 pursuant to this section who transferred to the jurisdiction of the
10 department of environmental conservation including but not limited to
11 environmental conservation officers and forest rangers, regional state
12 park police or state university of New York peace officers.

13 g. Employee contributions. 1. Notwithstanding any provisions of this
14 chapter to the contrary, any member currently enrolled pursuant to this
15 section shall be required to make employee contributions equal to the
16 amounts identified in this section. No other employee contributions
17 shall be required. Upon the date of enrollment in the plan provided by
18 this section, the rate at which each such member shall make basic member
19 contributions in any plan year (April first to March thirty-first) shall
20 be determined by reference to the wages of such member in the second
21 plan year (April first to March thirty-first) preceding such current
22 plan year as follows:

23 [1.] (a) members with wages of forty-five thousand dollars per annum
24 or less shall contribute four and one-half per centum of annual wages;

25 [2.] (b) members with wages greater than forty-five thousand dollars
26 per annum, but not more than fifty-five thousand dollars per annum shall
27 contribute five per centum of annual wages;

28 [3.] (c) members with wages greater than fifty-five thousand dollars
29 per annum, but not more than seventy-five thousand dollars per annum
30 shall contribute six per centum of annual wages;

31 [4.] (d) members with wages greater than seventy-five thousand dollars
32 per annum but not more than one hundred thousand dollars per annum shall
33 contribute seven and one-quarter per centum of annual wages; and

34 [5.] (e) members with wages greater than one hundred thousand dollars
35 per annum shall contribute seven and one-half per centum of annual
36 wages.

37 Notwithstanding the foregoing, during each of the first three plan
38 years (April first to March thirty-first) in which such member has
39 established membership in the New York state and local police and fire
40 retirement system, such member shall contribute a percentage of annual
41 wages in accordance with the preceding schedule based upon a projection
42 of annual wages provided by the employer. Notwithstanding the foregoing,
43 when determining the rate at which members enrolled in the plan provided
44 by this section shall contribute for any plan year (April first to March
45 thirty-first) between April first, two thousand twenty-two and April
46 first, two thousand [twenty-six] twenty-eight, such rate shall be deter-
47 mined by reference to employees annual base wages of such member in the
48 second plan year (April first to March thirty-first) preceding such
49 current plan year. Base wages shall include regular pay, shift differen-
50 tial pay, location pay, and any increased hiring rate pay, but shall not
51 include any overtime payments.

52 2. (a) Effective July first, two thousand twenty-five, any member
53 currently enrolled pursuant to this section, who first became a member
54 of the New York state and local police and fire retirement system prior
55 to July first, two thousand twenty-five, shall be required to make

1 employee contributions pursuant to section twelve hundred four of this
2 chapter. No other employee contributions shall be required.

3 (b) Effective October first, two thousand twenty-six, any member
4 currently enrolled pursuant to this section, who first became a member
5 of the New York state and local police and fire retirement system on or
6 after July first, two thousand twenty-five, shall be required to make
7 employee contributions pursuant to section twelve hundred four of this
8 chapter. No other employee contributions shall be required.

9 h. The provisions of this section shall be controlling, notwithstand-
10 ing any provision of [this article] law to the contrary.

11 § 2. Subdivisions a, c, d, and e of section 383-f of the retirement
12 and social security law, as added by section 1 of part YY of chapter 55
13 of the laws of 2025, are amended to read as follows:

14 a. Membership. Every non-seasonally appointed sworn member or officer
15 of the division of law enforcement in the department of environmental
16 conservation, a forest ranger in the service of the department of envi-
17 ronmental conservation, which shall mean a person who serves on a full-
18 time basis in the title of forest ranger I, forest ranger II, forest
19 ranger III, assistant superintendent of forest fire control, or any
20 successor titles or new titles in the forest ranger title series in the
21 department of environmental conservation, a police officer in the
22 department of environmental conservation, the regional state park
23 police, and university police officers whose date of membership is prior
24 to January ninth, two thousand ten may irrevocably elect to be covered
25 by the provisions of this section by filing an election therefor with
26 the comptroller. The deadline to make such election for every member
27 described in this subdivision in such service shall be [within one year
28 of the effective date of this section] December thirty-first, two thou-
29 sand twenty-six or within one year of employment in an eligible title,
30 whichever is later. Upon completion of twenty-five years of such service
31 and upon retirement, each such member shall receive a pension which,
32 together with an annuity, if any, which shall be the actuarial equiv-
33 alent of such member's accumulated contributions at the time of their
34 retirement and an additional pension which is the actuarial equivalent
35 of the reserve-for-increased-take-home-pay to which such member may then
36 be entitled, if any, shall be sufficient to provide such member with a
37 retirement allowance equal to fifty-five percent of their final average
38 salary. To be effective, such election must be duly executed and
39 acknowledged on a form prepared by the comptroller for such purpose.

40 c. Credit for previous service. In computing the years of total cred-
41 itable service for each member described herein, full credit shall be
42 given and full allowance shall be made for service rendered as a member
43 of a retirement plan established pursuant to section three hundred
44 eighty-one-b of this title, a police officer or state university peace
45 officer or member of a police force or department of a state park
46 authority or commission or an organized police force or department of a
47 county, city, town, village, police district, authority or other partic-
48 ipating employer or member of the capital police force in the office of
49 general services while a member of the New York state and local police
50 and fire retirement system, of the New York state and local employees'
51 retirement system or of the New York city police pension fund and for
52 all service for which full credit has been given and full allowance made
53 pursuant to the provisions of section three hundred seventy-five-h of
54 this article provided, however, that full credit pursuant to the
55 provisions of such section shall mean only such service as would be
56 creditable service pursuant to the provisions of section three hundred

1 eighty-three, three hundred eighty-three-a, three hundred
2 eighty-three-b, as added by chapter six hundred seventy-four of the laws
3 of nineteen hundred eighty-six, three hundred eighty-three-b, as added
4 by chapter six hundred seventy-seven of the laws of nineteen hundred
5 eighty-six, three hundred eighty-three-c or three hundred eighty-three-d
6 of this title or pursuant to the provisions of title thirteen of the
7 administrative code of the city of New York for any member contributing
8 pursuant to this section who transferred to the jurisdiction of the
9 department of environmental conservation including but not limited to
10 environmental conservation officers and forest rangers, regional state
11 park police or state university of New York peace officers.

12 d. Employee contributions. Notwithstanding any provisions of this
13 chapter to the contrary, any member currently enrolled pursuant to this
14 section shall be required to make employee contributions equal to one
15 and one-half per centum of annual wages, provided, however, that begin-
16 ning on and after July first, two thousand twenty-five, any member
17 currently enrolled pursuant to this section shall have no such employee
18 contributions.

19 e. The provisions of this section shall be controlling, notwithstand-
20 ing any provision of [this article] law to the contrary.

21 § 3. No employee contributions made by a member of a public retirement
22 system prior to the effective date of this act shall be refunded as a
23 result of this act becoming a law.

24 § 4. This act shall take effect immediately and shall be deemed to
25 have been in full force and effect on and after April 1, 2026; provided
26 however, that subparagraph (a) of paragraph 2 of subdivision g of
27 section 383-e of the retirement and social security law as added by
28 section one of this act and the amendment to subdivision d of section
29 383-f of the retirement and social security law made by section two of
30 this act shall take effect July 1, 2025; and provided, further, that
31 subparagraph (b) of paragraph 2 of subdivision g of section 383-e of the
32 retirement and social security law as added by section one of this act
33 shall take effect October 1, 2026. Effective immediately, the addition,
34 amendment and/or repeal of any rule or regulation necessary for the
35 implementation of this act on its effective date are authorized to be
36 made and completed on or before such effective date.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would improve the benefits of (non-Trooper) state police in the New York State and Local Police and Fire Retirement System (NYSLPFRS), covered under sections 383-e and 383-f of the retirement and social security law (RSSL), to:

(1) Reduce member contributions by 1.5% of pensionable wages, with Tier 5 member contributions further reduced to an overall rate of 3.0%. This reduction would be effective July 1, 2025 for members of NYSLPFRS prior to that date, and October 1, 2026 otherwise. Member contributions paid prior to the effective date will not be refunded. Currently, all these members contribute at least 1.5% greater than other members in NYSLPFRS.

(2) Allow benefit accruals to continue until attaining 35 years of service credit effective April 1, 2026. Currently, accruals cease at 32 years.

(3) Allow prior service as a state trooper under section 381-b to be creditable. Currently, this service is not creditable in 383-e and 383-f.

Insofar as this bill affects NYSLPFRS, the net present value of benefits would increase by approximately \$24 million.

Benefit improvements would be funded by increasing the billing rates charged annually. Billing rates in affected plans would increase approximately 6.9% in Tier 5 and 2.6% in other Tiers. Annual contributions would increase approximately \$4.0 million to the state of New York.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$10 million which will be borne by the state of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2027.

These estimated costs are based on 1,233 affected members employed by the state of New York, with annual salary of approximately \$133 million as of March 31, 2025.

Summary of relevant resources:

Membership data as of March 31, 2025 was used to measure the impact of the bill, the same data used in the Actuarial Valuations dated April 1, 2025. Distributions and other statistics can be found in the 2025 Report of the Actuary and the 2025 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2025 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The fair value of assets and GASB disclosures can be found in the 2025 Financial Statements and Supplementary Information.

Assumptions, demographics, and other considerations may have been modified to better reflect specific provisions of any proposed benefit change(s).

This fiscal note does not constitute a legal opinion on the viability of the bill, nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 20, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-220. As Chief Actuary of the New York State and Local Retirement System (NYSLRS), I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member. I am a member of NYSLRS but do not believe it impairs my objectivity.

1

PART EEE

2

Section 1. Short title. This act shall be known and may be cited as the "Didarul Islam police recruitment act".

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§ 2. Paragraph 2 of subdivision c of section 513 of the retirement and social security law is amended by adding a new subparagraph (iv) to read as follows:

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6

(iv) Notwithstanding any other provision of law to the contrary, a

7

member of the New York city police pension fund subject to this article

8

shall be eligible to obtain credit for any period of service rendered as

9

a New York city school safety agent or supervisor of school safety

10

agents, a New York city corrections officer or supervisor of New York

11

city corrections officers, a New York city traffic enforcement agent or

12

supervisor of traffic enforcement agents, or in the New York city police

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department cadet program in the title of police cadet program or police

14

cadet program II, which immediately precedes service in the uniformed

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force of the New York city police department, and such service shall be

16

deemed to be in service of the uniformed force of the New York city

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police department for purposes of eligibility for benefits and to deter-

18



1 mine the amount of benefits under the New York city police pension fund,
 2 provided that such member pays or transfers into the New York city
 3 police pension fund all member contributions set forth in section five
 4 hundred seventeen of this article plus interest, at a rate of five
 5 percent per annum. For a member who transfers such contributions from
 6 the New York city employees' retirement system to the New York city
 7 police pension fund or for a member who withdraws such contributions
 8 from the New York city employees' retirement system, such member's
 9 membership in the New York city employees' retirement system shall cease
 10 upon such transfer or withdrawal and such member shall retain no credit-
 11 ed service in such system.

12 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation would provide eligible Tier 3 New York City Police Pension Fund (POLICE) members with credit for prior service as a correction officer, traffic enforcement agent, school safety agent, or police cadet that immediately precedes POLICE membership.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	NYC
2027	34.7
2028	35.9
2029	37.1
2030	38.3
2031	39.3
2032	40.1
2033	40.9
2034	41.8
2035	42.6
2036	43.3
2037	44.1
2038	45.0
2039	45.8
2040	46.6
2041	47.4
2042	20.5
2043	21.3
2044	21.8
2045	22.1
2046	22.7
2047	23.8
2048	25.1
2049	26.3
2050	27.5
2051	28.9

Projected contributions include future new hires that may be impacted.

For Fiscal Year 2052 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 1.56% for each year of service purchased or transferred.

The entire increase in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2025 (\$ in Millions)

Present Value (PV)	NYC
(1)PV of Employer Contributions:	261.2
(2)PV of Employee Contributions:	<u>0.7</u>
Total PV of Benefits (1)+(2):	261.9

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working lifetime of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY	
	NYC
Increase (Decrease) in UAL:	244.3M
Number of Payments:	15
Amortization Payment:	27.7M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025 and was supplemented with data previously provided by the Police Benevolent Association. The census data for the impacted population is summarized below.

	POLICE
Active Members	
- Number Count:	3,159
- Average Age:	33.2
- Average Current Uniform Service:	5.3
- Average Additional Service:	2.6
- Average Salary:	117,100

For the purposes of this Fiscal Note, and due to a lack of sufficient data, it was assumed that service earned under the eligible titles was immediately preceding such members' POLICE service and would therefore be eligible for credit under the proposed legislation.

IMPACT ON MEMBER BENEFITS AND CONTRIBUTIONS: To receive service credit, eligible POLICE members will need to transfer or pay the applicable member contributions that would have otherwise been required.

Prior service may be used to determine the initial date of POLICE membership for plan or tier eligibility and would be included in the minimum service required for eligibility and payment of retirement benefits.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

* Each year, 10% of new entrants are assumed to purchase an average of 2.0 years of prior service. For the purposes of this Fiscal Note, new entrant costs have been shown assuming that the entirety of the cost would be funded via normal cost.

To determine the impact of the elective nature of the proposed legislation, a subgroup of eligible members was developed based on who is assumed to benefit actuarially by comparing the net present value of future employer costs of each member's benefit before and after the assumed transfer or purchase of eligible non-uniformed service.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2026-17 dated February 20, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.

1

PART FFF

2 Section 1. Subdivision 17 of section 501 of the retirement and social
3 security law, as separately amended by section 1 of part SS of chapter
4 55 and chapter 692 of the laws of 2025, is amended to read as follows:

5 17. "Normal retirement age" shall be age sixty-two, for general
6 members, the age at which a member completes or would have completed
7 twenty-two years of service, for police/fire members, New York city
8 uniformed correction/sanitation revised plan members and investigator
9 revised plan members[,]; except that for police/fire members of the New
10 York city police pension fund, normal retirement age shall be the age at
11 which a member completes or would have completed twenty years of
12 service, and the age at which a member completes twenty years of service
13 for police/fire members who are members of the New York city fire
14 department pension fund; and except that for New York city uniformed
15 correction/sanitation revised plan members, normal retirement age shall
16 be the age at which a member completes or would have completed twenty
17 years of service.

18 § 2. Subdivision d of section 503 of the retirement and social securi-
19 ty law, as separately amended by section 2 of part SS of chapter 55 and
20 chapter 692 of the laws of 2025, is amended to read as follows:



1 d. The normal service retirement benefit specified in section five
 2 hundred five of this article shall be paid to police/fire members, New
 3 York city uniformed correction/sanitation revised plan members and
 4 investigator revised plan members without regard to age upon retirement
 5 after twenty-two years of service[,]; except that the normal service
 6 retirement benefit specified in section five hundred five of this arti-
 7 cle shall be paid to police/fire members of the New York city police
 8 pension fund, after twenty years of service; provided, however, that
 9 such normal service retirement benefit for police/fire members who are
 10 members of the New York city fire department pension fund shall be paid
 11 to such members of the New York city fire department pension fund with-
 12 out regard to age upon retirement after twenty years of service; and
 13 except that the normal service retirement benefit specified in section
 14 five hundred five of this article shall be paid to New York city
 15 uniformed correction/sanitation revised plan members after twenty years
 16 of service. Early service retirement shall be permitted upon retirement
 17 after twenty years of credited service or attainment of age sixty-two,
 18 provided, however, that New York city police/fire revised plan members,
 19 New York city uniformed correction/sanitation revised plan members and
 20 investigator revised plan members shall not be eligible to retire for
 21 service prior to the attainment of twenty years of credited service.

