

**SUMMARY OF RECOMMENDED CHANGES
TO THE
EXECUTIVE BUDGET
STATE FISCAL YEAR 2020-21**

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FINANCIAL PLAN

On January 21, 2021, the State Fiscal Year (SFY) 2020-21 Executive Budget was released with total estimated spending of \$178 billion on an All Funds basis. The Executive Budget closed a projected budget gap of \$6.1 billion with a combination of \$4.5 billion in spending actions and \$2.6 billion of revenue actions, which included \$2.5 billion in cost-containment measures to be determined by the Medicaid Redesign Team (MRT II).

On March 2, 2020 the Legislature adopted a \$40 million appropriation to support the state's response to the COVID-19 outbreak, and to broaden the Governor's authority during a declared state of emergency.

On March 7, 2020, the Governor declared a statewide disaster emergency with a duration lasting six months. In the succeeding days, as an increasing number of New Yorkers tested positive for COVID-19, the Governor implemented a series of executive orders and adopted statewide procedures to better respond to the outbreak.

On March 17, 2020, the Office of the State Comptroller conducted a risk analysis of State revenues in light of the COVID-19 public health crisis and projected a loss of more than \$7 billion in tax receipts.

On March 20, 2020, the Internal Revenue Service (IRS) formally delayed the April 15th federal income tax filing day until July 15th, and the state income tax filing date mirrored the IRS filing date. Since State filings are linked to the federal filings, this action will result in a delay in a significant portion of the State's personal income tax collections. The July 15th filing date will diminish the state's cash-on-hand, materially impacting our ability to pay for operating expenses.

Throughout the month of March, Congress adopted the following relief measures:

- the Coronavirus Preparedness and Response Supplemental Appropriations Act of 2020, which is projected to provide NYS with about \$35 million for the purchase of vaccines and other therapies and for local response efforts;
- the Families First Coronavirus Response Act would provide a projected \$128 million to the State of New York through emergency food assistance programs, home delivered and congregate meals for seniors, and for unemployment insurance, and an increase in the Federal Medicaid cost sharing percentage that would result in an additional \$2.2 billion in state and local relief for every six months of the declared national emergency; and
- the Coronavirus Aid, Relief and Economic Security (CARES) Act, would provide about \$5 billion to the State of New York, \$1.4 billion to the City of New York, and a total \$1 billion for the Counties of Erie, Monroe, Nassau, Suffolk and Westchester, and the Town of Hempstead to be utilized to support costs associated with COVID-19.

On April 2, 2020, the Legislature passed the SFY 2020-21 Enacted Budget with a spending plan that resolves an additional \$10 billion deficit related to the impact of and response to the COVID-19 public health emergency. The Enacted Budget maintains essential services and programs and includes authorization for the Executive to adjust spending as necessary to maintain a balanced budget throughout the fiscal year (see “Budget Management Tools”, below).

The Legislature included several appropriations to authorize necessary expenditures in response to the COVID-19 public health emergency upon receipt of federal aid:

- \$58.29 billion for Unemployment Insurance Benefits and Administration;
- \$25 billion to draw down additional federal grants;
- \$4 billion state funds appropriation for services and expenses related to the outbreak of COVID-19. A \$40 million re-appropriation is included for the COVID-19 initiative that was enacted in March 2020;
- \$1.2 billion for school districts associated with the federal CARES Act;
- \$200 million for child care providers;
- \$66 million for rural and small urban transit aid program; and
- \$9.75 million for administration to process workers’ compensation claims.

Budget Management Tools

The Legislature provides the following provisions to ensure the budget remains in balance while the state and nation responds to the direct and indirect economic, financial, and social effects of the COVID-19 public health emergency:

- Authorization to allow the Director of the Division of Budget to reduce General Fund and special revenue appropriations to maintain a balanced budget if a General Fund imbalance occurs during prescribed measurement periods. The budget would be deemed unbalanced if actual State Operating Fund tax receipts are less than 99 percent of estimated tax receipts or if actual State Operating Fund disbursements are more than 101 percent estimated disbursements. Upon such imbalance, the Division of Budget would establish a spending reduction plan to come into balance. The Legislature shall have 10 days after the Executive plan to submit its own plan or the Division of Budget’s plan will automatically take effect. Any reductions may be repaid partially or in full if actual State Operating Fund tax receipts through Feb. 28, 2021 if state or federal

receipts improve. No repayment shall be made until the Director of the Division of Budget certifies that the General Fund has sufficient resources to make all planned payments in SFY 2020-21 with no adverse impacts to the SFY 2021-22 budget gap;

- The Director of the Division of Budget is also authorized to delay or withhold payments in response to the impact of the COVID-19 public health emergency if a financial plan imbalance occurs. The Division of Budget shall provide notification to the Legislature each month on payments expected to be withheld and payments actually delayed;
- Authorization is provided to allow the Dormitory Authority (DASNY) or Empire State Development (ESD) to issue \$8 billion in short-term notes and to enter into one or more short-term line of credit agreements totaling up to \$3 billion to meet anticipated revenue shortfalls associated with a delay in the tax filing date from April to July;
- Creation of the Public Health Charitable Trust Fund to receive donations for response to public health emergencies;
- Authorization for the Division of Budget to increase or decrease by interchange or transfer state operations appropriations of any department, agency or public authority;
- Authorization for the Division of Budget to require an agency or public authority receiving any funds from the federal government in response to the COVID-19 public health emergency to submit an allocation plan prior to any spending;
- An increase in the authorization to transfer the unencumbered balances of any special revenues, agency, enterprise, or internal service funds to the General Fund in the amount of up to \$1 billion for SFY 2021;
- Authorization to exempt all debt issuances in SFY 2020-21 from the statutory cap on the amount of debt outstanding and exempt the provision that debt shall only be issued for capital purposes;
- Authorization to allow loans from other funds made to the General Fund be repaid by the end of the fiscal year, rather than the shorter duration of four months; and
- Authorization for loans to be made to special revenue funds in an amount not to exceed \$250 million to maintain essential governmental operations.

SFY 2019-20 Closeout

The SFY 2019-20 ended with All Funds spending totaling \$173 billion, an increase of \$2.1 billion from SFY 2018-19 and a decrease of \$2.9 billion from financial plan estimates. The reduction in spending from financial plan estimates is largely attributed to delayed or lower spending in local assistance grants and capital projects. All Funds receipts totaled \$177.4 billion, an increase of \$9.3 billion the previous year and a decrease of \$818 million from financial plan estimates. At the end of the fiscal year, the All Funds cash balance totaled \$14.3 billion, an increase of \$1.7 billion over the financial plan estimates.

SFY 2019-20 General Fund disbursements totaled \$77.5 billion, an increase of \$4.7 billion from SFY 2018-19 and a decrease of \$1.5 billion from financial plan estimates. Receipts in the General Fund totaled \$79.2 billion, an increase of \$8.7 billion over the previous year and an increase of \$875.1 million over the estimated financial plan. This produced a cash balance of \$8.9 billion at the end of the fiscal year, an increase of \$2.4 billion from financial plan estimates.

SFY 2019-20 State Funds disbursements totaled \$114.4 billion, an increase of \$2.3 billion from SFY 2018-19 and a decrease of \$1.1 billion from financial plan estimates. State Funds receipts Fund totaled \$115.5 billion, an increase of \$7.7 billion over the previous year and an increase of \$3.6 billion over the estimated financial plan.

On a State Operating Fund basis, spending totaled \$102.2 billion for growth of two percent over SFY 2018-19.

Financial Plan at Budget Passage

At the passage of the State Budget, the SFY 2020-21 Enacted Financial Plan assumed-absent additional federal aid a decline in both state revenue and spending of \$10 billion related to the economic impact of and federal funds available in response to the COVID-19 public health emergency. Budget management tools would be deployed should the federal government fail to provide adequate and timely emergency relief.

On an All Funds basis, the SFY 2020-21 Enacted Budget is estimated to total \$178 billion, for an annual growth of 1.2 percent.

The SFY 2020-21 Enacted Budget projects State Operating Funds spending of \$95.8 billion, which is a decrease of 7.8 percent from SFY 2019-20. Total state spending (including Special Revenue Funds and Capital Projects) is projected to be \$108.5 billion, a decrease of 6.1 percent from last fiscal year.