22 § 3. Section 505 of the retirement and social security law is amended
 23 by adding a new subdivision e to read as follows:

24 e. Notwithstanding anything to the contrary in any other law, New York
 25 city uniformed correction/sanitation revised plan members shall be
 26 eligible for a normal service retirement benefit in lieu of an early
 27 service retirement benefit upon completing twenty years of service
 28 pursuant to subdivision d of section five hundred three of this article.

29 § 4. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:
 SUMMARY: This proposed legislation would reduce the Normal Retirement
 Age for NYCERS Tier 3 members of the Uniformed Sanitation Force and
 Uniformed Correction Force 22-Year Plans (i.e., Revised Plan members) to
 be the age at which a member completes or would have completed twenty
 years of service.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	NYCERS
2027	6.6
2028	7.0
2029	7.4
2030	7.8
2031	8.2
2032	8.6
2033	8.9
2034	9.3
2035	9.6
2036	9.9
2037	10.1
2038	10.4
2039	10.6
2040	10.8
2041	11.1
2042	8.3

2043	8.6
2044	8.9
2045	9.2
2046	9.4
2047	9.7
2048	10.1
2049	10.4
2050	10.7
2051	11.1

Projected contributions include future new hires that may be impacted. For Fiscal Year 2052 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 0.32%.

The entire increase in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2025 (\$ in Millions)

Present Value (PV)	NYCERS
(1) PV of Employer Contributions:	53.4
(2) PV of Employee Contributions:	<u>(3.5)</u>
Total PV of Benefits (1) + (2):	49.9

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working life-time of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS
Increase (Decrease) in UAL:	27.6 M
Number of Payments:	15
Amortization Payment:	3.1 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2025. The census data for the impacted population is summarized below.

	NYCERS
Active Members	
- Number Count:	8,609
- Average Age:	40.3
- Average Service:	7.7
- Average Salary:	109,200

IMPACT ON MEMBER BENEFITS: Currently, NYCERS Tier 3 Sanitation and Correction Revised Plan members in 22-Year Plans who retire with at

least 20 years of service are eligible to receive an annual benefit that is equal to 42% of Final Average Salary (FAS), increasing to a maximum benefit of 50% of FAS after 22 years of service.

Under the proposed legislation, NYCERS Tier 3 Sanitation and Correction Revised Plan members in 22-Year Plans who retire with at least 20 years of service would be eligible to receive an annual benefit that is equal to 50% of FAS.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

* Retirement rates were adjusted to reflect the earlier payability of the service retirement benefit associated with the proposed legislation.

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2026-02 dated January 21, 2026 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2026 Legislative Session.

1

PART GGG

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

- 6 1. Local government records management account (20501).
- 7 2. Child health plus program account (20810).
- 8 3. EPIC premium account (20818).
- 9 4. Transit authorities account (20851).
- 10 5. Railroad account (20852).
- 11 6. Non-MTA capital account (20853).
- 12 7. Recreation account (21067).
- 13 8. Education - New (20901).
- 14 9. VLT - Sound basic education fund (20904).



- 1 10. Sewage treatment program management and administration fund
- 2 (21000).
- 3 11. Utility environmental regulatory account (21064).
- 4 12. Federal grants indirect cost recovery account (21065).
- 5 13. Low level radioactive waste account (21066).
- 6 14. Environmental regulatory account (21081).
- 7 15. Natural resource account (21082).
- 8 16. Environmental protection and oil spill compensation fund (21200).
- 9 17. Public transportation systems account (21401).
- 10 18. Metropolitan mass transportation (21402).
- 11 19. Operating permit program account (21451).
- 12 20. Mobile source account (21452).
- 13 21. New York state thruway authority account (21905).
- 14 22. Financial control board account (21911).
- 15 23. Regulation of racing account (21912).
- 16 24. State university dormitory income reimbursable account (21937).
- 17 25. Training, management and evaluation account (21961).
- 18 26. Clinical laboratory reference system assessment account (21962).
- 19 27. Indirect cost recovery account (21978).
- 20 28. Multi-agency training account (21989).
- 21 29. Bell jar collection account (22003).
- 22 30. Real property disposition account (22006).
- 23 31. Parking account (22007).
- 24 32. Courts special grants (22008).
- 25 33. Batavia school for the blind account (22032).
- 26 34. Financial oversight account (22039).
- 27 35. Regulation of Indian gaming account (22046).
- 28 36. Rome school for the deaf account (22053).
- 29 37. Administrative adjudication account (22055).
- 30 38. Cultural education account (22063).
- 31 39. DHCR mortgage servicing account (22085).
- 32 40. Voting Machine Examinations account (22099).
- 33 41. DHCR-HCA application fee account (22100).
- 34 42. Restitution account (22134).
- 35 43. New York State Home for Veterans in the Lower-Hudson Valley
- 36 account (22144).
- 37 44. Deferred compensation administration account (22151).
- 38 45. Transportation aviation account (22165).
- 39 46. New York State Campaign Finance Fund account (22211).
- 40 47. New York state medical indemnity fund account (22240).
- 41 48. Behavioral health parity compliance fund (22246).
- 42 49. Pharmacy benefit manager regulatory fund (22255).
- 43 50. Virtual currency assessments account (22262).
- 44 51. Employers assessment account (22269).
- 45 52. State university general income offset account (22654).
- 46 53. Highway safety program account (23001).
- 47 54. NYCCC operating offset account (23151).
- 48 55. Commercial gaming revenue account (23701).
- 49 56. Commercial gaming regulation account (23702).
- 50 57. New York state secure choice administrative account (23806).
- 51 58. New York state cannabis revenue fund (24800).
- 52 59. Fantasy sports administration account (24951).
- 53 60. Mobile sports wagering fund (24955).
- 54 61. Highway and bridge capital account (30051).
- 55 62. State university residence hall rehabilitation fund (30100).
- 56 63. State parks infrastructure account (30351).

- 1 64. Hazardous waste cleanup account (31506).
- 2 65. Youth facilities improvement account (31701).
- 3 66. Housing assistance fund (31800).
- 4 67. Housing program fund (31850).
- 5 68. Highway facility purpose account (31951).
- 6 69. New York racing account (32213).
- 7 70. Information technology capital financing account (32215).
- 8 71. New York environmental protection and spill remediation account
- 9 (32219).
- 10 72. Department of financial services IT modernization capital account
- 11 (32230).
- 12 73. Grants Reimbursement from Non-Federal Entity Account (32231).
- 13 74. Renourishment account (32232).
- 14 75. Mental hygiene facilities capital improvement fund (32300).
- 15 76. Correctional facilities capital improvement fund (32350).
- 16 77. OGS convention center account (50318).
- 17 78. Empire Plaza Gift Shop (50327).
- 18 79. Unemployment Insurance Benefit Fund, Interest Assessment Account
- 19 (50651).
- 20 80. Centralized services fund (55000).
- 21 81. Archives records management account (55052).
- 22 82. Federal single audit account (55053).
- 23 83. Civil service administration account (55055).
- 24 84. Banking services account (55057).
- 25 85. Cultural resources survey account (55058).
- 26 86. Neighborhood work project account (55059).
- 27 87. Automation & printing chargeback account (55060).
- 28 88. Data center account (55062).
- 29 89. Intrusion detection account (55066).
- 30 90. Domestic violence grant account (55067).
- 31 91. Centralized technology services account (55069).
- 32 92. Labor contact center account (55071).
- 33 93. Human services contact center account (55072).
- 34 94. Department of law civil recoveries account (55074).
- 35 95. Executive direction internal audit account (55251).
- 36 96. CIO Information technology centralized services account (55252).
- 37 97. Health insurance internal service account (55300).
- 38 98. Civil service employee benefits division administrative account
- 39 (55301).
- 40 99. Correctional industries revolving fund (55350).
- 41 100. Employees health insurance account (60201).
- 42 101. Medicaid management information system escrow fund (60900).
- 43 102. Animal shelter regulation account.
- 44 103. Climate initiative account.
- 45 104. Responsible AI Safety and Education account.
- 46 105. Data broker account.
- 47 § 2. The state comptroller is hereby authorized and directed to loan
- 48 money in accordance with the provisions set forth in subdivision 5 of
- 49 section 4 of the state finance law to any account within the following
- 50 federal funds, provided the comptroller has made a determination that
- 51 sufficient federal grant award authority is available to reimburse such
- 52 loans:
- 53 1. Federal USDA-food and nutrition services fund (25000).
- 54 2. Federal health and human services fund (25100).
- 55 3. Federal education fund (25200).
- 56 4. Federal block grant fund (25250).



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

6 § 3. Notwithstanding any law to the contrary, and in accordance with
7 section 4 of the state finance law, the comptroller is hereby authorized
8 and directed to transfer, upon request of the director of the budget, on
9 or before March 31, 2027, up to the unencumbered balance or the follow-
10 ing amounts:

11 Economic Development and Public Authorities:

12 1. An amount up to the unencumbered balance from the miscellaneous
13 special revenue fund, business and licensing services account (21977),
14 to the general fund.

15 2. \$19,810,000 from the miscellaneous special revenue fund, code
16 enforcement account (21904), to the general fund.

17 3. \$3,000,000 from the general fund to the miscellaneous special
18 revenue fund, tax revenue arrearage account (22168).

19 Education:

20 1. \$2,458,070,000 from the general fund to the state lottery fund,
21 education account (20901), as reimbursement for disbursements made from
22 such fund for supplemental aid to education pursuant to section 92-c of
23 the state finance law that are in excess of the amounts deposited in
24 such fund for such purposes pursuant to section 1612 of the tax law.

25 2. \$1,069,000,000 from the general fund to the state lottery fund, VLT
26 education account (20904), as reimbursement for disbursements made from
27 such fund for supplemental aid to education pursuant to section 92-c of
28 the state finance law that are in excess of the amounts deposited in
29 such fund for such purposes pursuant to section 1612 of the tax law.

30 3. \$142,222,000 from the general fund to the New York state commercial
31 gaming fund, commercial gaming revenue account (23701), as reimbursement
32 for disbursements made from such fund for supplemental aid to education
33 pursuant to section 97-nnnn of the state finance law that are in excess
34 of the amounts deposited in such fund for purposes pursuant to section
35 1352 of the racing, pari-mutuel wagering and breeding law.

36 4. \$1,455,798,000 from the general fund to the mobile sports wagering
37 fund, education account (24955), as reimbursement for disbursements made
38 from such fund for supplemental aid to education pursuant to section
39 92-c of the state finance law that are in excess of the amounts deposit-
40 ed in such fund for such purposes pursuant to section 1367 of the
41 racing, pari-mutuel wagering and breeding law.

42 5. \$19,070,000 from the interactive fantasy sports fund, fantasy
43 sports education account (24950), to the state lottery fund, education
44 account (20901), as reimbursement for disbursements made from such fund
45 for supplemental aid to education pursuant to section 92-c of the state
46 finance law.

47 6. \$50,000,000 from the cannabis revenue fund cannabis education
48 account (24801), to the state lottery fund, education account (20901),
49 as reimbursement for disbursements made from such fund for supplemental
50 aid to education pursuant to section 99-ii of the state finance law.

51 7. An amount up to the unencumbered balance in the fund on March 31,
52 2026 from the charitable gifts trust fund, elementary and secondary
53 education account (24901), to the general fund, for payment of general
54 support for public schools pursuant to section 3609-a of the education
55 law.

- 1 8. Moneys from the state lottery fund (20900) up to an amount deposit-
2 ed in such fund pursuant to section 1612 of the tax law in excess of the
3 current year appropriation for supplemental aid to education pursuant to
4 section 92-c of the state finance law.
- 5 9. \$300,000 from the New York state local government records manage-
6 ment improvement fund, local government records management account
7 (20501), to the New York state archives partnership trust fund, archives
8 partnership trust maintenance account (20351).
- 9 10. \$900,000 from the general fund to the miscellaneous special reven-
10 ue fund, Batavia school for the blind account (22032).
- 11 11. \$900,000 from the general fund to the miscellaneous special reven-
12 ue fund, Rome school for the deaf account (22053).
- 13 12. \$343,400,000 from the state university dormitory income fund
14 (40350) to the miscellaneous special revenue fund, state university
15 dormitory income reimbursable account (21937).
- 16 13. \$28,500,000 from any of the state education department's special
17 revenue and internal service funds to the miscellaneous special revenue
18 fund, indirect cost recovery account (21978).
- 19 14. \$4,200,000 from any of the state education department's special
20 revenue or internal service funds to the capital projects fund (30000).
- 21 15. \$8,000,000 from the general fund to the miscellaneous special
22 revenue fund, HESC-insurance premium payments account (21960).
- 23 16. \$358,000,000 from the state university income fund, state univer-
24 sity hospitals income reimbursable account (22656), and the state
25 university income fund, state university-wide hospital reimbursable
26 account (22658) to the General Fund for the payment of SUNY Hospitals
27 Health Insurance premiums on or before March 31, 2027.
- 28 17. \$5,000,000 from the general fund to the miscellaneous capital
29 projects fund, state university of New York green energy loan fund.
- 30 18. \$12,000,000 from the miscellaneous special revenue fund office of
31 professions account (22051) to the miscellaneous special revenue fund
32 cultural education account (22063).
- 33 19. \$150,000 from the dedicated miscellaneous special revenue fund,
34 gifts for the state library system account (23821) to the miscellaneous
35 special revenue fund, love your library account (22119).
- 36 Environmental Affairs:
- 37 1. \$16,000,000 from any of the department of environmental conserva-
38 tion's special revenue federal funds, and/or federal capital funds, to
39 the environmental conservation special revenue fund, federal indirect
40 recovery account (21065).
- 41 2. \$5,000,000 from any of the department of environmental conserva-
42 tion's special revenue federal funds, and/or federal capital funds, to
43 the conservation fund (21150) or Marine Resources Account (21151) as
44 necessary to avoid diversion of conservation funds.
- 45 3. \$3,000,000 from any of the office of parks, recreation and historic
46 preservation capital projects federal funds and special revenue federal
47 funds to the miscellaneous special revenue fund, federal grant indirect
48 cost recovery account (22188).
- 49 4. \$150,000,000 from the general fund to the environmental protection
50 fund, environmental protection fund transfer account (30451).
- 51 5. \$10,000,000 from the general fund to the hazardous waste remedial
52 fund, hazardous waste cleanup account (31506).
- 53 6. An amount up to or equal to the cash balance within the special
54 revenue-other waste management & cleanup account (21053) to the capital
55 projects fund (30000) for services and capital expenses related to the



1 management and cleanup program as put forth in section 27-1915 of the
2 environmental conservation law.

3 7. \$7,000,000 from the general fund to the enterprise fund, state fair
4 account (50051).

5 8. \$3,000,000 from the waste management & cleanup account (21053) to
6 the environmental protection fund transfer account (30451).

7 9. \$14,000,000 from the general fund to the miscellaneous special
8 revenue fund, patron services account (22163).

9 10. \$15,000,000 from the enterprise fund, golf account (50332) to the
10 state park infrastructure fund, state park infrastructure account
11 (30351).

12 11. \$10,000,000 from the general fund to the environmental protection
13 and oil spill compensation fund (21203).

14 12. \$500,000 from the general fund to the Lake George park account
15 (22751).

16 Family Assistance:

17 1. \$7,000,000 from any of the office of children and family services,
18 office of temporary and disability assistance, or department of health
19 special revenue federal funds and the general fund, in accordance with
20 agreements with social services districts, to the miscellaneous special
21 revenue fund, office of human resources development state match account
22 (21967).

23 2. \$4,000,000 from any of the office of children and family services
24 or office of temporary and disability assistance special revenue federal
25 funds to the miscellaneous special revenue fund, family preservation and
26 support services and family violence services account (22082).

27 3. \$18,670,000 from any of the office of children and family services,
28 office of temporary and disability assistance, or department of health
29 special revenue federal funds and any other miscellaneous revenues
30 generated from the operation of office of children and family services
31 programs to the general fund.

32 4. \$225,300,000 from any of the office of temporary and disability
33 assistance or department of health special revenue funds to the general
34 fund.

35 5. \$2,500,000 from any of the office of temporary and disability
36 assistance special revenue funds to the miscellaneous special revenue
37 fund, office of temporary and disability assistance program account
38 (21980).

39 6. \$35,000,000 from any of the office of children and family services,
40 office of temporary and disability assistance, department of labor, and
41 department of health special revenue federal funds to the office of
42 children and family services miscellaneous special revenue fund, multi-
43 agency training contract account (21989).

44 7. \$205,000,000 from the miscellaneous special revenue fund, youth
45 facility per diem account (22186), to the general fund.

46 8. \$788,000 from the general fund to the combined gifts, grants, and
47 bequests fund, WB Hoyt Memorial account (20128).

48 9. \$5,000,000 from the miscellaneous special revenue fund, state
49 central registry (22028), to the general fund.

50 10. \$900,000 from the general fund to the Veterans' Remembrance and
51 Cemetery Maintenance and Operation account (20201).

52 11. \$7,000,000 from the general fund to the housing program fund
53 (31850).

54 12. \$15,000,000 from any of the office of children and family services
55 special revenue federal funds to the office of court administration
56 special revenue other federal iv-e funds account.



1 13. \$10,000,000 from any of the office of children and family services
2 special revenue federal funds to the miscellaneous special revenue fund,
3 title iv-e parental services account (22273).

4 General Government:

5 1. \$12,000,000 from the general fund to the health insurance revolving
6 fund (55300).

7 2. \$292,400,000 from the health insurance reserve receipts fund
8 (60550) to the general fund.

9 3. \$150,000 from the general fund to the not-for-profit revolving loan
10 fund (20650).

11 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the
12 general fund.

13 5. \$3,000,000 from the miscellaneous special revenue fund, surplus
14 property account (22036), to the general fund.

15 6. \$19,000,000 from the miscellaneous special revenue fund, revenue
16 arrearage account (22024), to the general fund.

17 7. \$3,828,000 from the miscellaneous special revenue fund, revenue
18 arrearage account (22024), to the miscellaneous special revenue fund,
19 authority budget office account (22138).

20 8. \$1,000,000 from the miscellaneous special revenue fund, parking
21 account (22007), to the general fund, for the purpose of reimbursing the
22 costs of debt service related to state parking facilities.

23 9. \$11,460,000 from the general fund to the agencies internal service
24 fund, central technology services account (55069), for the purpose of
25 enterprise technology projects.

26 10. \$10,000,000 from the general fund to the agencies internal service
27 fund, state data center account (55062).

28 11. \$12,000,000 from the miscellaneous special revenue fund, parking
29 account (22007), to the centralized services, building support services
30 account (55018).

31 12. \$36,000,000 from the general fund to the internal service fund,
32 business services center account (55022).

33 13. \$9,500,000 from the general fund to the internal service fund,
34 building support services account (55018).

35 14. \$1,500,000 from the combined expendable trust fund, plaza special
36 events account (20120), to the general fund.

37 15. A transfer from the general fund to the miscellaneous special
38 revenue fund, New York State Campaign Finance Fund Account (22211), up
39 to an amount equal to total reimbursements due to qualified candidates.

40 16. \$6,000,000 from the miscellaneous special revenue fund, standards
41 and purchasing account (22019), to the general fund.

42 17. \$12,400,000 from the banking department special revenue fund
43 (21970) funded by the assessment to defray operating expenses authorized
44 by section 206 of the financial services law to the IT Modernization
45 Capital Fund.

46 18. \$17,000,000 from the miscellaneous special revenue fund, New York
47 State cannabis revenue fund (24800), to the miscellaneous capital
48 projects fund, Cannabis IT subfund.

49 19. \$12,400,000 from the insurance department special revenue fund
50 (21994) funded by the assessment to defray operating expenses authorized
51 by section 206 of the financial services law to the IT Modernization
52 Capital Fund.

53 20. \$1,550,000 from the pharmacy benefits bureau special revenue fund
54 (22255) funded by the assessment to defray operating expenses authorized
55 by section 206 of the financial services law, to the IT Modernization
56 Capital Fund.



- 1 21. \$4,650,000 from the virtual currency special revenue fund (22262)
2 funded by the assessment to defray operating expenses authorized by
3 section 206 of the financial services law, to the IT Modernization Capi-
4 tal Fund.
- 5 22. \$30,000,000 from the miscellaneous special revenue fund, workers'
6 compensation account (21995), to the miscellaneous capital projects
7 fund, workers' compensation board IT business process design fund
8 (32218).
- 9 23. \$250,000 from the general fund to the miscellaneous special reven-
10 ue fund, authority budget office account (22138).
- 11 Health:
- 12 1. A transfer from the general fund to the combined gifts, grants and
13 bequests fund, breast cancer research and education account (20155), up
14 to an amount equal to the monies collected and deposited into that
15 account in the previous fiscal year.
- 16 2. A transfer from the general fund to the combined gifts, grants and
17 bequests fund, prostate cancer research, detection, and education
18 account (20183), up to an amount equal to the moneys collected and
19 deposited into that account in the previous fiscal year.
- 20 3. A transfer from the general fund to the combined gifts, grants and
21 bequests fund, Alzheimer's disease research and assistance account
22 (20143), up to an amount equal to the moneys collected and deposited
23 into that account in the previous fiscal year.
- 24 4. \$3,600,000 from the miscellaneous special revenue fund, certificate
25 of need account (21920), to the miscellaneous capital projects fund,
26 healthcare IT capital subfund (32216).
- 27 5. \$4,000,000 from the miscellaneous special revenue fund, vital
28 health records account (22103), to the miscellaneous capital projects
29 fund, healthcare IT capital subfund (32216).
- 30 6. \$6,000,000 from the miscellaneous special revenue fund, profes-
31 sional medical conduct account (22088), to the miscellaneous capital
32 projects fund, healthcare IT capital subfund (32216).
- 33 7. \$126,000,000 from the HCRA resources fund (20800) to the capital
34 projects fund (30000).
- 35 8. \$6,550,000 from the general fund to the medical cannabis trust
36 fund, health operation and oversight account (23755).
- 37 9. An amount up to the unencumbered balance from the charitable gifts
38 trust fund, health charitable account (24900), to the general fund, for
39 payment of general support for primary, preventive, and inpatient health
40 care, dental and vision care, hunger prevention and nutritional assist-
41 ance, and other services for New York state residents with the overall
42 goal of ensuring that New York state residents have access to quality
43 health care and other related services.
- 44 10. \$500,000 from the miscellaneous special revenue fund, New York
45 State cannabis revenue fund (24800), to the miscellaneous special reven-
46 ue fund, environmental laboratory fee account (21959).
- 47 11. An amount up to the unencumbered balance from the public health
48 emergency charitable gifts trust fund (23816), to the general fund, for
49 payment of goods and services necessary to respond to a public health
50 disaster emergency or to assist or aid in responding to such a disaster.
- 51 12. \$1,000,000,000 from the general fund to the health care transfor-
52 mation fund (24850).
- 53 13. \$2,590,000 from the miscellaneous special revenue fund, patient
54 safety center account (22139), to the general fund.
- 55 14. \$1,000,000 from the miscellaneous special revenue fund, nursing
56 home receivership account (21925), to the general fund.



1 15. \$130,000 from the miscellaneous special revenue fund, quality of
2 care account (21915), to the general fund.

3 16. \$2,200,000 from the miscellaneous special revenue fund, adult home
4 quality enhancement account (22091), to the general fund.

5 17. \$8,467,000 from the general fund, to the miscellaneous special
6 revenue fund, helen hayes hospital account (22140).

7 18. \$1,303,000 from the general fund, to the miscellaneous special
8 revenue fund, New York city veterans' home account (22141).

9 19. \$606,000 from the general fund, to the miscellaneous special
10 revenue fund, New York state home for veterans' and their dependents at
11 oxford account (22142).

12 20. \$334,000 from the general fund, to the miscellaneous special
13 revenue fund, western New York veterans' home account (22143).

14 21. \$1,636,000 from the general fund, to the miscellaneous special
15 revenue fund, New York state for veterans in the lower-hudson valley
16 account (22144).

17 22. \$750,000,000 from the general fund, to the miscellaneous special
18 revenue fund, healthcare stability fund account (22267).

19 23. \$5,000,000 from the general fund to the occupational health clin-
20 ics account (22177).

21 24. \$13,000 from the miscellaneous special revenue fund, veterans home
22 assistance account (20208), to the miscellaneous special revenue fund,
23 New York city veterans' home account (22141).

24 25. \$13,000 from the miscellaneous special revenue fund, veterans home
25 assistance account (20208), to the miscellaneous special revenue fund,
26 New York state home for veterans' and their dependents at oxford account
27 (22142).

28 26. \$13,000 from the miscellaneous special revenue fund, veterans
29 assistance account (20208), to the miscellaneous special revenue fund,
30 western New York veterans' home account (22143).

31 27. \$13,000 from the miscellaneous special revenue fund, veterans
32 assistance account (20208), to the miscellaneous special revenue fund,
33 New York state for veterans in the lower-Hudson valley account (22144).

34 28. \$13,000 from the miscellaneous special revenue fund, veterans
35 assistance account (20208), to the state university income fund, Long
36 Island Veterans' Home Account (22652).

37 29. \$159,000,000 from the miscellaneous special revenue fund, health-
38 care stability fund account (22267) to the HCRA resources fund, HCRA
39 program account (20807).

40 Labor:

41 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
42 penalty account (21923), to the child performer's protection fund, child
43 performer protection account (20401).

44 2. \$11,700,000 from the unemployment insurance interest and penalty
45 fund, unemployment insurance special interest and penalty account
46 (23601), to the general fund.

47 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
48 ment insurance special interest and penalty account (23601), and public
49 work enforcement account (21998), to the general fund.

50 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
51 safety program fund (22252) to the miscellaneous special revenue fund,
52 DOL fee and penalty account (21923).

53 5. \$22,000,000 from the miscellaneous special revenue fund, Interest
54 and Penalty Account (23601), to the Training and Education Program on
55 Occupation Safety and Health Fund, OSHA Training and Education Account
56 (21251).



- 1 6. \$1,000,000 from the miscellaneous special revenue fund, Public Work
2 Enforcement account (21998), to the Training and Education Program on
3 Occupation Safety and Health Fund, OSHA Training and Education Account
4 (21251).
- 5 7. \$4,000,000 from the miscellaneous special revenue fund, Public Work
6 Enforcement account (21998), to the Training and Education Program on
7 Occupational Safety and Health Fund, OSHA Inspection Account (21252).
- 8 Mental Hygiene:
 - 9 1. \$60,000,000 from the general fund, to the mental hygiene facilities
10 capital improvement fund (32300).
 - 11 2. \$20,000,000 from the opioid settlement fund (23817) to the miscel-
12 laneous capital projects fund, opioid settlement capital account
13 (32200).
 - 14 3. \$20,000,000 from the miscellaneous capital projects fund, opioid
15 settlement capital account (32200) to the opioid settlement fund
16 (23817).
- 17 Public Protection:
 - 18 1. \$2,587,000 from the general fund to the miscellaneous special
19 revenue fund, recruitment incentive account (22171).
 - 20 2. \$23,773,000 from the general fund to the correctional industries
21 revolving fund, correctional industries internal service account
22 (55350).
 - 23 3. \$2,000,000,000 from any of the division of homeland security and
24 emergency services special revenue federal funds to the general fund.
 - 25 4. \$115,420,000 from the state police motor vehicle law enforcement
26 and motor vehicle theft and insurance fraud prevention fund, state
27 police motor vehicle enforcement account (22802), to the general fund
28 for state operation expenses of the division of state police.
 - 29 5. \$138,272,000 from the general fund to the correctional facilities
30 capital improvement fund (32350).
 - 31 6. \$5,000,000 from the general fund to the dedicated highway and
32 bridge trust fund (30050) for the purpose of work zone safety activities
33 provided by the division of state police for the department of transpor-
34 tation.
 - 35 7. \$10,000,000 from the miscellaneous special revenue fund, statewide
36 public safety communications account (22123), to the capital projects
37 fund (30000).
 - 38 8. \$39,830,000 from the miscellaneous special revenue fund, legal
39 services assistance account (22096), to the general fund.
 - 40 9. \$1,000,000 from the general fund to the agencies internal service
41 fund, neighborhood work project account (55059).
 - 42 10. \$7,980,000 from the miscellaneous special revenue fund, finger-
43 print identification & technology account (21950), to the general fund.
 - 44 11. \$1,100,000 from the state police motor vehicle law enforcement and
45 motor vehicle theft and insurance fraud prevention fund, motor vehicle
46 theft and insurance fraud account (22801), to the general fund.
 - 47 12. \$38,938,000 from the general fund to the miscellaneous special
48 revenue fund, criminal justice improvement account (21945).
 - 49 13. \$6,000,000 from the general fund to the miscellaneous special
50 revenue fund, hazard mitigation revolving loan account (22266).
 - 51 14. \$234,000,000 from the indigent legal services fund, indigent legal
52 services account (23551) to the general fund.
 - 53 15. \$50,000,000 from the miscellaneous special revenue fund, statewide
54 public safety communications account (22123) to the general fund.
- 55 Transportation:

- 1 1. \$20,000,000 from the general fund to the mass transportation oper-
2 ating assistance fund, public transportation systems operating assist-
3 ance account (21401), of which \$12,000,000 constitutes the base need for
4 operations.
- 5 2. \$727,500,000 from the general fund to the dedicated highway and
6 bridge trust fund (30050).
- 7 3. \$243,250,000 from the general fund to the MTA financial assistance
8 fund, mobility tax trust account (23651).
- 9 4. \$477,000 from the miscellaneous special revenue fund, traffic adju-
10 dication account (22055), to the general fund.
- 11 5. \$5,000,000 from the miscellaneous special revenue fund, transporta-
12 tion regulation account (22067) to the general fund, for disbursements
13 made from such fund for motor carrier safety that are in excess of the
14 amounts deposited in the general fund for such purpose pursuant to
15 section 94 of the transportation law.
- 16 6. Up to \$3,000,000 from the general fund to the New York state thru-
17 way authority account (21905), pursuant to a plan submitted by the exec-
18 utive director of the New York state thruway authority and approved by
19 the director of budget, for costs related to providing a toll discount
20 on the governor Mario M. Cuomo bridge for applicable Orange county resi-
21 dents.
- 22 Miscellaneous:
- 23 1. \$250,000,000 from the general fund to any funds or accounts for the
24 purpose of reimbursing certain outstanding accounts receivable balances.
- 25 2. \$500,000,000 from the general fund to the debt reduction reserve
26 fund (40000).
- 27 3. \$15,500,000 from the general fund, community projects account GG
28 (10256), to the general fund, state purposes account (10050).
- 29 4. \$100,000,000 from any special revenue federal fund to the general
30 fund, state purposes account (10050).
- 31 5. An amount up to the unencumbered balance from the special revenue
32 federal fund, ARPA-Fiscal Recovery Fund (25546) to the general fund.
- 33 6. \$1,500,000,000 from the general fund to the hazardous waste remedi-
34 al fund, hazardous waste cleanup account (31506), State parks infras-
35 tructure account (30351), environmental protection fund transfer account
36 (30451), the correctional facilities capital improvement fund (32350),
37 housing program fund (31850), or the Mental hygiene facilities capital
38 improvement fund (32300), up to an amount equal to certain outstanding
39 accounts receivable balances.
- 40 § 4. Notwithstanding any law to the contrary, and in accordance with
41 section 4 of the state finance law, the comptroller is hereby authorized
42 and directed to transfer, on or before March 31, 2027:
- 43 1. Upon request of the commissioner of environmental conservation, up
44 to \$12,745,400 from revenues credited to any of the department of envi-
45 ronmental conservation special revenue funds, including \$4,000,000 from
46 the environmental protection and oil spill compensation fund (21200),
47 and \$1,834,600 from the conservation fund (21150), to the environmental
48 conservation special revenue fund, indirect charges account (21060).
- 49 2. Upon request of the commissioner of agriculture and markets, up to
50 \$3,000,000 from any special revenue fund or enterprise fund within the
51 department of agriculture and markets to the general fund, to pay appro-
52 priate administrative expenses.
- 53 3. Upon request of the commissioner of the division of housing and
54 community renewal, up to \$6,221,000 from revenues credited to any divi-
55 sion of housing and community renewal federal or miscellaneous special



1 revenue fund to the miscellaneous special revenue fund, housing indirect
2 cost recovery account (22090).