General Fund spending is projected at \$71.9 billion, a 9.0 percent decrease from SFY 2019-20.

It is anticipated the Division of Budget will release the Enacted Budget Financial Plan report which will reestimate both revenues and disbursements for SFY 2020-21.

**CASH FINANCIAL PLAN
GENERAL FUND
Estimated 30-Day Closeout 2019-20 vs Enacted Plan 2020-21
(millions of dollars)**

	2019-20 Estimated Closeout	2020-21 Enacted Plan	% Change from 19-20 to 20-21
Opening fund balance	7,206	6,527	(9.4%)
Receipts:			
Taxes			
Personal Income Tax	24,333	20,137	(17.2%)
User taxes and fees	8,123	6,479	(20.2%)
Business taxes	6,400	5,512	(13.9%)
Other taxes	1,112	1,193	7.3%
Miscellaneous Receipts	2,979	2,106	(29.3%)
Federal grants	0		0.0%
Transfers from other funds			
- PIT Revenue Bond	24,917	26,395	5.9%
- ECEP Revenue Bond	1	2	0.0%
- LGAC	3,441	3,662	6.4%
- Sales Tax	2,994	2,651	(11.5%)
- RETT	952	974	2.3%
- All other	3,080	2,186	(29.0%)
Total Receipts	78,332	71,298	(9.0%)
Disbursements:			
Grants to local governments	53,573	46,643	(12.9%)
State operations	11,738	10,718	(8.7%)
General State charges	7,626	7,910	3.7%
Transfers to other funds			
- Debt service	517	570	10.3%
- Capital projects	3,182	3,535	11.1%
- SUNY Operations	1,185	1,273	7.4%
- Other purposes	1,190	1,272	6.9%
Total Disbursements	79,011	71,921	(9.0%)
Change in fund balance	(679)	(623)	
Closing fund balance	6,527	5,904	
Tax Stabilization Reserve Fund	1,258	1,258	
Rainy Day Fund	1,218	1,218	
Contingency Reserve Fund	21	21	
Community Projects Fund	0	0	
Reserved for Debt Management	500	500	
Reserved for Economic Uncertainty	890	890	
Settlement Funds	2,640	2,017	

Note: The actual SFY 2019-20 closing fund balance includes delayed payments and reduced spending in local assistance payments, capital projects, and general state charges. Outstanding obligations will be rolled into the current fiscal year.

**CASH FINANCIAL PLAN
STATE OPERATING FUNDS
Estimated 30-Day Closeout 2019-20 vs Enacted Plan 2020-21
(millions of dollars)**

	2019-20 Estimated Closeout	2020-21 Enacted Plan	% Change from 19-20 to 20-21
Opening fund balance	12,362	11,360	(8.1%)
Receipts:			
Taxes	80,950	76,502	(5.5%)
Miscellaneous receipts	21,760	18,672	(14.2%)
Federal grants	75	74	(1.3%)
Total Receipts	102,785	95,248	(7.3%)
Disbursements:			
Grants to local governments	70,324	62,960	(10.5%)
State operations	19,711	20,030	1.6%
General State charges	8,681	6,809	(21.6%)
Debt service	5,166	6,012	16.4%
Capital projects	0	0	0.0%
Total Disbursements	103,882	95,811	(7.77%)
Other financing sources (uses)			
Transfers from other funds	41,399	41,848	1.1%
Transfers to other funds	(41,304)	(42,355)	2.5%
Bond and note proceeds	0	0	
Net other financing sources (uses)	95	(507)	(633.7%)
Deposit to/(use of) Community Projects Fund	0	0	
Deposit to/(use of) Prior Year Reserves	0		
Deposit to/(use of) Debt Reduction Reserve	0	0	
Change in fund balance	(1,002)	(1,070)	
Closing fund balance	11,360	10,290	

Note: Actual SFY 2019-20 closing fund balance includes delayed payments and reduced spending in local assistance payments, debt service, and general state charges. Outstanding obligations will be rolled into the current fiscal year.

CASH FINANCIAL PLAN
STATE FUNDS
Estimated 30-Day Closeout 2019-20 vs Enacted Plan 2020-21
(millions of dollars)

	2019-20 Estimated Closeout	2020-21 Enacted Plan	% Change from 19-20 to 20-21
Opening fund balance	11,729	11,029	(6.0%)
Receipts:			
Taxes	82,390	77,932	(5.4%)
Miscellaneous receipts	29,477	26,023	(11.7%)
Federal grants	80	79	(1.3%)
Total Receipts	111,947	104,034	(7.1%)
Disbursements:			
Grants to local governments	74,539	67,586	(9.3%)
State operations	19,711	17,933	(9.0%)
General State charges	8,681	9,015	3.8%
Debt service	5,166	6,012	16.4%
Capital projects	7,412	7,964	7.4%
Total Disbursements	115,509	108,510	(6.1%)
Other financing sources (uses)			
Transfers from other funds	45,318	45,156	(0.4%)
Transfers to other funds	(42,845)	(43,866)	2.4%
Bond and note proceeds	389	850	118.5%
Net other financing sources (uses)	2,862	3,140	9.7%
Deposit to/(use of) Community Projects Fund	0	0	
Deposit to/(use of) Prior Year Reserves	0	0	
Deposit to/(use of) Debt Reduction Reserve	0	0	
Change in fund balance	(700)	(1,336)	
Closing fund balance	11,029	9,693	

Note: The actual SFY 2019-20 closing fund balance includes delayed payments and reduced spending in local assistance payments, capital projects, debt service, and general state charges. Outstanding obligations will be rolled into the current fiscal year.

**CASH FINANCIAL PLAN
ALL FUNDS
Estimated 30-Day Closeout 2019-20 vs Enacted Plan 2020-21
(millions of dollars)**

	2019-20 Estimated Closeout	2020-21 Enacted Plan	% Change from 19-20 to 20-21
Opening fund balance	9,975	12,563	25.9%
Receipts:			
Taxes	82,390	77,932	(5.4%)
Miscellaneous receipts	29,701	26,253	(11.6%)
Federal grants	66,162	72,187	9.1%
Total Receipts	178,253	176,372	(1.1%)
Disbursements:			
Grants to local governments	131,441	131,550	0.1%
State operations	21,788	22,079	1.3%
General State charges	9,007	9,363	4.0%
Debt service	5,166	6,012	16.4%
Capital projects	8,507	9,025	6.1%
Total Disbursements	175,909	178,029	1.2%
Other financing sources (uses)			
Transfers from other funds	44,935	45,766	1.8%
Transfers to other funds	(45,080)	(45,931)	1.9%
Bond and note proceeds	389	850	118.5%
Net other financing sources (uses)	244	685	180.7%
Deposit to/(use of) Community Projects Fund	0	0	
Deposit to/(use of) Prior Year Reserves	0	0	
Deposit to/(use of) Debt Reduction Reserve	0	0	
Change in fund balance	2,588	(972)	
Closing fund balance	12,563	11,591	

Note: The actual SFY 2019-20 closing fund balance includes delayed payments and reduced spending in local assistance payments, capital projects, debt service, and general state charges. Outstanding obligations will be rolled into the current fiscal year.