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

7 5. Upon request of the commissioner of health up to \$13,694,000 from
8 revenues credited to any of the department of health's special revenue
9 funds, to the miscellaneous special revenue fund, administration account
10 (21982).

11 6. Upon the request of the attorney general, up to \$5,000,000 from
12 revenues credited to the federal health and human services fund, federal
13 health and human services account (25117) or the miscellaneous special
14 revenue fund, recoveries and revenue account (22041), to the miscella-
15 neous special revenue fund, litigation settlement and civil recovery
16 account (22117).

17 § 5. On or before March 31, 2027, the comptroller is hereby authorized
18 and directed to deposit earnings that would otherwise accrue to the
19 general fund that are attributable to the operation of section 98-a of
20 the state finance law, to the agencies internal service fund, banking
21 services account (55057), for the purpose of meeting direct payments
22 from such account.

23 § 6. Notwithstanding any law to the contrary, and in accordance with
24 section 4 of the state finance law, the comptroller is hereby authorized
25 and directed to transfer, upon request of the director of the budget and
26 upon consultation with the state university chancellor or their desig-
27 nee, on or before March 31, 2027, up to \$16,000,000 from the state
28 university income fund general revenue account (22653) to the state
29 general fund for debt service costs related to campus supported capital
30 project costs for the NY-SUNY 2020 challenge grant program at the
31 University at Buffalo.

32 § 7. 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, upon request of the director of the budget and
35 upon consultation with the state university chancellor or their desig-
36 nee, on or before March 31, 2027, up to \$6,500,000 from the state
37 university income fund general revenue account (22653) to the state
38 general fund for debt service costs related to campus supported capital
39 project costs for the NY-SUNY 2020 challenge grant program at the
40 University at Albany.

41 § 8. Notwithstanding any law to the contrary, the state university
42 chancellor or their designee is authorized and directed to transfer
43 estimated tuition revenue balances from the state university collection
44 fund (61000) to the state university income fund, state university
45 general revenue offset account (22655) on or before March 31, 2027.

46 § 9. 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, upon request of the director of the budget, a
49 total of up to \$100,000,000 from the general fund to the state universi-
50 ty income fund, state university general revenue offset account (22655)
51 and/or the state university income fund, state university hospitals
52 income reimbursable account (22656) during the period July 1, 2026
53 through June 30, 2027 to pay costs attributable to the state university
54 health science center at Brooklyn and/or the state university of New
55 York hospital at Brooklyn, respectively, pursuant to a plan approved by
56 the director of the budget.

1 § 10. 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, upon request of the director of the budget, up
4 to \$1,619,189,500 from the general fund to the state university income
5 fund, state university general revenue offset account (22655) during the
6 period of July 1, 2026 through June 30, 2027 to support operations at
7 the state university.

8 § 11. Notwithstanding any law to the contrary, and in accordance with
9 section 4 of the state finance law, the comptroller is hereby authorized
10 and directed to transfer, upon request of the director of the budget, up
11 to \$25,000,000 from the general fund to the state university income
12 fund, state university general revenue offset account (22655) during the
13 period of April 1, 2026 through June 30, 2026 to support operations at
14 the state university.

15 § 12. Notwithstanding any law to the contrary, and in accordance with
16 section 4 of the state finance law, the comptroller is hereby authorized
17 and directed to transfer, upon request of the director of the budget, up
18 to \$51,120,000 from the general fund to the state university income
19 fund, state university general revenue offset account (22655) during the
20 period of July 1, 2026 to June 30, 2027 for general fund operating
21 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
22 of section three hundred fifty-five of the education law.

23 § 13. Notwithstanding any law to the contrary, and in accordance with
24 section 4 of the state finance law, the comptroller is hereby authorized
25 and directed to transfer, upon request of the state university chancel-
26 lor or their designee, up to \$55,000,000 from the state university
27 income fund, state university hospitals income reimbursable account
28 (22656), for services and expenses of hospital operations and capital
29 expenditures at the state university hospitals; and the state university
30 income fund, Long Island veterans' home account (22652) to the state
31 university capital projects fund (32400) on or before June 30, 2027.

32 § 14. Notwithstanding any law to the contrary, and in accordance with
33 section 4 of the state finance law, the comptroller, after consultation
34 with the state university chancellor or their designee, is hereby
35 authorized and directed to transfer moneys, in the first instance, from
36 the state university collection fund, Stony Brook hospital collection
37 account (61006), Brooklyn hospital collection account (61007), and Syra-
38 cuse hospital collection account (61008) to the state university income
39 fund, state university hospitals income reimbursable account (22656) in
40 the event insufficient funds are available in the state university
41 income fund, state university hospitals income reimbursable account
42 (22656) to permit the full transfer of moneys authorized for transfer,
43 to the general fund for payment of debt service related to the SUNY
44 hospitals. Notwithstanding any law to the contrary, the comptroller is
45 also hereby authorized and directed, after consultation with the state
46 university chancellor or their designee, to transfer moneys from the
47 state university income fund to the state university income fund, state
48 university hospitals income reimbursable account (22656) in the event
49 insufficient funds are available in the state university income fund,
50 state university hospitals income reimbursable account (22656) to pay
51 hospital operating costs or to permit the full transfer of moneys
52 authorized for transfer, to the general fund for payment of debt service
53 related to the SUNY hospitals on or before March 31, 2027.

54 § 15. Notwithstanding any law to the contrary, upon the direction of
55 the director of the budget and the chancellor of the state university of
56 New York or their designee, and in accordance with section 4 of the

1 state finance law, the comptroller is hereby authorized and directed to
2 transfer monies from the state university dormitory income fund (40350)
3 to the state university residence hall rehabilitation fund (30100), and
4 from the state university residence hall rehabilitation fund (30100) to
5 the state university dormitory income fund (40350), in an amount not to
6 exceed \$125 million from each fund.

7 § 16. Notwithstanding any law to the contrary, and in accordance with
8 section 4 of the state finance law, the comptroller is hereby authorized
9 and directed to transfer, at the request of the director of the budget,
10 up to \$1,000,000,000 from the unencumbered balance of any special reven-
11 ue fund or account, agency fund or account, internal service fund or
12 account, enterprise fund or account, or any combination of such funds
13 and accounts, to the general fund. The amounts transferred pursuant to
14 this authorization shall be in addition to any other transfers expressly
15 authorized in the 2026-27 budget. Transfers from federal funds, debt
16 service funds, capital projects funds, the community projects fund, or
17 funds that would result in the loss of eligibility for federal benefits
18 or federal funds pursuant to federal law, rule, or regulation as assent-
19 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
20 1951 are not permitted pursuant to this authorization.

21 § 17. Notwithstanding any law to the contrary, and in accordance with
22 section 4 of the state finance law, the comptroller is hereby authorized
23 and directed to transfer, at the request of the director of the budget,
24 up to \$100 million from any non-general fund or account, or combination
25 of funds and accounts, to the miscellaneous special revenue fund, tech-
26 nology financing account (22207), the miscellaneous capital projects
27 fund, the federal capital projects account (31350), information technol-
28 ogy capital financing account (32215), or the centralized technology
29 services account (55069), for the purpose of consolidating technology
30 procurement and services. The amounts transferred to the miscellaneous
31 special revenue fund, technology financing account (22207) pursuant to
32 this authorization shall be equal to or less than the amount of such
33 monies intended to support information technology costs which are
34 attributable, according to a plan, to such account made in pursuance to
35 an appropriation by law. Transfers to the technology financing account
36 shall be completed from amounts collected by non-general funds or
37 accounts pursuant to a fund deposit schedule or permanent statute, and
38 shall be transferred to the technology financing account pursuant to a
39 schedule agreed upon by the affected agency commissioner. Transfers from
40 funds that would result in the loss of eligibility for federal benefits
41 or federal funds pursuant to federal law, rule, or regulation as assent-
42 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
43 1951 are not permitted pursuant to this authorization.

44 § 18. Notwithstanding any law to the contrary, and in accordance with
45 section 4 of the state finance law, the comptroller is hereby authorized
46 and directed to transfer, at the request of the director of the budget,
47 up to \$400 million from any non-general fund or account, or combination
48 of funds and accounts, to the general fund for the purpose of consol-
49 idating technology procurement and services. The amounts transferred
50 pursuant to this authorization shall be equal to or less than the amount
51 of such monies intended to support information technology costs which
52 are attributable, according to a plan, to such account made in pursuance
53 to an appropriation by law. Transfers to the general fund shall be
54 completed from amounts collected by non-general funds or accounts pursu-
55 ant to a fund deposit schedule. Transfers from funds that would result
56 in the loss of eligibility for federal benefits or federal funds pursu-

1 ant to federal law, rule, or regulation as assented to in chapter 683 of
2 the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
3 pursuant to this authorization.

4 § 19. Notwithstanding any provision of law to the contrary, as deemed
5 feasible and advisable by its trustees, the power authority of the state
6 of New York is authorized and directed to transfer to the state treasury
7 to the credit of the general fund up to \$10,000,000 for the state fiscal
8 year commencing April 1, 2026, the proceeds of which will be utilized to
9 support energy-related state activities.

10 § 20. Notwithstanding any provision of law to the contrary, as deemed
11 feasible and advisable by its trustees, the power authority of the state
12 of New York is authorized to transfer to the state treasury to the cred-
13 it of the general fund up to \$25,000,000 for the state fiscal year
14 commencing April 1, 2026, the proceeds of which will be utilized to
15 support programs established or implemented by or within the department
16 of labor, including but not limited to the office of just energy transi-
17 tion and programs for workforce training and retraining, to prepare
18 workers for employment for work in the renewable energy field.

19 § 21. Notwithstanding any provision of law, rule or regulation to the
20 contrary, the New York state energy research and development authority
21 is authorized and directed to contribute \$913,000 to the state treasury
22 to the credit of the general fund on or before March 31, 2027.

23 § 22. Notwithstanding any provision of law, rule or regulation to the
24 contrary, the New York state energy research and development authority
25 is authorized and directed to transfer five million dollars to the cred-
26 it of the Environmental Protection Fund on or before March 31, 2027 from
27 proceeds collected by the authority from the auction or sale of carbon
28 dioxide emission allowances allocated by the department of environmental
29 conservation.

30 § 23. Subdivision 5 of section 97-rrr of the state finance law, as
31 amended by section 23 of part MM of chapter 56 of the laws of 2025, is
32 amended to read as follows:

33 5. Notwithstanding the provisions of section one hundred seventy-one-a
34 of the tax law, as separately amended by chapters four hundred eighty-
35 one and four hundred eighty-four of the laws of nineteen hundred eight-
36 y-one, and notwithstanding the provisions of chapter ninety-four of the
37 laws of two thousand eleven, or any other provisions of law to the
38 contrary, during the fiscal year beginning April first, two thousand
39 [twenty-five] twenty-six, the state comptroller is hereby authorized and
40 directed to deposit to the fund created pursuant to this section from
41 amounts collected pursuant to article twenty-two of the tax law and
42 pursuant to a schedule submitted by the director of the budget, up to
43 [\$1,396,911,000] \$1,294,911,000 as may be certified in such schedule as
44 necessary to meet the purposes of such fund for the fiscal year begin-
45 ning April first, two thousand [twenty-five] twenty-six.

46 § 24. Notwithstanding any law to the contrary, the comptroller is
47 hereby authorized and directed to transfer, upon request of the director
48 of the budget, on or before March 31, 2027, the following amounts from
49 the following special revenue accounts to the capital projects fund
50 (30000), for the purposes of reimbursement to such fund for expenses
51 related to the maintenance and preservation of state assets:

52 1. \$43,000 from the miscellaneous special revenue fund, administrative
53 program account (21982).

54 2. \$1,690,000 from the miscellaneous special revenue fund, helen hayes
55 hospital account (22140).

1 3. \$219,000 from the miscellaneous special revenue fund, New York city
2 veterans' home account (22141).

3 4. \$840,000 from the miscellaneous special revenue fund, New York
4 state home for veterans' and their dependents at oxford account (22142).

5 5. \$176,000 from the miscellaneous special revenue fund, western New
6 York veterans' home account (22143).

7 6. \$492,000 from the miscellaneous special revenue fund, New York
8 state for veterans in the lower-hudson valley account (22144).

9 7. \$2,550,000 from the miscellaneous special revenue fund, patron
10 services account (22163).

11 8. \$5,000,000 from the miscellaneous special revenue fund, state
12 university general income reimbursable account (22653).

13 9. \$110,000,000 from the miscellaneous special revenue fund, state
14 university revenue offset account (22655).

15 10. \$35,000,000 from the state university dormitory income fund, state
16 university dormitory income fund (40350).

17 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
18 settlement and civil recovery account (22117).

19 § 25. Notwithstanding any law to the contrary, the comptroller is
20 hereby authorized and directed to transfer, upon request of the director
21 of the budget, on or before March 31, 2027 the following amounts from
22 the following special revenue accounts or enterprise funds to the gener-
23 al fund, for the purposes of offsetting principal and interest costs,
24 incurred by the state pursuant to section 53 of part PP of chapter 56 of
25 the laws of 2023, provided that the annual amount of the transfer shall
26 be no more than the principal and interest that would have otherwise
27 been due to the power authority of the state of New York, from any state
28 agency, in a given state fiscal year. Amounts pertaining to special
29 revenue accounts assigned to the state university of New York shall be
30 considered interchangeable between the designated special revenue
31 accounts as to meet the requirements of this section and section 52 of
32 part RR of chapter 56 of the laws of 2023:

33 1. \$15,000,000 from the miscellaneous special revenue fund, state
34 university general income reimbursable account (22653).