Revenue Actions

The Enacted Budget includes the following actions on revenue:

- **Part A – Warrantless State Tax Debt Collection Methods:** The Legislature modifies the Executive proposal to make permanent the current provisions authorizing the Department of Taxation and Finance (T&F) to use the financial institution data match system for State collection of past-due fixed and final tax debts; and allow T&F to serve warrantless income executions on individual tax debtors and if necessary, on the employers of such debtors, to instead extend these provision for five years, until April 1, 2025.
- **Part B – Extend Hire-A-Vet Credit:** The Legislature modifies the Executive proposal to extend the Hire-a-Vet Credit for an additional two years, to instead extend the program for one additional year.
- **Part C – Extend Oil and Gas Fee for Three Years:** The Legislature accepts the Executive proposal to extend the existing oil and gas fee, which supports the cost of setting unit of production values for the gas and oil industry, from March 31, 2021 to March 31, 2024.
- **Part D – Intentionally omitted.**
- **Part E – Cap the Long-Term Care Insurance Credit:** The Legislature accepts the Executive proposal to limit the current long-term care insurance credit to taxpayers with New York adjusted gross income below \$250,000 and to cap the allowable total credit amount to \$1,500 per taxpayer. Current law provides a 20 percent credit with no maximum credit amount and no income limitations.
- **Part F - Authorize the T&F to Provide Unclaimed Tax Benefits:** The Legislature modifies the Executive proposal to authorize T&F to calculate and issue the Earned Income Tax Credit to eligible taxpayers who failed to claim the New York State or New York City credit and to recalculate a taxpayer’s personal income tax return using the standard deduction, when the standard deduction would be larger than the itemized deduction, to require T&F to conduct such recalculations.
- **Part G – Intentionally omitted.**
- **Part H - Modify the Tobacco Product Tax:** The Legislature modifies the Executive proposal to standardize the definition of wholesale price for purposes of the tobacco tax and to establish penalties for businesses that fail to maintain and produce records related to such taxes, to accept the definitional change but remove language authorizing the new penalties.

- **Part I - Enhance Cigarette Tax Enforcement and Penalties:** The Legislature modifies the Executive proposal to enhance cigarette tax enforcement and licensing penalties against retail dealers who sell unstamped or unlawfully stamped cigarettes and against persons affiliated with those retail dealers, to remove provisions that would allow the revocation of associated alcohol and lottery tax authorizations, and to allow for the revocation of a sales tax authorization only upon the third violation within a five-year period.

- **Part J – Technical Amendments Related to Alcohol Beverage Taxes:** The Legislature accepts the Executive proposal to make a variety of technical changes to the State’s alcoholic beverage taxes, including proposals to: update and conform annual reporting requirement thresholds for small alcohol producers in the Tax Law to the State Liquor Authority’s (SLA) annual production caps for farm producer licenses; standardize the tax exemption on inter-distributor sales by extending the exemption to every registered distributor; and repeal the one cent per liter tax levied on liquor containing less than two percent of alcohol by volume.

- **Part K – Intentionally omitted.**

- **Part L – Modify the Excelsior Tax Credit Program:** The Legislature modifies the Executive proposal related to the Excelsior Jobs Credit Program, to add new allocations of \$200 million per year for the years 2025 through 2029, instead of the 15 years extension proposed by the Executive. Likewise, the Legislature also extends the program through 2039, to allow the last ten years to be supported by credits that have been carried forward. The Legislature modifies the Executive proposal to provide enhanced Excelsior Tax Credits for Green Projects, to limit the definition of what would qualify as a green project.

- **Part M - Extend and Modify the Film Production Tax Credit:** The Legislature accepts the Executive proposal to make a variety of changes to the Empire State Film Production Credit and Empire State Film Post-Production Credit, including proposals to:
 - reduce the amount of the Empire State Film Production Credit from 30 percent to 25 percent;

 - reduce the Empire State Post-Production Credit from 30 percent to 25 percent for qualified films produced at qualified facilities located within the Metropolitan Commuter Transportation District and from 35 percent to 30 percent for qualified films produced at qualified facilities located elsewhere in the State;

 - exclude single episodes of a television series and require that a qualified film, other than a television pilot, must have a minimum budget of \$1 million if the project is located in the counties of Westchester, Rockland, Nassau, or Suffolk or New York City, and have a minimum budget of \$250,000 if the project is located in the other counties of the State;

- exclude new variety entertainment, variety sketch, and variety talk programs, other than relocated television productions from the credits;
 - clarify the time period for claiming certain tax credits; and
 - extend the film credit programs for one year from 2024 to 2025.
- **Part N** – Intentionally omitted.
- **Part O** – Intentionally omitted.
- **Part P - Allow for the Appointment of Acting County Directors of Real Property Tax Services:** The Legislature modifies the Executive proposal to allow counties to appoint an Acting County Director of Real Property Tax Services until a new permanent director is hired, to clarify the qualifications standards and certification requirements for an acting director whose term exceeds six months.
- **Part Q** – Intentionally omitted.
- **Part R** – Intentionally omitted.
- **Part S - Remove References to the STAR Offset Program:** The Legislature accepts the Executive proposal to remove statutory and appropriation references to the STAR Offset Program, which is no longer active.
- **Part T - Make Technical Amendments to Telecommunications and Railroad Ceiling Programs:** The Legislature modifies the Executive proposal to clarify the railroad ceiling valuation date to ensure that T&F and localities are using a consistent date and to clarify the equalization rates to be used in the Telecommunications Ceiling Program, to continue the current biennial reporting requirement.
- **Part U - Allow Retroactive Applications by Late Enhanced STAR Filers:** The Legislature accepts the Executive proposal to allow retroactive enrollment in the Enhanced STAR Program for certain recipients who were disqualified from the program by failing to enroll in the Income Verification Program (IVP), for the 2019-20 school year.
- **Part V – Equine Drug Testing and Research Lab:** The Legislature modifies the Executive proposal to authorize the New York Racing Association (NYRA) to fund, from their capital expenditures, the construction and furnishing of an equine drug testing and research lab for use by the Gaming Commission, to clarify the authorization language and require NYRA to submit an initial report to the Legislature on the plan for the building of such lab.

- **Part W** – Intentionally omitted.
- **Part X - Amend Sports Wagering Lounge Restrictions:** The Legislature modifies the Executive proposal to end the restriction requiring sports wagering to be operated exclusively in a casino’s designated sports wagering lounge, allowing for sports wagering to occur in approved areas outside the lounge, but still within the casino, to clarify how wagers can be placed in these new areas within the casino.
- **Part Y** – Intentionally omitted.
- **Part Z - Extend Pari-Mutuel Tax Rates and Simulcast Provisions:** The Legislature accepts the Executive proposal to extend the current pari-mutuel tax rate structure and other racing-related provisions for one year.
- **Part AA** – Intentionally omitted.
- **Part BB** – Intentionally omitted.
- **Part CC – New York Jockey Injury Compensation Fund:** The Legislature includes language to allow the New York Thoroughbred Horsemen’s Association to utilize \$2 million from the unpaid purse cushion account through 2021 and require that two percent be the maximum amount deducted from each owner’s share of purses until 2024 to offset the premium increase for the New York Jockey Injury Compensation Fund.
- **ELFA Part W - Deny STAR Benefit to Delinquent Property Owners:** The Legislature modifies the Executive proposal to eliminate STAR benefits for homeowners that are delinquent on their property tax payments, to exclude the Enhanced Senior STAR program from the proposal and to allow taxpayers that pay their delinquent taxes to reapply for the STAR program and to receive any benefits that were previously disallowed.
- **ELFA Part X – Modify the Employer Compensation Expense Program (ECEP):** The Legislature includes language to allow certain employers to withdraw from the ECEP program, if they had enrolled in the program in error and not participated in the program.
- **ELFA Part RR – Relocation and Employment Assistance Program (REAP):** The Legislature includes language to extend the REAP program for five additional years, from June 30, 2020 to June 30, 2025, and to require program participants to annually report on the average wage and benefits offered to relocated employees.

- **ELFA Part SS – Industrial and Commercial Abatement Program (ICAP):** The Legislature includes language to extend the ICAP program for three additional years, from 2022 to 2025; to exclude self-storage facilities from the ICAP program, and to exclude from the ICAP program any applicant who has been finally adjudicated to have violated any State, city, or municipal business regulations or ordinances related to payment of taxes, payment of wages, or fraudulent representation to governmental entities.
- **ELFA Part ZZ – Local Sales Tax Intercept/Distressed Provider Assistance:** The Legislature includes language to intercept a portion of local sales tax collections in SFY 2020-21 and SFY 2021-22, and to deposit such amounts into the New York State Agency Trust Fund, Distressed Provider Assistance Account. The State would intercept \$200 million annually in collections from New York City and \$50 million annually in collections from counties outside of the City of New York for the purpose of assisting distressed health care facilities.
- **TED Part KKK – Extend the START-UP NY Program:** The Legislature includes language to extend the START-UP NY program for five years, from December 31, 2020 to December 31, 2025.
- **TED Part WWW – Decouple from Certain Federal Tax Provisions:** The Legislature includes language to decouple the State Tax Law and the Administrative Code of the City of New York from the Federal Tax Code with respect to certain business tax provision enacted in the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act. These provisions would preserve over \$1.6 billion in State revenue.
- **TED Part XXX – Omnibus Extenders:** The Legislature includes language to extend various expiring provision of law, including a three-year extension of local sales taxes, local hotel and motel occupancy taxes, local mortgage recording taxes, local real estate transfer taxes; various New York City tax authorizations, and various New York City tax exemptions.

Executive Tax Revenue Proposals that are not Included

- **Part D – Modify Small Businesses Taxation:** The Legislature excludes the Executive proposal to make various changes related to the taxation of small businesses, including proposals to:
 - reduce the Corporate Franchise Tax rate, from 6.5 percent to 4 percent, for businesses with 100 or fewer employees with a net income of \$390,000 or less;
 - increase the existing sole proprietor and farm business income deduction, from the current 5 percent to 15 percent, for small businesses that are paying taxes

through the personal income tax and that have less than \$250,000 of small business income;

- modify the existing Investment Tax Credit to make it refundable for taxpayers whose primary source of income is from farming operations; and
 - eliminate the estimated tax underpayment penalty for New York S corporations.
- **Part G - Enhance the Empire State Child Credit:** The Legislature does not include the Executive proposal to expand the Empire State Child Tax Credit, to include children under the age of four, residing in families with adjusted gross incomes of up to \$50,000 per year.
 - **Part K - Update Criminal Tax Fraud Statutes:** The Legislature does not include the Executive proposal to make various changes to the State's tax fraud statutes.
 - **Part N - Provide Local Options for Placing Converted Condos into the Homestead Class:** The Legislature does not include the Executive proposal to authorize municipalities that have separate tax rates for homestead and non-homestead properties the option to place converted condos assessed at full value using the sales-based method into the homestead class.
 - **Part Q – Modernize and Merge Real Property Tax Forms and Processes:** The Legislature does not include the Executive proposal to combine the property transfer form and the real estate transfer tax form into a consolidated real property transfer form and to create an online system for e-filing and paying the associated taxes and fees.
 - **Part R – Abolish the State Board of Real Property Tax Services:** The Legislature does not include the Executive proposal to eliminate the State Board of Real Property Tax Services.
 - **Part W – Interstate Anti-Doping Compact:** The Legislature does not include the Executive proposal to authorize the creation of a multi-state compact for the creation of a uniform set of rules and regulations of permitted and prohibited use of drugs in racehorses.
 - **Part Y – Eliminate Quick Draw Minimum Size Restriction:** The Legislature does not include the Executive proposal to eliminate the current 2,500 square feet size restriction imposed on locations offering Quick Draw.
 - **Part AA – Lower Basic STAR Exemption income Limit to \$200,000:** The Legislature does not include the Executive proposal to lower the income eligibility limit for the Basic STAR Exemption Program from the current \$250,000 level to \$200,000.

- **Part BB – Cannabis Regulation and Taxation Act:** The Legislature does not include the Executive proposal to provide for the legalization and regulation of the cultivation, production, and sale of cannabis and cannabis products for adult-use.

Table 1

**Fiscal Impact - Enacted Revenue Proposals
(\$ in Millions)**

Part	Proposal	FY 2021	FY 2022	FY 2023	FY 2024
A	Extend State Tax Debt Collection Methods	40	40	40	40
B	Extend Hire-A-Vet Credit for One Year	-	-	(5)	(5)
C	Extend the Oil and Gas Fee	-	-	-	-
E	Limit Long-Term Care Insurance Credit	-	28	28	28
F	Authorize the Tax Department to Provide Unclaimed Tax Benefits	(2)	(2)	(2)	(2)
H	Modify the Tobacco Tax to Clarify Wholesale Price	10	23	23	23
I	Enhance Cigarette Tax Enforcement and Penalties	-	-	-	-
J	Make Technical Amendments to Alcoholic Beverage Taxes	-	-	-	-
L	Enhance Excelsior Program and Enhance for Green Projects	-	-	-	-
M	Extend and Modify the Film Production Tax Credit	-	-	-	-
P	Allow for the Appointment of Acting County Directors of RPT Services	-	-	-	-
S	Remove Unnecessary References to the STAR Offset Program	-	-	-	-
T	Make Technical Changes to the Telecom and Railroad Ceiling Programs	-	-	-	-
U	Make Exceptions for Certain Late Enhanced STAR Filers	(4)	-	-	-
V	Authorize Construction of a New Equine Drug Testing Lab	-	-	-	-
X	Modify Casino Sports Wagering Lounge Restrictions	-	-	-	-
Z	Extend Pari-Mutuel Tax Rates and Simulcast Provisions for One Year	-	-	-	-
CC	New York Jockey Injury Compensation Fund	-	-	-	-
ELFA W	Deny STAR Benefits to Delinquent Property Taxpayers	-	-	-	-
ELFA X	Modify the Employer Compensation Expense Program (ECEP)	-	-	-	-
ELFA EE	Enact a Comprehensive Tobacco Control Policy	(25)	(33)	(33)	(33)
ELFA RR	Relocation and Employment Assistance Program (REAP)	-	-	-	-
ELFA SS	Industrial and Commercial Abatement Program (ICAP)	-	-	-	-
ELFA ZZ	Local Sales Tax Intercept/Distressed Provider Assistance	250	250	-	-
TED KKK	Extend the START-UP NY Program	-	-	-	-
TED WWW	Decouple from Certain Federal Tax Provisions	-	-	-	-
TED XXX	Omnibus Extender	-	-	-	-
Total Fiscal Impact		269	306	51	51

PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

Recommended Changes to the Executive Budget Division of Alcoholic Beverage Control

The Legislature provides an All Funds appropriation of \$13.31 million, a decrease of \$34.31 million below the Executive proposal.

State Operations

- The Legislature does not include a new \$34.31 million for the Office of Cannabis Management as legislation to legalize and regulate the adult use of marijuana was not included in the enacted budget.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive's proposal, with technical modifications, to alter the hours during which international airports operated by the Port Authority of New York and New Jersey (Stewart, LaGuardia, JFK) may sell alcoholic beverages.
- The Legislature does not include the Executive proposal to create a new type of license for in-state higher education institutions that grants retail, distribution and manufacturing privileges of all types of alcoholic beverages.
- The Legislature does not include the Executive proposal to authorize movie theatres to serve all types of alcoholic beverages for motion pictures that are rated PG-13, R, or NC-17 to individuals with appropriate proof of age, without having to meet the current food requirements.
- The Legislature does not include the Executive proposal to authorize manufacturers, wholesalers or retailers to have direct or indirect ownership interest in one another's businesses. The current restrictions are commonly referred as tied-house laws.

Recommended Changes to the Executive Budget Department of Audit and Control

The Legislature provides an All Funds appropriation of \$384.8 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of the Budget

The Legislature provides an All Funds appropriation of \$49.72 million, an increase of \$537,000 over the Executive proposal.

State Operations

- The Legislature restores \$537,000 for the following programs:
 - \$479,000 for the Council of State Governments;
 - \$48,000 for the National Conference of State Legislators; and
 - \$10,000 for the National Conference of Insurance Legislators.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Civil Service

The Legislature provides an All Funds appropriation of \$58.7 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Corrections and Community Supervision

The Legislature provides an All Funds appropriation of \$3.389 billion.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature accepts the proposal related to authorizing the transfer of adolescent offenders from Department of Corrections and Community Supervision (DOCCS) to Office of Children and Family Services.
- The Legislature modifies the authorization for the Governor to close prisons with 90 days' notice to the legislature by adding language to require the commissioner of DOCCS to provide a report on staff relocation within 60 days of such closure.
- The Legislature does not include the following Executive proposals:
 - the requirement of certain persons convicted of a sex offense to affirmatively report screen names used for certain social media accounts to Division of Criminal Justice Services;
 - authorization for counties to enter into shared service agreements relating to county jails; and
 - authorization for the Correctional Industries Program of the Department of Corrections to provide services as a preferred source.