35 2. \$5,000,000 from state university dormitory income fund, state
36 university dormitory income fund (40350).

37 3. \$5,000,000 from the enterprise fund, city university senior college
38 operating fund (60851).

39 § 26. Paragraph (a) of subdivision 2 of section 47-e of the private
40 housing finance law, as amended by section 32 of part MM of chapter 56
41 of the laws of 2025, is amended to read as follows:

42 (a) Subject to the provisions of chapter fifty-nine of the laws of two
43 thousand, in order to enhance and encourage the promotion of housing
44 programs and thereby achieve the stated purposes and objectives of such
45 housing programs, the agency shall have the power and is hereby author-
46 ized from time to time to issue negotiable housing program bonds and
47 notes in such principal amount as shall be necessary to provide suffi-
48 cient funds for the repayment of amounts disbursed (and not previously
49 reimbursed) pursuant to law or any prior year making capital appropri-
50 ations or reappropriations for the purposes of the housing program;
51 provided, however, that the agency may issue such bonds and notes in an
52 aggregate principal amount not exceeding [sixteen billion seven hundred
53 seventy-seven million nine hundred sixty-four thousand dollars
54 \$16,777,964,000] eighteen billion eighty-four million seven hundred
55 sixty-four thousand dollars \$18,084,764,000, excluding bonds issued
56 after April first, two thousand twenty-five to (i) fund one or more debt

1 service reserve funds, (ii) pay costs of issuance of such bonds, and
2 (iii) refund or otherwise repay such bonds or notes previously issued,
3 provided that nothing herein shall affect the exclusion of refunding
4 debt issued prior to such date. No reserve fund securing the housing
5 program bonds shall be entitled or eligible to receive state funds
6 apportioned or appropriated to maintain or restore such reserve fund at
7 or to a particular level, except to the extent of any deficiency result-
8 ing directly or indirectly from a failure of the state to appropriate or
9 pay the agreed amount under any of the contracts provided for in subdi-
10 vision four of this section.

11 § 27. Subdivision 1 of section 16 of part D of chapter 389 of the laws
12 of 1997, relating to the financing of the correctional facilities
13 improvement fund and the youth facility improvement fund, as amended by
14 section 53 of part MM of chapter 56 of the laws of 2025, is amended to
15 read as follows:

16 1. Subject to the provisions of chapter 59 of the laws of 2000, but
17 notwithstanding the provisions of section 18 of section 1 of chapter 174
18 of the laws of 1968, the New York state urban development corporation is
19 hereby authorized to issue bonds, notes and other obligations in an
20 aggregate principal amount not to exceed [eleven billion one hundred
21 seventeen million three hundred fifty-nine thousand dollars
22 \$11,117,359,000] eleven billion five hundred thirty-six million five
23 hundred fifty-nine thousand dollars \$11,536,559,000, excluding bonds
24 issued after April first, two thousand twenty-five to (i) fund one or
25 more debt service reserve funds, (ii) pay costs of issuance of such
26 bonds, and (iii) refund or otherwise repay such bonds or notes previous-
27 ly issued, provided that nothing herein shall affect the exclusion of
28 refunding debt issued prior to such date.

29 § 28. Paragraph (c) of subdivision 14 of section 1680 of the public
30 authorities law, as amended by section 34 of part MM of chapter 56 of
31 the laws of 2025, is amended to read as follows:

32 (c) Subject to the provisions of chapter fifty-nine of the laws of two
33 thousand, (i) the dormitory authority shall not deliver a series of
34 bonds for city university community college facilities, except to refund
35 or to be substituted for or in lieu of other bonds in relation to city
36 university community college facilities pursuant to a resolution of the
37 dormitory authority adopted before July first, nineteen hundred eighty-
38 five or any resolution supplemental thereto, if the principal amount of
39 bonds so to be issued when added to all principal amounts of bonds
40 previously issued by the dormitory authority for city university commu-
41 nity college facilities, except to refund or to be substituted in lieu
42 of other bonds in relation to city university community college facili-
43 ties will exceed the sum of four hundred twenty-five million dollars and
44 (ii) the dormitory authority shall not deliver a series of bonds issued
45 for city university facilities, including community college facilities,
46 pursuant to a resolution of the dormitory authority adopted on or after
47 July first, nineteen hundred eighty-five, except to refund or to be
48 substituted for or in lieu of other bonds in relation to city university
49 facilities and except for bonds issued pursuant to a resolution supple-
50 mental to a resolution of the dormitory authority adopted prior to July
51 first, nineteen hundred eighty-five, if the principal amount of bonds so
52 to be issued when added to the principal amount of bonds previously
53 issued pursuant to any such resolution, except bonds issued to refund or
54 to be substituted for or in lieu of other bonds in relation to city
55 university facilities, will exceed [twelve billion three hundred million
56 three hundred sixty-eight thousand dollars \$12,300,368,000] thirteen



1 billion one million four thousand dollars \$13,001,004,000, excluding
2 bonds issued after April first, two thousand twenty-five to (i) fund one
3 or more debt service reserve funds, (ii) pay costs of issuance of such
4 bonds, and (iii) refund or otherwise repay such bonds or notes previous-
5 ly issued, provided that nothing herein shall affect the exclusion of
6 refunding debt issued prior to such date. The legislature reserves the
7 right to amend or repeal such limit, and the state of New York, the
8 dormitory authority, the city university, and the fund are prohibited
9 from covenanting or making any other agreements with or for the benefit
10 of bondholders which might in any way affect such right.

11 § 29. Subdivision 1 of section 1689-i of the public authorities law,
12 as amended by section 35 of part MM of chapter 56 of the laws of 2025,
13 is amended to read as follows:

14 1. The dormitory authority is authorized to issue bonds, at the
15 request of the commissioner of education, to finance eligible library
16 construction projects pursuant to section two hundred seventy-three-a of
17 the education law, in amounts certified by such commissioner not to
18 exceed a total principal amount of [four hundred fifty-five million
19 dollars \$455,000,000] four hundred ninety-nine million dollars
20 \$499,000,000.

21 § 30. Paragraph (c) of subdivision 19 of section 1680 of the public
22 authorities law, as amended by section 36 of part MM of chapter 56 of
23 the laws of 2025, is amended to read as follows:

24 (c) Subject to the provisions of chapter fifty-nine of the laws of two
25 thousand, the dormitory authority shall not issue any bonds for state
26 university educational facilities purposes if the principal amount of
27 bonds to be issued when added to the aggregate principal amount of bonds
28 issued by the dormitory authority on and after July first, nineteen
29 hundred eighty-eight for state university educational facilities will
30 exceed [twenty billion nine hundred forty-eight million one hundred
31 sixty-four thousand dollars \$20,948,164,000] twenty-one billion eight
32 hundred ninety-eight million one hundred sixty-four thousand dollars
33 \$21,898,164,000, excluding bonds issued after April first, two thousand
34 twenty-five to (i) fund one or more debt service reserve funds, (ii) pay
35 costs of issuance of such bonds, and (iii) refund or otherwise repay
36 such bonds or notes previously issued, provided that nothing herein
37 shall affect the exclusion of refunding debt issued prior to such date.
38 The legislature reserves the right to amend or repeal such limit, and
39 the state of New York, the dormitory authority, the state university of
40 New York, and the state university construction fund are prohibited from
41 covenanting or making any other agreements with or for the benefit of
42 bondholders which might in any way affect such right.

43 § 31. Subdivision 10-a of section 1680 of the public authorities law,
44 as amended by section 37 of part MM of chapter 56 of the laws of 2025,
45 is amended to read as follows:

46 10-a. Subject to the provisions of chapter fifty-nine of the laws of
47 two thousand, but notwithstanding any other provision of the law to the
48 contrary, the maximum amount of bonds and notes to be issued after March
49 thirty-first, two thousand two, on behalf of the state, in relation to
50 any locally sponsored community college, shall be [one billion four
51 hundred ninety-five million seven hundred seventy-four thousand dollars
52 \$1,495,774,000] one billion six hundred twenty-three million eight
53 hundred eighty-four thousand dollars \$1,623,884,000. Such amount shall
54 be exclusive of bonds and notes issued to fund any reserve fund or
55 funds, costs of issuance and to refund any outstanding bonds and notes,

1 issued on behalf of the state, relating to a locally sponsored community
2 college.

3 § 32. Paragraph b of subdivision 2 of section 9-a of section 1 of
4 chapter 392 of the laws of 1973, constituting the New York state medical
5 care facilities finance agency act, as amended by section 38 of part MM
6 of chapter 56 of the laws of 2025, is amended to read as follows:

7 b. The agency shall have power and is hereby authorized from time to
8 time to issue negotiable bonds and notes in conformity with applicable
9 provisions of the uniform commercial code in such principal amount as,
10 in the opinion of the agency, shall be necessary, after taking into
11 account other moneys which may be available for the purpose, to provide
12 sufficient funds to the facilities development corporation, or any
13 successor agency, for the financing or refinancing of or for the design,
14 construction, acquisition, reconstruction, rehabilitation or improvement
15 of mental health services facilities pursuant to paragraph a of this
16 subdivision, the payment of interest on mental health services improve-
17 ment bonds and mental health services improvement notes issued for such
18 purposes, the establishment of reserves to secure such bonds and notes,
19 the cost or premium of bond insurance or the costs of any financial
20 mechanisms which may be used to reduce the debt service that would be
21 payable by the agency on its mental health services facilities improve-
22 ment bonds and notes and all other expenditures of the agency incident
23 to and necessary or convenient to providing the facilities development
24 corporation, or any successor agency, with funds for the financing or
25 refinancing of or for any such design, construction, acquisition, recon-
26 struction, rehabilitation or improvement and for the refunding of mental
27 hygiene improvement bonds issued pursuant to section 47-b of the private
28 housing finance law; provided, however, that the agency shall not issue
29 mental health services facilities improvement bonds and mental health
30 services facilities improvement notes in an aggregate principal amount
31 exceeding [thirteen billion six hundred thirty-nine million five hundred
32 fifty-four thousand dollars \$13,639,554,000] fourteen billion two
33 hundred ninety-nine million four hundred fifty-two thousand dollars
34 \$14,299,452,000, excluding bonds issued after April first, two thousand
35 twenty-five to (i) fund one or more debt service reserve funds, (ii) pay
36 costs of issuance of such bonds, and (iii) refund or otherwise repay
37 such bonds or notes previously issued, provided that nothing herein
38 shall affect the exclusion of refunding debt issued prior to such date.
39 The director of the budget shall allocate the aggregate principal
40 authorized to be issued by the agency among the office of mental health,
41 office for people with developmental disabilities, and the office of
42 addiction services and supports, in consultation with their respective
43 commissioners to finance bondable appropriations previously approved by
44 the legislature.

45 § 33. Subdivision (a) of section 48 of part K of chapter 81 of the
46 laws of 2002, relating to providing for the administration of certain
47 funds and accounts related to the 2002-2003 budget, as amended by
48 section 39 of part MM of chapter 56 of the laws of 2025, is amended to
49 read as follows:

50 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
51 notwithstanding the provisions of section 18 of the urban development
52 corporation act, the corporation is hereby authorized to issue bonds or
53 notes in one or more series in an aggregate principal amount not to
54 exceed [five hundred fifty million five hundred thousand dollars
55 \$550,500,000] seven hundred twenty-eight million one hundred thousand
56 dollars \$728,100,000, excluding bonds issued to fund one or more debt

1 service reserve funds, to pay costs of issuance of such bonds, and bonds
2 or notes issued to refund or otherwise repay such bonds or notes previ-
3 ously issued, for the purpose of financing capital costs related to
4 homeland security and training facilities for the division of state
5 police, the division of military and naval affairs, and any other state
6 agency, including the reimbursement of any disbursements made from the
7 state capital projects fund, and is hereby authorized to issue bonds or
8 notes in one or more series in an aggregate principal amount not to
9 exceed [two billion one hundred sixty-eight million three hundred thir-
10 ty-one thousand dollars \$2,168,331,000] two billion five hundred twenty
11 million eight hundred six thousand dollars \$2,520,806,000, excluding
12 bonds issued to fund one or more debt service reserve funds, to pay
13 costs of issuance of such bonds, and bonds or notes issued to refund or
14 otherwise repay such bonds or notes previously issued, for the purpose
15 of financing improvements to State office buildings and other facilities
16 located statewide, including the reimbursement of any disbursements made
17 from the state capital projects fund. Such bonds and notes of the corpo-
18 ration shall not be a debt of the state, and the state shall not be
19 liable thereon, nor shall they be payable out of any funds other than
20 those appropriated by the state to the corporation for debt service and
21 related expenses pursuant to any service contracts executed pursuant to
22 subdivision (b) of this section, and such bonds and notes shall contain
23 on the face thereof a statement to such effect.

24 § 34. Subdivision 1 of section 47 of section 1 of chapter 174 of the
25 laws of 1968, constituting the New York state urban development corpo-
26 ration act, as amended by section 40 of part MM of chapter 56 of the
27 laws of 2025, is amended to read as follows:

28 1. Notwithstanding the provisions of any other law to the contrary,
29 the dormitory authority and the corporation are hereby authorized to
30 issue bonds or notes in one or more series for the purpose of funding
31 project costs for the office of information technology services, depart-
32 ment of law, and other state costs associated with such capital
33 projects. The aggregate principal amount of bonds authorized to be
34 issued pursuant to this section shall not exceed [one billion eight
35 hundred seventy-three million four hundred twelve thousand dollars
36 \$1,873,412,000] two billion four million one hundred twelve thousand
37 dollars \$2,004,112,000, excluding bonds issued to fund one or more debt
38 service reserve funds, to pay costs of issuance of such bonds, and bonds
39 or notes issued to refund or otherwise repay such bonds or notes previ-
40 ously issued. Such bonds and notes of the dormitory authority and the
41 corporation shall not be a debt of the state, and the state shall not be
42 liable thereon, nor shall they be payable out of any funds other than
43 those appropriated by the state to the dormitory authority and the
44 corporation for principal, interest, and related expenses pursuant to a
45 service contract and such bonds and notes shall contain on the face
46 thereof a statement to such effect. Except for purposes of complying
47 with the internal revenue code, any interest income earned on bond
48 proceeds shall only be used to pay debt service on such bonds.