Recommended Changes to the Executive Budget Commission of Correction

The Legislature provides an All Funds appropriation of \$2.96 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of Criminal Justice Services

The Legislature provides an All Funds appropriation of \$363.91 million, an increase of \$53.8 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides a new \$40 million in funding for the Criminal Justice Discovery Compensation Account to support discovery implementation, digital evidence transmission technology, administrative support, computers, hardware, software, data connectivity, trainings, overtime, litigation readiness, and pretrial services costs of counties, cities and law enforcement and prosecutorial entities within towns and villages.
- The Legislature provides \$3.1 million for Prisoner's Legal Services, an increase of \$900,000 over the Executive proposal.
- The Legislature restores funding for the New York State Defenders Association at \$2.09 million, an increase of \$1.06 million over the Executive proposal.
- The Legislature provides \$609,000 for domestic violence related to civil and criminal legal services providers.
- The Legislature restores \$600,000 in support of immigrant legal services:
 - \$150,000 for Albany Law School - Immigration Clinic;
 - \$150,000 for Legal Aid Society - Immigration Law Unit;
 - \$150,000 for Legal Services NYC - DREAM Clinics; and
 - \$150,000 for Haitian-Americans United for Progress Inc.
- The Legislature restores a legislative share of the Federal Edward Byrne/Justice Assistance Grants at \$600,000.
- The Legislature restores \$147,000 in support for rape crisis centers for total funding of \$6.5 million.

- The Legislature provides \$4.2 million in Legal Services Assistance Fund (LSAF) support as follows:
 - \$2.83 million for civil and criminal legal service grants;
 - \$770,000 for domestic violence and veterans' legal services; and
 - \$600,000 for the indigent parolee program.

- The Legislature also provides General Fund support of the following programs:
 - \$400,000 for Neighborhood Legal Services;
 - \$200,666 for Elmcot Youth and Adult Activities Program;
 - \$250,000 for Gun Violence Institute;
 - \$200,000 for Regional Economic Community Action Program, Inc;
 - \$250,000 for the Fireman Association;
 - \$250,000 for Brooklyn Conflicts Office;
 - \$250,000 for Southside United HDFC;
 - \$250,000 for Child Care Center of New York;
 - \$250,000 for Community Service Society – Record Repair Counseling Corps;
 - \$225,000 for Legal Education Opportunity Program;
 - \$200,000 for Fortune Society;
 - \$200,000 for Regional Economic Community Action Program, INC.;
 - \$200,000 for Common Justice, Inc.;
 - \$175,000 for Brooklyn Defender;
 - \$175,000 for New York County Defender Services;
 - \$150,000 for Greenpoint Outreach Domestic and Family Intervention Program;
 - \$150,000 for Friends of the Island Academy;
 - \$127,000 for Correctional Association;
 - \$125,000 for Goddard Riverside Community Center;
 - \$100,000 for SNUG Wyandanch;
 - \$100,000 for Bailey House – Project FIRST;
 - \$100,000 for John Jay College;
 - \$100,000 for Greenburger Center for Social and Criminal Justice;
 - \$100,000 for Mobilization for Justice;
 - \$100,000 for Center for Court Innovation Youth SOS - Crown Heights;
 - \$100,000 for Life Camp Inc.;
 - \$80,000 for NYPD Law Enforcement Explorers-Bronx;
 - \$75,000 for Groundswell;
 - \$75,000 for Mohawk Consortium;
 - \$75,000 for Center for Employment Opportunities;
 - \$60,000 for King of Kings Foundation Inc.;
 - \$50,000 for Exodus Transitional Community;
 - \$35,667 for 100 Suits for 100 Men;
 - \$31,000 for Osborne Association;
 - \$30,000 for Father's Alive in the Hood (FAITH) Inc.;

- \$30,000 for NYU Veteran’s Entrepreneurship Program;
- \$30,000 for Rockaway Development and Revitalization Corporation;
- \$30,000 for Rockaway Youth Task Force Inc.;
- \$26,000 for Bergen Basin Community Development Corporation;
- \$25,000 for the Glendale Civilian Patrol;
- \$20,000 for Jacob Riis Settlement House;
- \$16,667 for It’s a Process; and
- \$11,000 for Sheltering Arms Children and Family Services.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature modifies the following Executive proposals:
 - extending certain criminal justice programs for one additional year;
 - expanding the definition of disqualifying “serious offense” for the purposes of gun licensing and possession statutes to include an offense, committed in another jurisdiction, which includes all the elements of a disqualifying misdemeanor or felony offense in New York. The Division of Criminal Justice Services (DCJS) is required to publicize a list of such disqualifying offenses in other jurisdictions;
 - allowing a police officer responding to a family offense to take temporary custody of certain weapons in plain sight, discovered through a lawful search, or in possession of the alleged offender and allowing the court to order the seizure of certain weapons not surrendered pursuant to a court order;
 - requiring district attorneys to file a certain notice in cases in which an offense is committed against a family or household member, and, if a conviction results with such notice pending, requiring the court to report such determination to the DCJS within three business days;
 - creating the Criminal Justice Discovery Compensation Account funded from pre-prosecution settlement funds of the New York County District Attorney of \$40 million in SFY 2020-21 and SFY 2021-22 for expenses related to discovery implementation including digital evidence transmission technology, administrative support, computers, hardware, software, data connectivity, trainings, overtime, litigation readiness, and pretrial services; and

- creating two new crimes of mass violence motivated by hate, each a Class A-1 felony which include a second degree crime would involve attempting to cause or causing serious physical injury to five or more persons, acting while motivated by hatred against a protected class of persons; and first degree crime would involve such conduct that also causes the death of one or more persons.
- The Legislature includes the following Article VII proposals:
 - modifying the timeframe for disclosure of information in certain circumstances; creating presumptive protective orders for information relating to the identities of certain individuals; requiring the Chief Administrator of the Courts to work in conjunction with DCJS to collect and annual report certain data; and making other clarifying and procedural changes related to discovery requirements; and
 - clarifying the use of non-monetary conditions, including listing example conditions that may be imposed; expanding the lists of qualifying offenses for bail eligibility; requiring the Chief Administrator of the Courts and DCJS to collect data regarding pretrial release and detention and report such information; and clarifying the ability of counties, municipalities and the State to contract with for-profit entities to supply certain electronic monitoring equipment.
- The Legislature does not include the following Executive proposals:
 - specifying when a gun must be reported to the criminal gun clearinghouse and requiring all state and local law enforcement agencies in the State to opt-in to Bureau of Alcohol, Tobacco, Firearms, and Explosives firearms training program;
 - allowing waivers and exemptions from certain licensing requirements for providing certain professional services to DCJS;
 - allowing certain additional information from individual mental health providers to be shared with law enforcement entities in other states for the purpose of determining eligibility to purchase, possess or carry a firearm;
 - modifying statutes related to the prosecution of certain rape or sexual offenses in circumstances where the alleged victim was under the influence of drugs or other substances; and
 - prohibiting individuals from possessing certain unserialized “ghost” guns or components.

Recommended Changes to the Executive Budget State Board of Elections

The Legislature provides an All Funds appropriation of \$46.40 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not Applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature modifies the Executive proposal to require manual recounts by automatically requiring a manual recount:
 - where the margin of victory is 20 votes or less;
 - where the margin of victory is 0.5 percent or less; or
 - in an elections contest where one million or more ballots have been cast and the margin of victory is less than 5,000 votes.
- The Legislature modifies the Executive proposal related to donation disclosure requirements for certain charitable nonprofit entities by providing that disclosure reports would be filed with the Department of State, eliminating a requirement for reporting of individual donor names and addresses, mandating reporting of in-kind donations to covered entities, retaining the ability of entities to challenge public disclosure, and providing for published reports from the Department of State when violations are found.
- The Legislature includes legislation that would allow the State Board of Elections to remove candidates from the presidential primary ballot if a candidate sends a letter to

the State Board of Elections or publicly announces their withdrawal for the nomination of the President of the United States at least 45 days before Election Day.

- **The Legislature includes legislation to modify the Election Law authorizing employees time off to vote to provide that employees with four consecutive hours before or after a scheduled work shift on any day in which polls are open shall use such time to vote and further provides that if an employee does not have such time to vote on any day in which they are eligible they shall be authorized to take up to two hours of time off to vote without loss of pay.**
- **The Legislature establishes a voluntary public campaign finance system for statewide and state legislative offices.**
- **The Legislature does not include an Executive proposal to prohibit and establish penalties for receiving political campaign contributions from foreign-influenced corporations.**

Recommended Changes to the Executive Budget Office of Employee Relations

The Legislature provides an All Funds appropriation of \$8.7 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Executive Chamber and Office of the Lieutenant Governor

The Legislature provides an All Funds appropriation of \$18.5 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Financial Services

The Legislature provides an All Funds appropriation of \$ 439.2 million, an increase of \$75,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature restores \$75,000 to provide a total of \$110,000 in support of the continuation of the Entertainment Worker Demonstration Program.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive's proposal to establish the Behavioral Health Parity Compliance Fund. Moneys in such fund shall be used to promote initiatives supporting behavioral health parity implementation and enforcement on behalf of consumers, and to fund the Behavioral Health Ombudsman, which provides assistance to consumers in accessing behavioral health services. Penalties collected based on violations of the insurance law related to substance use disorder and mental health parity shall be placed in the Behavioral Health Parity Compliance Fund.
- The Legislature extends the Excess Medical Malpractice Program and the Department of Financial Services rate-setting authority for such program for an additional year.
- The Legislature modifies the Executive proposal related to investigations into prescription drug manufacturing and pricing to authorize the Superintendent to investigate drug manufacturers upon a prescription drug price increase over the course of twelve months by 50 percent to an amount greater than \$5.00 per unit, as well as upon suspicion of fraud. The Superintendent, through pre-existing administrative enforcement authority, is empowered to subpoena and compel witnesses, and examine

them under oath as a part of their investigation. Further, a Drug Accountability Board shall be established within the Department of Financial Services (DFS) and comprised of medical and pharmaceutical experts and clinicians, with one appointment to such board being made on the recommendation of the Temporary President of the Senate and the Speaker of the Senate. The Drug Accountability Board shall aid the Superintendent in their investigations and review cases based on the effects to consumers and premiums, evaluating criteria, including whether such price increases were justified.

- **The Legislature modifies the Executive proposal related to student debt consultants to create prohibited practices, disclosure requirements, and mandatory contract language; establish penalties for violations; and allow the Superintendent to promulgate rules and regulations for the student debt consulting industry.**
- **The Legislature does not include the Executive’s proposal to establish a “pay and pursue” model for the Early Intervention program, which would require insurers to pay claims when a provider is included in the insurer’s network and there is disagreement over the medical necessity of the services rendered.**
- **The Legislature does not include the Executive proposal to license and regulate Pharmacy Benefit Managers.**
- **The Legislature does not include the Executive proposal that would require a license from the Superintendent of DFS for a Consumer Debt Collector seeking to collect a debt from a debtor residing in New York State.**
- **The Legislature does not include the Executive proposal that would empower DFS to have enforcement power over unlicensed financial entities, increase civil penalties, and broaden the definitions for “financial products or services” subject to regulation by DFS.**
- **The Legislature does not include the Executive proposal that would give banks the authority to place holds on transactions, if there is a reasonable belief that a “vulnerable adult” is being financially exploited, and give banking institutions and bank employees immunity if a hold was placed in “good faith”.**

Recommended Changes to the Executive Budget Office of General Services

The Legislature provides an All Funds appropriation of \$1.25 billion.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature accepts the Executive proposal to make the New York Buy American Act permanent.
- The Legislature modifies the Executive proposal that would permanently allow the Commissioner of General Services to enter into 15-year leases on behalf of state agencies and instead extends each authority for 10 years.
- The Legislature modifies the provisions of the Infrastructure Investment Act to add to the list of entities authorized to use design-build construction methods, establish additional reporting requirements, and extend authorization to use design-build until December 31, 2022.
- The Legislature does not include the Executive proposal that would require businesses bidding on state contracts to disclose information about sexual harassment in order to qualify for certain State contracts.

Recommended Changes to the Executive Budget Division of Homeland Security and Emergency Services

The Legislature provides an All Funds appropriation of \$1.56 billion, an increase of \$600,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides an additional \$600,000 for the American Red Cross.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature accepts the Executive proposal and recommends no changes.

Recommended Changes to the Executive Budget Office of Indigent Legal Services

The Legislature provides an All Funds appropriation of \$261.27 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office of the State Inspector General

The Legislature provides an All Funds appropriation of \$7.24 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget New York Interest on Lawyer Account

The Legislature provides an All Funds appropriation of \$47.1 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Law

The Legislature provides an All Funds appropriation of \$282.45 million, an increase of \$10 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides a \$10 million appropriation to support the Homeowners Projection Program (HOPP), with funding transferred from the Mortgage Insurance Fund (MIF). With \$10 million remaining from the JP Morgan settlement funds in the Division of Housing and Community Renewal (DHCR), the HOPP program will receive a total of \$20 million for SFY 2020-21.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of Military and Naval Affairs

The Legislature provides an All Funds appropriation of \$306.11 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office for the Prevention of Domestic Violence

The Legislature provides an All Funds appropriation of \$5.78 million, an increase of \$50,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$50,000 for the Family Violence and Women's Rights Clinic at SUNY Buffalo Law School.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Public Employment Relations Board

The Legislature provides an All Funds appropriation of \$4.1 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Joint Commission on Public Ethics

The Legislature provides an All Funds appropriation of \$5.58 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature does not include an Executive proposal to require statewide elected officials, members of the Legislature, appointed state commissioners and certain elected local officials who receive annual compensation exceeding \$100,000 to file an annual copy of their tax return with the Joint Commission on Public Ethics.

Recommended Changes to the Executive Budget Judicial Commissions

The Legislature provides an All Funds appropriation of \$6.09 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of State Police

The Legislature provides an All Funds appropriation of \$1.01 billion.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature does not include the proposal to authorize the State Police to issue administrative subpoenas for the investigation of certain alleged online sexual offenses.

Recommended Changes to the Executive Budget Statewide Financial System

The Legislature provides an All Funds appropriation of \$31.16 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to authorize the Statewide Financial System (SFS) to issue and award procurement contracts to support its business operations.

Recommended Changes to the Executive Budget Office of Information Technology Services

The Legislature provides an All Funds appropriation of \$1.01 billion.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature accepts the Executive Proposal that would standardize and update the definition of "technology" in certain procurement laws to clarify what constitutes technology and to account for new forms of technology going forward.
- The Legislature does not include the Executive proposal that would authorize the Office of Information Technology Services to issue and award procurement contracts for comprehensive technology services, allowing the same firm to both design and implement specified IT systems.

Recommended Changes to the Executive Budget Office of Victim Services

The Legislature provides an All Funds appropriation of \$211.99 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Workers' Compensation Board

The Legislature provides an All Funds appropriation of \$206.2 million, an increase of \$9.75 million over the Executive proposal.

State Operations

The Legislature provides \$9.75 million for the administration to process workers' compensation claims and hearings as a result of COVID-19. The increase would support an additional 40 FTEs.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature does not include the Executive proposal to provide the New York State Insurance Fund greater flexibility with regard to its investments of surplus funds.
- The Legislature does not include the Executive proposal to authorize the New York State Insurance Fund to cancel a policy due to an employer's failure to cooperate with a payroll audit.
- The Legislature does not include the Executive proposal to authorize the New York State Insurance Fund to enter into agreements with other workers' compensation insurance carriers to provide out-of-state coverage to its policyholders.

Recommended Changes to the Executive Budget General State Charges

The Legislature provides an All Funds appropriation of \$6.28 billion, an increase of \$11.9 million over the Executive proposal.

State Operations

- The Legislature does not include an Executive proposal to eliminate reimbursement of the Income Related Monthly Adjusted Amount (IRMAA), and instead restores \$3.7 million.
- The Legislature does not include an Executive proposal to institute a cap in Medicare Part B premium support, and instead restores \$2.2 million.
- The Legislature does not include an Executive proposal to require the rate of interest paid upon any judgement or accrued claim be calculated at a rate equal to the weekly average one year constant maturity rate treasury yield, up to a maximum of nine percent, and instead restores \$6 million.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature includes language allowing the disclosure of the private information of newly-hired employees, and of employees promoted or transferred to a new bargaining unit, to the employee organization certified to represent such unit, and directing public employers to provide employee organizations mandatory access to new employee orientations. Notice would be given to the employee organization not less than 10 days in advance of an orientation.