49 § 35. Subdivision (b) of section 11 of chapter 329 of the laws of
50 1991, amending the state finance law and other laws relating to the
51 establishment of the dedicated highway and bridge trust fund, as amended
52 by section 41 of part MM of chapter 56 of the laws of 2025, is amended
53 to read as follows:

54 (b) Any service contract or contracts for projects authorized pursuant
55 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
56 14-k of the transportation law, and entered into pursuant to subdivision

1 (a) of this section, shall provide for state commitments to provide
2 annually to the thruway authority a sum or sums, upon such terms and
3 conditions as shall be deemed appropriate by the director of the budget,
4 to fund, or fund the debt service requirements of any bonds or any obli-
5 gations of the thruway authority issued to fund or to reimburse the
6 state for funding such projects having a cost not in excess of [fifteen
7 billion eight hundred twenty-two million three hundred eighty-four thou-
8 sand dollars \$15,822,384,000] sixteen billion eight hundred million one
9 hundred eighty-one thousand dollars \$16,800,181,000. Such limit shall
10 exclude bonds issued after April first, two thousand twenty-five to (i)
11 fund one or more debt service reserve funds, (ii) pay costs of issuance
12 of such bonds, and (iii) refund or otherwise repay such bonds or notes
13 previously issued, provided that nothing herein shall affect the exclu-
14 sion of refunding debt issued prior to such date. For purposes of this
15 subdivision, such projects shall be deemed to include capital grants to
16 cities, towns and villages for the reimbursement of eligible capital
17 costs of local highway and bridge projects within such municipality,
18 where allocations to cities, towns and villages are based on the total
19 number of New York or United States or interstate signed touring route
20 miles for which such municipality has capital maintenance responsibil-
21 ity, and where such eligible capital costs include the costs of
22 construction and repair of highways, bridges, highway-railroad cross-
23 ings, and other transportation facilities for projects with a service
24 life of ten years or more.

25 § 36. Subdivision 1 of section 53 of section 1 of chapter 174 of the
26 laws of 1968, constituting the New York state urban development corpo-
27 ration act, as amended by section 42 of part MM of chapter 56 of the
28 laws of 2025, is amended to read as follows:

29 1. Notwithstanding the provisions of any other law to the contrary,
30 the dormitory authority and the urban development corporation are hereby
31 authorized to issue bonds or notes in one or more series for the purpose
32 of funding project costs for the acquisition of equipment, including but
33 not limited to the creation or modernization of information technology
34 systems and related research and development equipment, health and safe-
35 ty equipment, heavy equipment and machinery, the creation or improvement
36 of security systems, and laboratory equipment and other state costs
37 associated with such capital projects. The aggregate principal amount
38 of bonds authorized to be issued pursuant to this section shall not
39 exceed [six hundred ninety-three million dollars \$693,000,000] seven
40 hundred ninety-three million dollars \$793,000,000, excluding bonds
41 issued to fund one or more debt service reserve funds, to pay costs of
42 issuance of such bonds, and bonds or notes issued to refund or otherwise
43 repay such bonds or notes previously issued. Such bonds and notes of the
44 dormitory authority and the urban development corporation shall not be a
45 debt of the state, and the state shall not be liable thereon, nor shall
46 they be payable out of any funds other than those appropriated by the
47 state to the dormitory authority and the urban development corporation
48 for principal, interest, and related expenses pursuant to a service
49 contract and such bonds and notes shall contain on the face thereof a
50 statement to such effect. Except for purposes of complying with the
51 internal revenue code, any interest income earned on bond proceeds shall
52 only be used to pay debt service on such bonds.

53 § 37. Subdivision 3 of section 1285-p of the public authorities law,
54 as amended by section 43 of part MM of chapter 56 of the laws of 2025,
55 is amended to read as follows:

1 3. The maximum amount of bonds that may be issued for the purpose of
2 financing environmental infrastructure projects authorized by this
3 section shall be [fourteen billion four hundred eighty million eight
4 hundred sixty thousand dollars \$14,480,860,000] seventeen billion seven
5 hundred fifty million one hundred sixty thousand dollars
6 \$17,750,160,000, exclusive of bonds issued to fund any debt service
7 reserve funds, pay costs of issuance of such bonds, and bonds or notes
8 issued to refund or otherwise repay bonds or notes previously issued.
9 Such bonds and notes of the corporation shall not be a debt of the
10 state, and the state shall not be liable thereon, nor shall they be
11 payable out of any funds other than those appropriated by the state to
12 the corporation for debt service and related expenses pursuant to any
13 service contracts executed pursuant to subdivision one of this section,
14 and such bonds and notes shall contain on the face thereof a statement
15 to such effect.

16 § 38. Subdivision 1 of section 17 of part D of chapter 389 of the laws
17 of 1997, relating to the financing of the correctional facilities
18 improvement fund and the youth facility improvement fund, as amended by
19 section 44 of part MM of chapter 56 of the laws of 2025, is amended to
20 read as follows:

21 1. Subject to the provisions of chapter 59 of the laws of 2000, but
22 notwithstanding the provisions of section 18 of section 1 of chapter 174
23 of the laws of 1968, the New York state urban development corporation is
24 hereby authorized to issue bonds, notes and other obligations in an
25 aggregate principal amount not to exceed [one billion two hundred seven-
26 teen million seven hundred fifty-five thousand dollars \$1,217,755,000]
27 one billion two hundred seventy million five hundred eighty thousand
28 dollars \$1,270,580,000, excluding bonds issued after April first, two
29 thousand twenty-five to (a) fund one or more debt service reserve funds,
30 (b) to pay costs of issuance of such bonds, and (c) refund or otherwise
31 repay such bonds or notes previously issued, provided that nothing here-
32 in shall affect the exclusion of refunding debt issued prior to such
33 date. Which authorization increases the aggregate principal amount of
34 bonds, notes and other obligations authorized by section 40 of chapter
35 309 of the laws of 1996, and shall include all bonds, notes and other
36 obligations issued pursuant to chapter 211 of the laws of 1990, as
37 amended or supplemented. The proceeds of such bonds, notes or other
38 obligations shall be paid to the state, for deposit in the youth facili-
39 ties improvement fund or the capital projects fund, to pay for all or
40 any portion of the amount or amounts paid by the state from appropri-
41 ations or reappropriations made to the office of children and family
42 services from the youth facilities improvement fund or the capital
43 projects fund for capital projects.

44 § 39. Subdivision 1 of section 386-b of the public authorities law, as
45 amended by section 45 of part MM of chapter 56 of the laws of 2025, is
46 amended to read as follows:

47 1. Notwithstanding any other provision of law to the contrary, the
48 authority, the dormitory authority and the urban development corporation
49 are hereby authorized to issue bonds or notes in one or more series for
50 the purpose of financing peace bridge projects and capital costs of
51 state and local highways, parkways, bridges, the New York state thruway,
52 Indian reservation roads, and facilities, and transportation infrastruc-
53 ture projects including aviation projects, non-MTA mass transit
54 projects, and rail service preservation projects, including work appur-
55 tenant and ancillary thereto. The aggregate principal amount of bonds
56 authorized to be issued pursuant to this section shall not exceed

1 [seventeen billion thirty million twenty-seven thousand dollars
2 \$17,030,027,000] eighteen billion five hundred sixty-two million three
3 hundred eighty-five thousand dollars \$18,562,385,000, excluding bonds
4 issued to fund one or more debt service reserve funds, to pay costs of
5 issuance of such bonds, and to refund or otherwise repay such bonds or
6 notes previously issued. Such bonds and notes of the authority, the
7 dormitory authority and the urban development corporation shall not be a
8 debt of the state, and the state shall not be liable thereon, nor shall
9 they be payable out of any funds other than those appropriated by the
10 state to the authority, the dormitory authority and the urban develop-
11 ment corporation for principal, interest, and related expenses pursuant
12 to a service contract and such bonds and notes shall contain on the face
13 thereof a statement to such effect. Except for purposes of complying
14 with the internal revenue code, any interest income earned on bond
15 proceeds shall only be used to pay debt service on such bonds.

16 § 40. Subdivision 1 of section 44 of section 1 of chapter 174 of the
17 laws of 1968, constituting the New York state urban development corpo-
18 ration act, as amended by section 46 of part MM of chapter 56 of the
19 laws of 2025, is amended to read as follows:

20 1. Notwithstanding the provisions of any other law to the contrary,
21 the dormitory authority and the corporation are hereby authorized to
22 issue bonds or notes in one or more series for the purpose of funding
23 project costs for the regional economic development council initiative,
24 the economic transformation program, state university of New York
25 college for nanoscale and science engineering, projects within the city
26 of Buffalo or surrounding environs, the New York works economic develop-
27 ment fund, projects for the retention of professional football in west-
28 ern New York, the empire state economic development fund, the clarkson-
29 trudeau partnership, the New York genome center, the Cornell university
30 college of veterinary medicine, the olympic regional development author-
31 ity, projects at nano Utica, Onondaga county revitalization projects,
32 Binghamton university school of pharmacy, New York power electronics
33 manufacturing consortium, regional infrastructure projects, high tech
34 innovation and economic development infrastructure program, high tech
35 nology manufacturing projects in Chautauqua and Erie county, an indus-
36 trial scale research and development facility in Clinton county, upstate
37 revitalization initiative projects, downstate revitalization initiative,
38 market New York projects, fairground buildings, equipment or facilities
39 used to house and promote agriculture, the state fair, the empire state
40 trail, the moynihan station development project, the Kingsbridge armory
41 project, strategic economic development projects, the cultural, arts and
42 public spaces fund, water infrastructure in the city of Auburn and town
43 of Owasco, a life sciences laboratory public health initiative, not-for-
44 profit pounds, shelters and humane societies, arts and cultural facili-
45 ties improvement program, restore New York's communities initiative,
46 heavy equipment, economic development and infrastructure projects,
47 Roosevelt Island operating corporation capital projects, Lake Ontario
48 regional projects, Pennsylvania station and other transit projects,
49 athletic facilities for professional football in Orchard Park, New York,
50 Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other
51 state costs associated with such projects. The aggregate principal
52 amount of bonds authorized to be issued pursuant to this section shall
53 not exceed [twenty-three billion seven hundred five million two hundred
54 fifty-three thousand dollars \$23,705,253,000] twenty-six billion four
55 hundred ninety-eight million four hundred fifty-three thousand dollars
56 \$26,498,453,000, excluding bonds issued to fund one or more debt service



1 reserve funds, to pay costs of issuance of such bonds, and bonds or
2 notes issued to refund or otherwise repay such bonds or notes previously
3 issued. Such bonds and notes of the dormitory authority and the corpo-
4 ration shall not be a debt of the state, and the state shall not be
5 liable thereon, nor shall they be payable out of any funds other than
6 those appropriated by the state to the dormitory authority and the
7 corporation for principal, interest, and related expenses pursuant to a
8 service contract and such bonds and notes shall contain on the face
9 thereof a statement to such effect. Except for purposes of complying
10 with the internal revenue code, any interest income earned on bond
11 proceeds shall only be used to pay debt service on such bonds.

12 § 41. Subdivision (a) of section 28 of part Y of chapter 61 of the
13 laws of 2005, relating to providing for the administration of certain
14 funds and accounts related to the 2005-2006 budget, as amended by
15 section 47 of part MM of chapter 56 of the laws of 2025, is amended to
16 read as follows:

17 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
18 notwithstanding any provisions of law to the contrary, one or more
19 authorized issuers as defined by section 68-a of the state finance law
20 are hereby authorized to issue bonds or notes in one or more series in
21 an aggregate principal amount not to exceed [three hundred ninety-seven
22 million dollars \$397,000,000] four hundred forty-two million dollars
23 \$442,000,000, excluding bonds issued to finance one or more debt service
24 reserve funds, to pay costs of issuance of such bonds, and bonds or
25 notes issued to refund or otherwise repay such bonds or notes previously
26 issued, for the purpose of financing capital projects for public
27 protection facilities in the Division of Military and Naval Affairs,
28 debt service and leases; and to reimburse the state general fund for
29 disbursements made therefor. Such bonds and notes of such authorized
30 issuer shall not be a debt of the state, and the state shall not be
31 liable thereon, nor shall they be payable out of any funds other than
32 those appropriated by the state to such authorized issuer for debt
33 service and related expenses pursuant to any service contract executed
34 pursuant to subdivision (b) of this section and such bonds and notes
35 shall contain on the face thereof a statement to such effect. Except for
36 purposes of complying with the internal revenue code, any interest
37 income earned on bond proceeds shall only be used to pay debt service on
38 such bonds.

39 § 42. Subdivision 1 of section 50 of section 1 of chapter 174 of the
40 laws of 1968, constituting the New York state urban development corpo-
41 ration act, as amended by section 48 of part MM of chapter 56 of the
42 laws of 2025, is amended to read as follows:

43 1. Notwithstanding the provisions of any other law to the contrary,
44 the dormitory authority and the urban development corporation are hereby
45 authorized to issue bonds or notes in one or more series for the purpose
46 of funding project costs undertaken by or on behalf of the state educa-
47 tion department, special act school districts, state-supported schools
48 for the blind and deaf, approved private special education schools,
49 non-public schools, community centers, day care facilities, residential
50 camps, day camps, Native American Indian Nation schools, and other state
51 costs associated with such capital projects. The aggregate principal
52 amount of bonds authorized to be issued pursuant to this section shall
53 not exceed [four hundred forty million three hundred ninety-seven thou-
54 sand dollars \$440,397,000] four hundred eighty-five million nine hundred
55 sixty thousand dollars \$485,960,000, excluding bonds issued to fund one
56 or more debt service reserve funds, to pay costs of issuance of such

1 bonds, and bonds or notes issued to refund or otherwise repay such bonds
2 or notes previously issued. Such bonds and notes of the dormitory
3 authority and the urban development corporation shall not be a debt of
4 the state, and the state shall not be liable thereon, nor shall they be
5 payable out of any funds other than those appropriated by the state to
6 the dormitory authority and the urban development corporation for prin-
7 cipal, interest, and related expenses pursuant to a service contract and
8 such bonds and notes shall contain on the face thereof a statement to
9 such effect. Except for purposes of complying with the internal revenue
10 code, any interest income earned on bond proceeds shall only be used to
11 pay debt service on such bonds.

12 § 43. Subdivision 1 of section 1680-k of the public authorities law,
13 as amended by section 49 of part MM of chapter 56 of the laws of 2025,
14 is amended to read as follows:

15 1. Subject to the provisions of chapter fifty-nine of the laws of two
16 thousand, but notwithstanding any provisions of law to the contrary, the
17 dormitory authority is hereby authorized to issue bonds or notes in one
18 or more series in an aggregate principal amount not to exceed [forty-one
19 million one hundred seventy-five thousand dollars \$41,175,000] forty-one
20 million two hundred ninety thousand dollars \$41,290,000, excluding bonds
21 issued to finance one or more debt service reserve funds, to pay costs
22 of issuance of such bonds, and bonds or notes issued to refund or other-
23 wise repay such bonds or notes previously issued, for the purpose of
24 financing the construction of the New York state agriculture and markets
25 food laboratory. Eligible project costs may include, but not be limited
26 to the cost of design, financing, site investigations, site acquisition
27 and preparation, demolition, construction, rehabilitation, acquisition
28 of machinery and equipment, and infrastructure improvements. Such bonds
29 and notes of such authorized issuers shall not be a debt of the state,
30 and the state shall not be liable thereon, nor shall they be payable out
31 of any funds other than those appropriated by the state to such author-
32 ized issuers for debt service and related expenses pursuant to any
33 service contract executed pursuant to subdivision two of this section
34 and such bonds and notes shall contain on the face thereof a statement
35 to such effect. Except for purposes of complying with the internal
36 revenue code, any interest income earned on bond proceeds shall only be
37 used to pay debt service on such bonds.

38 § 44. Subdivision 1 of section 1680-r of the public authorities law,
39 as amended by section 50 of part MM of chapter 56 of the laws of 2025,
40 is amended to read as follows:

41 1. Notwithstanding the provisions of any other law to the contrary,
42 the dormitory authority and the urban development corporation are hereby
43 authorized to issue bonds or notes in one or more series for the purpose
44 of funding project costs for the capital restructuring financing program
45 for health care and related facilities licensed pursuant to the public
46 health law or the mental hygiene law and other state costs associated
47 with such capital projects, the health care facility transformation
48 programs, the essential health care provider program, and other health
49 care capital project costs. The aggregate principal amount of bonds
50 authorized to be issued pursuant to this section shall not exceed [six
51 billion one hundred sixty-eight million dollars \$6,168,000,000] seven
52 billion one hundred seventy-eight million dollars \$7,178,000,000,
53 excluding bonds issued to fund one or more debt service reserve funds,
54 to pay costs of issuance of such bonds, and bonds or notes issued to
55 refund or otherwise repay such bonds or notes previously issued. Such
56 bonds and notes of the dormitory authority and the urban development

1 corporation shall not be a debt of the state, and the state shall not be
2 liable thereon, nor shall they be payable out of any funds other than
3 those appropriated by the state to the dormitory authority and the urban
4 development corporation for principal, interest, and related expenses
5 pursuant to a service contract and such bonds and notes shall contain on
6 the face thereof a statement to such effect. Except for purposes of
7 complying with the internal revenue code, any interest income earned on
8 bond proceeds shall only be used to pay debt service on such bonds.

9 § 45. Subdivision (a) of section 27 of part Y of chapter 61 of the
10 laws of 2005, relating to providing for the administration of certain
11 funds and accounts related to the 2005-2006 budget, as amended by
12 section 52 of part MM of chapter 56 of the laws of 2025, is amended to
13 read as follows:

14 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
15 notwithstanding any provisions of law to the contrary, the urban devel-
16 opment corporation is hereby authorized to issue bonds or notes in one
17 or more series in an aggregate principal amount not to exceed [five
18 hundred fifty million one hundred thousand dollars \$550,100,000] six
19 hundred sixteen million one hundred thousand dollars \$616,100,000,
20 excluding bonds issued to finance one or more debt service reserve
21 funds, to pay costs of issuance of such bonds, and bonds or notes issued
22 to refund or otherwise repay such bonds or notes previously issued, for
23 the purpose of financing capital projects including IT initiatives for
24 the division of state police, debt service and leases; and to reimburse
25 the state general fund for disbursements made therefor. Such bonds and
26 notes of such authorized issuer shall not be a debt of the state, and
27 the state shall not be liable thereon, nor shall they be payable out of
28 any funds other than those appropriated by the state to such authorized
29 issuer for debt service and related expenses pursuant to any service
30 contract executed pursuant to subdivision (b) of this section and such
31 bonds and notes shall contain on the face thereof a statement to such
32 effect. Except for purposes of complying with the internal revenue code,
33 any interest income earned on bond proceeds shall only be used to pay
34 debt service on such bonds.

35 § 46. Paragraph (b) of subdivision 3 and clause (B) of subparagraph
36 (iii) of paragraph (j) of subdivision 4 of section 1 of part D of chap-
37 ter 63 of the laws of 2005, relating to the composition and responsibil-
38 ities of the New York state higher education capital matching grant
39 board, as amended by section 47 of part XX of chapter 56 of the laws of
40 2024, are amended to read as follows:

41 (b) Within amounts appropriated therefor, the board is hereby author-
42 ized and directed to award matching capital grants totaling [four
43 hundred twenty-five million dollars \$425,000,000] four hundred sixty-
44 five million dollars \$465,000,000. Each college shall be eligible for a
45 grant award amount as determined by the calculations pursuant to subdi-
46 vision five of this section. In addition, such colleges shall be eligi-
47 ble to compete for additional funds pursuant to paragraph (h) of subdi-
48 vision four of this section.

49 (B) The dormitory authority shall not issue any bonds or notes in an
50 amount in excess of [four hundred twenty-five million dollars
51 \$425,000,000] four hundred sixty-five million dollars \$465,000,000 for
52 the purposes of this section; excluding bonds or notes issued to fund
53 one or more debt service reserve funds, to pay costs of issuance of such
54 bonds, and bonds or notes issued to refund or otherwise repay such bonds
55 or notes previously issued. Except for purposes of complying with the

1 internal revenue code, any interest on bond proceeds shall only be used
2 to pay debt service on such bonds.

3 § 47. Paragraph a of subdivision 5 of section 89-b of the state
4 finance law, as amended by section 10 of part C of chapter 57 of the
5 laws of 2014, is amended to read as follows:

6 a. Moneys in the dedicated highway and bridge trust fund shall,
7 following appropriation by the legislature, be utilized for: recon-
8 struction, replacement, reconditioning, restoration, rehabilitation and
9 preservation of state, county, town, city and village roads, highways,
10 parkways, and bridges thereon, to restore such facilities to their
11 intended functions; construction, reconstruction, enhancement and
12 improvement of state, county, town, city, and village roads, highways,
13 parkways, and bridges thereon, to address current and projected capacity
14 problems including costs for traffic mitigation activities; aviation
15 projects authorized pursuant to section fourteen-j of the transportation
16 law and for payments to the general debt service fund of amounts equal
17 to amounts required for service contract payments related to aviation
18 projects as provided and authorized by section three hundred eighty-six
19 of the public authorities law; programs to assist small and minority and
20 women-owned firms engaged in transportation construction and recon-
21 struction projects, including a revolving fund for working capital
22 loans, and a bonding guarantee assistance program in accordance with
23 provisions of this chapter; matching federal grants or apportionments to
24 the state for highway, parkway and bridge capital projects; the acquisi-
25 tion of real property and interests therein required or expected to be
26 required in connection with such projects; preventive maintenance activ-
27 ities necessary to ensure that highways, parkways and bridges meet or
28 exceed their optimum useful life; expenses of control of snow and ice on
29 state highways by the department of transportation including but not
30 limited to personal services, nonpersonal services and fringe benefits,
31 payment of emergency aid for control of snow and ice in municipalities
32 pursuant to section fifty-five of the highway law, expenses of control
33 of snow and ice on state highways by municipalities pursuant to section
34 twelve of the highway law, and for expenses of arterial maintenance
35 agreements with cities pursuant to section three hundred forty-nine of
36 the highway law; personal services, nonpersonal services, and fringe
37 benefit costs of the department of transportation for bus safety
38 inspection activities, rail safety inspection activities, and truck
39 safety inspection activities; costs of the department of motor vehicles,
40 including but not limited to personal and nonpersonal services; costs of
41 engineering and administrative services of the department of transporta-
42 tion, including but not limited to fringe benefits; the contract
43 services provided by private firms in accordance with section fourteen
44 of the transportation law; personal services and nonpersonal services,
45 for activities including but not limited to the preparation of designs,
46 plans, specifications and estimates; construction management and super-
47 vision activities; costs of appraisals, surveys, testing and environ-
48 mental impact statements for transportation projects; expenses in
49 connection with buildings, equipment, materials and facilities used or
50 useful in connection with the maintenance, operation, and repair of
51 highways, parkways and bridges thereon; and project costs for:
52 construction, reconstruction, improvement, reconditioning and preserva-
53 tion of rail freight facilities and intercity rail passenger facilities
54 and equipment; construction, reconstruction, improvement, reconditioning
55 and preservation of state, municipal and privately owned ports;
56 construction, reconstruction, improvement, reconditioning and preserva-



1 tion of municipal airports; privately owned airports and aviation capi-
2 tal facilities, excluding airports operated by the state or operated by
3 a bi-state municipal corporate instrumentality for which federal funding
4 is not available provided the project is consistent with an approved
5 airport layout plan; and construction, reconstruction, enhancement,
6 improvement, replacement, reconditioning, restoration, rehabilitation
7 and preservation of state, county, town, city and village roads, high-
8 ways, parkways and bridges; and construction, reconstruction, improve-
9 ment, reconditioning and preservation of fixed ferry facilities of
10 municipal and privately owned ferry lines for transportation purposes,
11 and the payment of debt service required on any bonds, notes or other
12 obligations and related expenses for highway, parkway, bridge and
13 project costs for: construction, reconstruction, improvement, recondi-
14 tioning and preservation of rail freight facilities and intercity rail
15 passenger facilities and equipment; construction, reconstruction,
16 improvement, reconditioning and preservation of state, municipal and
17 privately owned ports; construction, reconstruction, improvement, recon-
18 ditioning and preservation of municipal airports; privately owned
19 airports and aviation capital facilities, excluding airports operated by
20 the state or operated by a bi-state municipal corporate instrumentality
21 for which federal funding is not available provided the project is
22 consistent with an approved airport layout plan; construction, recon-
23 struction, enhancement, improvement, replacement, reconditioning, resto-
24 ration, rehabilitation and preservation of state, county, town, city and
25 village roads, highways, parkways and bridges; and construction, recon-
26 struction, improvement, reconditioning and preservation of fixed ferry
27 facilities of municipal and privately owned ferry lines for transporta-
28 tion purposes, purposes authorized on or after the effective date of
29 this section. Beginning with disbursements made on and after the first
30 day of April, nineteen hundred ninety-three, moneys in such fund shall
31 be available to pay such costs or expenses made pursuant to appropri-
32 ations or reappropriations made during the state fiscal year which began
33 on the first of April, nineteen hundred ninety-two. Beginning the first
34 day of April, nineteen hundred ninety-three, moneys in such fund shall
35 also be used for transfers to the general debt service fund and the
36 [revenue bond tax] general fund of amounts equal to that respectively
37 required for service contract and financing agreement payments as
38 provided and authorized by section three hundred eighty of the public
39 authorities law, section eleven of chapter three hundred twenty-nine of
40 the laws of nineteen hundred ninety-one, as amended, and sections
41 sixty-eight-c and sixty-nine-o of this chapter.

42 § 48. Paragraph a of subdivision 5 of section 89-b of the state
43 finance law, as amended by section 52 of part JJJ of chapter 59 of the
44 laws of 2021, is amended to read as follows:

45 a. Moneys in the dedicated highway and bridge trust fund shall,
46 following appropriation by the legislature, be utilized for: recon-
47 struction, replacement, reconditioning, restoration, rehabilitation and
48 preservation of state, county, town, city and village roads, highways,
49 parkways, and bridges thereon, to restore such facilities to their
50 intended functions; construction, reconstruction, enhancement and
51 improvement of state, county, town, city, and village roads, highways,
52 parkways, and bridges thereon, to address current and projected capacity
53 problems including costs for traffic mitigation activities; aviation
54 projects authorized pursuant to section fourteen-j of the transportation
55 law and for payments to the general debt service fund of amounts equal
56 to amounts required for service contract payments related to aviation

1 projects as provided and authorized by section three hundred eighty-six
2 of the public authorities law; programs to assist small and minority and
3 women-owned firms engaged in transportation construction and recon-
4 struction projects, including a revolving fund for working capital
5 loans, and a bonding guarantee assistance program in accordance with
6 provisions of this chapter; matching federal grants or apportionments to
7 the state for highway, parkway and bridge capital projects; the acquisi-
8 tion of real property and interests therein required or expected to be
9 required in connection with such projects; preventive maintenance activ-
10 ities necessary to ensure that highways, parkways and bridges meet or
11 exceed their optimum useful life; expenses of control of snow and ice on
12 state highways by the department of transportation including but not
13 limited to personal services, nonpersonal services and fringe benefits,
14 payment of emergency aid for control of snow and ice in municipalities
15 pursuant to section fifty-five of the highway law, expenses of control
16 of snow and ice on state highways by municipalities pursuant to section
17 twelve of the highway law, and for expenses of arterial maintenance
18 agreements with cities pursuant to section three hundred forty-nine of
19 the highway law; personal services, nonpersonal services, and fringe
20 benefit costs of the department of transportation for bus safety
21 inspection activities, rail safety inspection activities, and truck
22 safety inspection activities; [costs of the department of motor vehi-
23 cles, including but not limited to personal and nonpersonal services;]
24 costs of engineering and administrative services of the department of
25 transportation, including but not limited to fringe benefits; the
26 contract services provided by private firms in accordance with section
27 fourteen of the transportation law; personal services and nonpersonal
28 services, for activities including but not limited to the preparation of
29 designs, plans, specifications and estimates; construction management
30 and supervision activities; costs of appraisals, surveys, testing and
31 environmental impact statements for transportation projects; expenses in
32 connection with buildings, equipment, materials and facilities used or
33 useful in connection with the maintenance, operation, and repair of
34 highways, parkways and bridges thereon; and project costs for:
35 construction, reconstruction, improvement, reconditioning and preserva-
36 tion of rail freight facilities and intercity rail passenger facilities
37 and equipment; construction, reconstruction, improvement, reconditioning
38 and preservation of state, municipal and privately owned ports;
39 construction, reconstruction, improvement, reconditioning and preserva-
40 tion of municipal airports; privately owned airports and aviation capi-
41 tal facilities, excluding airports operated by the state or operated by
42 a bi-state municipal corporate instrumentality for which federal funding
43 is not available provided the project is consistent with an approved
44 airport layout plan; and construction, reconstruction, enhancement,
45 improvement, replacement, reconditioning, restoration, rehabilitation
46 and preservation of state, county, town, city and village roads, high-
47 ways, parkways and bridges; and construction, reconstruction, improve-
48 ment, reconditioning and preservation of fixed ferry facilities of
49 municipal and privately owned ferry lines for transportation purposes,
50 and the payment of debt service required on any bonds, notes or other
51 obligations and related expenses for highway, parkway, bridge and
52 project costs for: construction, reconstruction, improvement, recondi-
53 tioning and preservation of rail freight facilities and intercity rail
54 passenger facilities and equipment; construction, reconstruction,
55 improvement, reconditioning and preservation of state, municipal and
56 privately owned ports; construction, reconstruction, improvement, recon-



1 ditioning and preservation of municipal airports; privately owned
2 airports and aviation capital facilities, excluding airports operated by
3 the state or operated by a bi-state municipal corporate instrumentality
4 for which federal funding is not available provided the project is
5 consistent with an approved airport layout plan; construction, recon-
6 struction, enhancement, improvement, replacement, reconditioning, resto-
7 ration, rehabilitation and preservation of state, county, town, city and
8 village roads, highways, parkways and bridges; and construction, recon-
9 struction, improvement, reconditioning and preservation of fixed ferry
10 facilities of municipal and privately owned ferry lines for transporta-
11 tion purposes, purposes authorized on or after the effective date of
12 this section. Beginning with disbursements made on and after the first
13 day of April, nineteen hundred ninety-three, moneys in such fund shall
14 be available to pay such costs or expenses made pursuant to appropri-
15 ations or reappropriations made during the state fiscal year which began
16 on the first of April, nineteen hundred ninety-two. Beginning the first
17 day of April, nineteen hundred ninety-three, moneys in such fund shall
18 also be used for transfers to the general debt service fund and the
19 general fund of amounts equal to that respectively required for service
20 contract and financing agreement payments as provided and authorized by
21 section three hundred eighty of the public authorities law, section
22 eleven of chapter three hundred twenty-nine of the laws of nineteen
23 hundred ninety-one, as amended, and sections sixty-eight-c and sixty-
24 nine-o of this chapter.

25 § 49. Subdivision 2 of section 1680-q of the public authorities law,
26 as amended by section 47 of part TTT of chapter 59 of the laws of 2019,
27 is amended to read as follows:

28 2. The authority may, from and after April first, two thousand thir-
29 teen, issue dormitory facility revenue bonds in an amount not to exceed
30 one billion [three] eight hundred [ninety-four] forty-four million
31 dollars. Notwithstanding any other rule or law, such bonds shall not be
32 a debt of the state of New York or the state university nor shall the
33 state or the state university be liable thereon, nor shall they be paya-
34 ble out of any funds other than those of the authority constituting
35 dormitory facilities revenues. Such amount shall be exclusive of bonds
36 and notes issued to fund any reserve fund or funds, cost of issuance,
37 original issue premium, and to refund any prior dormitory facility bonds
38 or any dormitory facility revenue bonds. The authority and the state
39 university are hereby authorized to enter into agreements relating to,
40 among other things, the acquisition of property or interests therein,
41 the construction, reconstruction, rehabilitation, improvement, equipping
42 and furnishing of dormitory facilities, the operation and maintenance of
43 dormitory facilities, and the billing, collection and disbursement of
44 dormitory facilities revenues, the title to which has been conveyed,
45 assigned or otherwise transferred to the authority pursuant to paragraph
46 y of subdivision two of section three hundred fifty-five of the educa-
47 tion law. In no event shall the state university have any obligation
48 under the agreement to make payment with respect to, on account of or to
49 pay dormitory facilities revenue bonds, and such bonds shall be payable
50 solely from the dormitory facilities revenues assigned to the authority
51 by the state university. No debt shall be contracted except to finance
52 capital works or purposes. Notwithstanding any other provision of law,
53 dormitory facility revenues shall not be deemed to be revenues of the
54 state. Notwithstanding any other rule or law, the state shall not be
55 liable for any payments on any dormitory facility revenue bonds, and
56 such bonds shall not be a debt of the state and shall not be payable out

1 of any funds other than the dormitory facilities revenues assigned to
2 the authority by the state university.

3 § 50. Paragraph (b) of subdivision 1 of section 54-b of section 1 of
4 chapter 174 of the laws of 1968 constituting the urban development
5 corporation act, as amended by section 56 of part MM of chapter 56 of
6 the laws of 2025, is amended to read as follows:

7 (b) Notwithstanding any other provision of law to the contrary,
8 including, specifically, the provisions of chapter 59 of the laws of
9 2000 and section sixty-seven-b of the state finance law, the dormitory
10 authority of the state of New York and the corporation are hereby
11 authorized to issue personal income tax revenue anticipation notes with
12 a maturity no later than March 31, [2026] 2027, in one or more series in
13 an aggregate principal amount for each fiscal year not to exceed three
14 billion dollars, and to pay costs of issuance of such notes, for the
15 purpose of temporarily financing budgetary needs of the state. Such
16 purpose shall constitute an authorized purpose under subdivision two of
17 section sixty-eight-a of the state finance law for all purposes of arti-
18 cle five-C of the state finance law with respect to the notes authorized
19 by this paragraph. Such notes shall not be renewed, extended or
20 refunded. For so long as any notes authorized by this paragraph shall be
21 outstanding, the restrictions, limitations and requirements contained in
22 article five-B of the state finance law shall not apply.

23 § 51. Paragraph (b) of subdivision 1 and subdivision 2 of section 67-b
24 of the state finance law, as amended by section 34 of part P2 of chapter
25 62 of the laws of 2003, are amended to read as follows:

26 (b) If state-supported debt is issued to refund or otherwise affect
27 the refunding, retirement or defeasance of state-supported debt
28 originally issued on and after April first, two thousand, provided such
29 refundings are conducted in accordance with section thirteen of article
30 VII of the state constitution, the calculation of the total outstanding
31 principal amount of debt shall [exclude] include such refunding debt,
32 and shall [only include] exclude the amount of prior refunded debt, [as
33 if it were still outstanding,] in each year until such refunding debt is
34 finally retired. Notwithstanding the foregoing, the provisions of such
35 section thirteen of article VII of the state constitution relating to
36 the maintenance or management of escrow funds and sinking funds shall
37 only be applicable to state-supported debt issued by the state comp-
38 troller. If state-supported debt is issued to refund or otherwise affect
39 the refunding, retirement or defeasance of state-supported debt issued
40 prior to April first, two thousand, then the amount of such refunding
41 debt shall be [excluded from] included in the calculation of the total
42 outstanding principal amount of debt in each year until such refunding
43 debt is finally retired. In addition, if state-supported debt is retired
44 or defeased with payments in any fiscal year made by the state that are
45 not required by mandatory payments, such debt shall be excluded from the
46 calculation of the total outstanding principal amount of debt, including
47 retirements or defeasances accomplished on an economic basis.

48 2. State-supported debt may not be contracted for unless, as of Octo-
49 ber thirty-first, two thousand one and as of each October thirty-first
50 thereafter, the total amount of interest, installments of principal,
51 contributions to sinking funds, and related payments on a cash basis of
52 accounting for state-supported debt in the immediately preceding fiscal
53 year is less than the designated percentage of total governmental funds
54 receipts for such fiscal year. Nothing shall preclude the contracting of
55 state-supported debt prior to October thirty-first of each year if, in
56 the immediately preceding fiscal year, the total amount of interest,

1 installments of principal, contributions to sinking funds, and related
2 payments was less than the designated percentage of total governmental
3 funds receipts. This shall include the total amount of payments on such
4 debt issued on and after April first, two thousand, but shall not
5 include payments in any fiscal year made by the state to defease or
6 retire debt not required by mandatory payments nor payments made by the
7 state for debt issued to refund debt that was issued prior to April
8 first, two thousand. In addition, if state-supported debt is issued to
9 refund or otherwise affect the refunding, retirement or defeasance of
10 state-supported debt originally issued on and after April first, two
11 thousand, provided such refundings are conducted in accordance with
12 section thirteen of article VII of the state constitution, the calcu-
13 lation of the total amount of interest, installments of principal,
14 contributions to sinking funds, and related payments shall [exclude]
15 include payments made on such refunding debt, and shall [only include]
16 exclude the payments on the prior refunded debt, [as if it were still
17 outstanding,] in each year until such refunding debt is finally retired.
18 Such designated percentage shall be seven and one-half-tenths of one
19 percent for fiscal year two thousand--two thousand one, and shall
20 increase by five-tenths of one percent in fiscal year two thousand one-
21 -two thousand two, by an additional four-tenths of one percent in fiscal
22 year two thousand two--two thousand three, and by an additional one-
23 third of one percent in each of the ten subsequent fiscal years. The
24 designated percentage for fiscal year two thousand thirteen--two thou-
25 sand fourteen and for each fiscal year thereafter shall be five percent.

26 § 52. This act shall take effect immediately and shall be deemed to
27 have been in full force and effect on and after April 1, 2026; provided,
28 however, that the provisions of sections one, two, three, four, five,
29 six, seven, eight, fourteen, fifteen, sixteen, seventeen, eighteen,
30 nineteen, twenty, twenty-one and twenty-two of this act shall expire
31 March 31, 2027; and provided, further, that the amendments to paragraph
32 a of subdivision 5 of section 89-b of the state finance law made by
33 section forty-seven of this act shall be subject to the expiration and
34 reversion of such paragraph pursuant to section 2 of part B of chapter
35 84 of the laws of 2002, as amended, when upon such date the provisions
36 of section forty-eight of this act shall take effect.

37

PART HHH

38 Section 1. Section 102-a of the New York city civil court act is
39 amended by adding a new subdivision 2-d to read as follows:

40 2-d. Ten additional judges of the civil court of the city of New York
41 shall be elected in and from the residences of the following counties in
42 the indicated numbers:

43 From the county of Bronx, two, one to be elected from the first munic-
44 ipal court district and one to be elected from the second municipal
45 court district;

46 From the county of Kings, three, one to be elected from the fourth
47 municipal court district, one to be elected from the sixth municipal
48 court district and one to be elected from the seventh municipal court
49 district;

50 From the county of New York, two, one to be elected from the first
51 municipal court district and one to be elected from the seventh munici-
52 pal court district;



1 From the county of Queens, two, one to be elected from the second
2 municipal court district and one to be elected from the fourth municipal
3 court district; and

4 From the county of Richmond, one, to be elected from the first municipi-
5 pal court district.

6 § 2. The positions created by section one of this act shall be filled
7 by election at the November 3, 2026 election, for a term to commence on
8 the first day of January, 2027, as if such vacancies occurred on the
9 effective date of this act. Party nominations shall be made as provided
10 for in sections 6-116 and 6-158 of the election law, and the independent
11 nominations shall be made as provided for by subdivision 10 of section
12 6-158 of the election law.

13 § 3. This act shall take effect June 1, 2026.

14 PART III

15 Section 1. The public service law is amended by adding a new section
16 67-b to read as follows:

17 § 67-b. Excelsior power program. 1. As used in this section, the
18 following terms shall have the following meanings:

19 (a) "Customer" means a residential recipient of retail electric or gas
20 service from an electric corporation, gas corporation, or combination
21 gas and electric corporation.

22 (b) "Smart thermostat" means an electronic device that has the capa-
23 bility to be accessed and controlled remotely and also directly regu-
24 lates heating and/or cooling appliances located within a dwelling to
25 maintain a thermostatic range.

26 (c) "Utility" means an electric corporation, a gas corporation, or
27 combination electric and gas corporation as such terms are defined in
28 section two of this chapter and shall not include municipalities.

29 (d) "Program" means the Excelsior power program designed to reduce
30 peak energy demand established by this section.

31 (e) "Customer information" means the personal information and data of
32 customers.

33 2. (a) The commission shall establish a program, developed and admin-
34 istered by the department, to reduce peak energy demand through the
35 remote operation of voluntarily customer enrolled smart thermostats or
36 other smart devices that reduce peak energy demand.

37 (b) Following the establishment of the program, the department shall,
38 subject to appropriation, disburse available funds to utilities partic-
39 ipating in the program for the purpose of providing bill credits to
40 customers that have enrolled in the program.

41 (c) One year after the establishment of the program and annually ther-
42 eafter, for as long as the program remains active, the department shall
43 prepare a public report on the functioning, efficiency and usefulness of
44 the program in reducing peak energy demand, which shall include enroll-
45 ment information, information on curtailment events, and potential
46 recommendations to improve the program.

47 (d) The department shall require that the program include:

48 (i) a mechanism for customers to override the smart thermostat during
49 extreme heat or cold events. No assessment of a fee, charge, or penalty
50 to a customer or their account may be levied for overriding the smart
51 thermostat during these or other demand response events, except that,
52 any bill credits that are associated with a customer's involvement in
53 the program, may be discounted in a manner to be determined by the

1 commission that reflects the customer's limited involvement in the
2 program; and

3 (ii) criteria pertaining to the length of temperature adjustments,
4 including taking account of the limited nature of demand response
5 events.

6 (e) The utility or the commission may authorize a review, analysis, or
7 audit of a utility's implementation of the program.

8 3. (a) Customer participation in the program shall be voluntary.
9 Customer enrollment in the program shall occur through the utility from
10 which the customer receives service.

11 (b) No utility shall enroll a customer in the program without the
12 customer's affirmative consent, which shall be confirmed via written
13 consent that shall be maintained by the utility for seven years follow-
14 ing the customer's disenrollment in the program. Customer enrollment
15 shall occur only via an opt-in process, and the utility shall inform
16 customers of their rights and protections under the program.

17 (c) A customer may disenroll from the program in a manner prescribed
18 by the commission, provided that customers shall be offered a method of
19 disenrollment no less convenient than the method of enrollment. No
20 assessment of a fee, charge, or penalty to the customer or their account
21 may be levied for disenrollment, except that, upon such disenrollment,
22 any potential bill credits that may have been associated with a custom-
23 er's enrollment in the program, shall cease, provided that any credits
24 earned but not yet applied to the customer's bill as of the date of
25 disenrollment shall be applied to the customer's next bill.

26 4. (a) Customer information related to the program shall be treated as
27 confidential information.

28 (b) Utilities shall only collect customer information to the extent
29 necessary to effectively administer the program. Utilities shall take
30 all reasonable steps to maintain the confidentiality of customer infor-
31 mation related to the program. Utilities shall not sell, lend, lease,
32 share, exchange or provide such customer information to third parties,
33 except pursuant to a lawful subpoena or warrant or as otherwise required
34 by law. Utilities shall safely store and safely encrypt customer infor-
35 mation related to the program to protect against unauthorized use or
36 access. Utilities shall also dispose of, destroy, or delete customer
37 information at the end of the provision of services and upon disenroll-
38 ment, except as necessary to comply with this section, any applicable
39 New York state or federal law or rule or regulation.

40 (c) Utilities shall take all reasonable steps to protect against unau-
41 thorized use or access of customers' smart thermostats or other mali-
42 cious acts by third parties.

43 (d) The department shall consider additional cybersecurity
44 protections, and shall establish such protections if the department
45 deems them necessary or appropriate to safeguard customer information
46 and customer smart thermostats.

47 (e) Utilities shall make available customer information to the depart-
48 ment upon request, provided such customer information continues to be
49 treated as confidential information in a manner no less protective than
50 as required by this subdivision, and such customer information is only
51 requested and used for purposes of implementing and enforcing the
52 program.

53 5. In the development of the program, the commission shall require
54 inclusion of:

55 (a) customer education requirements, such as examples of when a utili-
56 ty may modify the settings of an enrolled smart thermostat, the minimum

1 and maximum range of temperature adjustments, and the availability of
2 other energy efficiency and affordability programs; and

3 (b) residential customer outreach efforts, methods to provide advance
4 notice to enrolled customers of potential curtailment events such as
5 forecasted high energy demand events or extreme weather events, iden-
6 tification of smart thermostats eligible to participate in the program,
7 and actions to engage non-residential, commercial, or industrial custom-
8 ers in energy demand reduction efforts before adjusting participating
9 residential customers' energy load.

10 § 2. The public authorities law is amended by adding a new section
11 1020-nn to read as follows:

12 § 1020-nn. Implementation of Excelsior power program in authority's
13 service area. The authority and its service provider shall develop and
14 implement a program designed to reduce peak energy demand consistent
15 with the provisions of section sixty-seven-b of the public service law.
16 The authority shall annually submit a public report to the department of
17 public service describing the implementation, operation, and results of
18 the program. Pursuant to section three-b of the public service law, the
19 department of public service may review and make recommendations
20 concerning the implementation and operation of the program by the
21 authority and its service provider.

22 § 3. This act shall take effect immediately.

23

PART JJJ

24 Section 1. For the purposes of this act, the following terms shall
25 have the following meanings:

26 1. "Authorized project" shall mean any installation, construction,
27 demolition, reconstruction, excavation, rehabilitation, remediation,
28 repair, or renovation in connection with the District Galleria project
29 located in the city of White Plains.

30 2. "Project labor agreement" shall have the meaning set forth in
31 subdivision 1 of section 222 of the labor law.

32 § 2. Notwithstanding any general, special, or local law, rule or regu-
33 lation to the contrary, an authorized project may be undertaken pursuant
34 to a project labor agreement considering interest in preventing favori-
35 tism, fraud and corruption, and other considerations such as the impact
36 of delay, the possibility of cost savings advantages, and any local
37 history of labor unrest.

38 § 3. This act shall take effect immediately and shall expire and be
39 deemed repealed ten years after such date.

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

49 § 3. This act shall take effect immediately provided, however, that
50 the applicable effective date of Parts A through JJJ of this act shall
51 be as specifically set forth in the last section of such Parts.