- The Legislature includes language directing public authorities to ensure a fair and non-biased compensation structure for all employees, regardless of status in one or more protected classes.
- The Legislature does not include the Executive proposal to authorize the Superintendent of the Division of State Police (DSP) to waive the maximum age requirement for appointment for any police officer of the NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) who is appointed to the State Police due to a consolidation of OPRHP and DSP, and permit applicants twenty-nine or older to apply up to seven years of military service to meet the age qualification.
- The Legislature does not include the Executive proposal to terminate state reimbursements of IRMAA for retired state employees and their dependents commencing on January 1, 2021.
- The Legislature does not include the Executive proposal to cap the Medicare Part B Standard Premium Reimbursement amount at \$144.60 a month for all retired state employees and their dependents, commencing on or after April 1, 2020.
- The Legislature does not include the Executive proposal to modify the health insurance premium costs for state retirees who are hired on or after April 1, 2020, and their dependents.
- The Legislature does not include a provision to allow the annual interest on judgments and accrued claims to be paid at the one-year U.S. Treasury bill rate.

Recommended Changes to the Executive Budget Miscellaneous: Public Protection & General Government

Local Government Assistance

The Legislature provides an All Funds appropriation of \$762.05 million, an increase of \$10.94 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature restores support for the following programs:
 - \$9.3 million in Video Lottery Terminal Aid to municipalities outside the City of Yonkers;
 - \$1.2 million to Onondaga County to continue a school discipline pilot project in conjunction with the Syracuse City School District;
 - \$200,000 each to the villages of Delhi and New Paltz to offset costs associated with emergency response at SUNY colleges; and
 - \$48,000 in local assistance to villages including:
 - \$27,000 to the Village of Woodbury;
 - \$19,000 to the Village of South Blooming Grove; and
 - \$2,000 to the Village of Sagaponack.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepted with modifications the following Executive proposals to:

- increase the bidding threshold for school food service programs;
 - allow for a municipal parkland alienation in Nassau County for the underground installation of equipment related to the Bay Park Conveyance Project; and
 - incentivize the prompt removal of the tow pound at Pier 76 of the Hudson River Park in Manhattan.
- The Legislature accepts the Executive proposals to:
 - provide technical corrections to the process of providing AIM-related sales tax payments to municipalities in Erie and Nassau counties; and
 - increase bonding authority for the Nassau County Interim Finance Authority.
- In addition, the Legislature included proposals to:
 - repeal the requirement that Westchester County hold a public referendum before approving capital projects over \$10 million;
 - establish reporting requirements for the New York City Relocation and Employment Assistance Program (REAP), and extend the program for five years;
 - modify program criteria, including eligibility, for the New York City Industrial and Commercial Abatement Program (ICAP), and extend the program for three years; and
 - increase the period of probable usefulness for certain components associated with construction at the Ithaca Tompkins International Airport.
- The Legislature does not include an Executive proposal to:
 - eliminate \$9.3 million in Video Lottery Terminal aid for all municipalities outside of the City of Yonkers;
 - modify the timeline for submission of County-Wide Shared Services plans, and allow for previously approved initiatives to receive funding;
 - authorize the voting of the Financial Restructuring Board for Local Governments to be based on a majority of members present at each meeting;
 - allow for shared services agreements between counties for the creation of shared county jails; and

- establish a uniform municipal process for the siting of small wireless facilities.

Payment to New York City

- The Legislature accepts the Executive proposal and recommends no changes.

Labor Management Committees

- The Legislature accepts the Executive proposal and recommends no changes.

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

Recommended Changes to the Executive Budget Division of Veterans' Services

The Legislature provides an All Funds appropriation of \$21.5 million, \$1.9 million over the Executive proposal.

State Operations

- **The Legislature does not include \$2.8 million in appropriation authority for federal funding to support the establishment of a state veterans' cemetery.**

Aid to Localities

- **The Legislature adds \$1.93 million for the following programs:**
 - **\$500,000 for NYS Defenders Association;**
 - **\$330,000 for Legal Services of the Hudson Valley;**
 - **\$250,000 for Clear Path for Veterans;**
 - **\$220,000 for NYS Defenders Association – Long Island;**
 - **\$200,000 for Helmets to Hardhats;**
 - **\$150,000 for SAGE Veterans Project;**
 - **\$125,000 for Veterans of Foreign Wars Department of New York;**
 - **\$100,000 for North Country Veterans' Association; and**
 - **\$50,000 for Vietnam Veterans of America, New York State Council.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature does not include the Executive proposal to disregard certain cost and selection requirements for the establishment of a state veterans' cemetery and will address the issue outside the budget process.**

Recommended Changes to the Executive Budget Council on the Arts

The Legislature provides an All Funds appropriation of \$46.98 million, an increase of \$100,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$100,000 for the following:
 - \$50,000 to the Bronx Museum of Art; and
 - \$50,000 to the Museum of the City of New York.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget City University of New York

The Legislature provides an All Funds appropriation of \$5.34 billion, an increase of \$52.7 million over the Executive proposal.

State Operations

- The Legislature restores \$1.5 million to the School of Labor and Urban Studies.
- The Legislature restores \$250,000 for the City University of New York (CUNY) Pipeline at the Graduate Center.
- The Legislature increases the fringe benefits appropriation for CUNY by \$26.4 million for a total of \$868.2 million.

Aid to Localities

- The Legislature restores \$902,000 in funding for CUNY childcare.
- The Legislature restores \$2.5 million in funding for the Accelerated Study in Associates Program (ASAP).
- The Legislature funds CUNY Citizenship Now at \$20,000.

Capital Projects

- The Legislature modifies the strategic capital matching grants program to clarify that funding will only be provided if the capital funds can be issued without adversely affecting funding available for health, safety, or essential government services.

Article VII

- The Legislature does not include the Executive proposal that would extend CUNY's authorization to annually increase undergraduate resident tuition up to \$200 through the 2024-25 Academic Year.

Recommended Changes to the Executive Budget State Education Department

The Legislature provides an All Funds appropriation of \$38.7 billion, an increase of \$928.4 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides an overall increase to General Support for Public Schools (GSPS) of \$93.2 million or 0.3 percent over the 2019-20 School Year (SY), for a total of \$27.9 billion when state and Federal CARES act funds are combined. This amount includes an increase in formula based aids of \$95.6 million for SY 2020-21.
 - The Legislature maintains Foundation Aid at its SY 2019-20 level, for a total of \$18.4 billion.
 - The Legislature does not include the Executive proposal to consolidate 10 expense-based aid categories into Foundation Aid.
 - The Legislature does not include the Executive proposals to modify Transportation Aid and Building Aid.
 - The Legislature provides for full reimbursement of expense-based aids.
 - The Legislature offsets \$1.12 billion in state funds with Federal CARES act funds to provide a school district with current law levels of support.
- In addition, the Legislature reduces competitive grant spending by \$39 million and provides \$10 million to support student mental health initiatives.
- The Legislature maintains \$1 million to develop a curriculum on civics, diversity, and religious tolerance.
- The Legislature also includes support for the following:

- **\$14.3 million to restore funding for Teacher Resource and Computer Training Centers;**
- **\$12 million in support for the Yonkers City School District;**
- **\$2 million to support the East Ramapo Central School District school improvement grant;**
- **\$1.5 million to restore funding for Adult Literacy Education, for a total of \$9.23 million;**
- **\$1.5 million to restore funding for the Consortium for Worker Education (CWE), for a total of \$13 million;**
- **\$1.2 million to restore funding for the Rochester School Health Services Grant and \$1.2 million to restore funding for the Buffalo School Health Services Grant;**
- **\$1 million to restore funds for nonpublic immunization certification;**
- **\$903,000 to restore funding for the Henry Viscardi School, \$903,000 to restore New York School for the Deaf, \$500,000 to restore the Mill Neck Manor School for the Deaf, and \$500,000 for the Cleary School for the Deaf;**
- **\$500,000 to restore funding for the Teacher Diversity Pipeline Pilot in Buffalo;**
- **\$500,000 to restore funding for the CWE Enhanced Credentialing program;**
- **\$500,000 to restore Independent Living Centers, for total funding of \$14.4 million;**
- **\$500,000 for New York City transportation after 4;**
- **\$500,000 for the Center for Autism and Related Disorders at SUNY Albany;**
- **\$500,000 for the Long Island Preschool Technical Assistance Center;**
- **\$475,000 to restore funding for the Executive Leadership Institute;**
- **\$475,000 to restore funding to the Magellan Foundation;**
- **\$461,000 to restore funding for Bard Early College High School in Queens;**
- **\$450,000 to restore NYC Community Learning Schools;**

- **\$385,000 to restore funding for training programs to increase the number of teachers providing bilingual or multilingual education;**
- **\$200,000 for Cornell Cooperative Extension, Sullivan County;**
- **\$175,000 to provide funding for a Rochester City School District monitor, \$87,500 for a Hempstead Union Free School District monitor, and \$87,500 for a Wyandanch Union Free School District monitor;**
- **\$150,000 to restore funding to the National Association of Social Workers;**
- **\$100,000 for NIA Community Service Network;**
- **\$80,000 for the Center for Educational Innovation;**
- **\$20,000 for YMCA of Greater New York – Castle Hill;**
- **\$10,000 for the Queens Library; and**
- **\$5,000 for the Turkish Cultural Center.**
- **The Legislature continues funding of Nonpublic Schools at last year’s funding level of \$193 million.**
- **The Legislature allows charter schools to be funded at 94.5 percent of their calculated tuition in the 2020-21 school year which will keep charter schools at level funding, similar to school districts.**
- **The Legislature provides a \$1.2 billion federal appropriation to account for funds coming from the Federal CARES Act.**

Cultural Education

- **The Legislature restores the following:**
 - **\$2.5 million in Aid to Public Libraries, for a total of \$94.1 million;**
 - **\$250,000 for the Schomburg Center for Research in Black Culture; and**
 - **\$75,000 for the Langston Hughes Community Library and Cultural Center.**

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature does not include the Executive proposal to allow school districts, private schools, and BOCES to apply to SED for a waiver from certain special education requirements.
- The Legislature does not include the Executive proposal to allow the reissuance of charter schools that have been surrendered, terminated or revoked any time after July 1, 2015.
- The Legislature adjusts tuition payments to charter schools to 94.5 percent of their current law levels. In future years, the increase in school district spending for SY 2020-21 would not be counted in calculating charter tuition increases.
- The Legislature modifies the Executive proposal regarding the appointment of a monitor to the Rochester City School District to: remove the Mayor's authority to appoint and oversee the monitor, remove the provision requiring the financial plan to consider whether district governance should be modified, extend the effective date to June 30, 2023, and authorize a lottery spin-up of \$35 million.
- The Legislature modifies the Executive proposal establishing a Syracuse Comprehensive Education and Workforce Training Center to clarify that the workforce training center would operate at night and ensure that the school district creates a plan to ensure the safety of students.
- The Legislature does not include the Executive proposal to allow public accountancy firms to have minority ownership of up to 49 percent by individuals who are not licensed as certified public accountants or public accountants, and require non-licensee owners to pay an annual \$300 fee to SED.
- The Legislature does not include the Executive proposal regarding pharmacy technicians.
- The Legislature does not include the Executive proposal that would modify the Collaborative Drug Therapy Management (CDTM) program and instead extends the current CDTM program for an additional two years.

- The Legislature does not include the Executive proposal expanding the list of immunizations that pharmacists may administer to include other immunizations recommended by the Advisory Committee on Immunization Practices (ACIP) and instead extends the current list of provisions for an additional two years.
- The Legislature does not include the Executive proposal to exempt the Division of Criminal Justice Services from an SED waiver requirement related to professional services provided by mental health practitioners, psychologists, and social workers.
- The Legislature accepts the Executive proposal to extend for five years, the authorization of OPWDD, OCFS, and OMH to provide applied behavioral analysis services by unlicensed persons.
- The Legislature modifies the Executive proposal requiring certain curriculum to change the phrase “religious freedom” to “religious tolerance.”
- The Legislature modifies the Executive proposal requiring certain visits to educational sites to ensure the Chancellor is providing additional opportunities to supplement classroom instruction, including but not limited to visiting educational and cultural sites and institutions such as a Holocaust museum, African American cultural centers and historical landmarks, a Native American museum, Asian American museums and cultural centers, a Latin American museum, center for women, LGBTQ historical landmarks, and American historical landmarks and monuments.
- The Legislature amends the Wyandanch Union Free School District’s deficit financing to \$4.5 million and extends the deadline for the issuance to October 31, 2020. The State Comptroller would continue to have to certify the amount of the financing.
- The Legislature extends the prekindergarten certification requirements for one year.
- The Legislature extends the East Ramapo Central School District monitors for an additional year.
- The Legislature provides technical changes to the Foster Youth College Success Initiative.
- The Legislature extends various provisions of law.

Recommended Changes to the Executive Budget Office of Children and Family Services

The Legislature provides an All Funds appropriation of \$4.07 billion, an increase of \$249.1 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts an increase of \$200 million for federal child care funding authority to support child care providers, due to impacts of COVID-19.
- The Legislature does not include the Executive proposal to expand the Community Optional Preventive Services (COPS) program without additional funding.
- The Legislature modifies language for the proposed domestic violence pilot to ensure the programs are cost neutral to providers.
- The Legislature provides an additional \$16.1 million in funding for the following programs:
 - \$2.45 million for Settlement Houses;
 - \$2 million for Child Advocacy Centers;
 - \$2 million for Safe Harbor;
 - \$1.5 million for Youth Development Program;
 - \$1.5 million for Community Voices for Youth and Families for Long Island;
 - \$1.25 million for United Way 2-1-1;
 - \$1 million for Fresh Air Fund;
 - \$950,000 for Kinship Care;
 - \$750,000 for Boys and Girls Clubs, NYS Alliance;
 - \$500,000 for Facilitated Enrollment in Erie County;
 - \$500,000 for Facilitated Enrollment in NYC;
 - \$500,000 for Facilitated Enrollment in Onondaga;
 - \$500,000 for Runaway and Homeless Youth;
 - \$400,000 for the NYS YMCA Foundation;
 - \$150,000 for the Cornell Center in Buffalo; and
 - \$100,000 for Kinship Navigator.

- The Legislature also provides \$13.2 million in for various other initiatives, and for service and expenses, grants in aid, or for contracts with municipalities and/or not-for-profit institutions.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature modifies the Executive proposal to eliminate state reimbursement for residential Committee on Special Education placements made by school districts outside of New York City, and for students attending a state-operated school for the deaf or blind, to only authorize the elimination of state reimbursement for one year.
- The Legislature includes language to make certain changes to the Statewide Central Register for Child Abuse and Maltreatment (SCR) including raising the evidentiary standard required when indicating a future abuse or maltreatment report and restricting access to records of maltreatment for employment purposes eight years after an indication.
- The Legislature does not include the Executive proposal relating to the placement of foster care youth into a Qualified Residential Treatment Program (Q RTP).

Recommended Changes to the Executive Budget Office of Temporary and Disability Assistance

The Legislature provides an All Funds appropriation of \$5.87 billion, an increase of \$4.9 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$19.76 million in TANF restorations as follows:
 - \$8.48 million for Facilitated Enrollment;
 - \$5 million for Advantage Afterschool;
 - \$2 million for ATTAIN;
 - \$1.43 million for Career Pathways;
 - \$800,000 for ACCESS Welfare to Careers Program;
 - \$785,000 for Preventive Services;
 - \$475,000 for the Wage Subsidy Program;
 - \$334,000 for SUNY/CUNY Child Care;
 - \$200,000 for the Jewish Child Care Association of New York;
 - \$144,000 for Wheels for Work;
 - \$82,000 for the Rochester-Genesee Regional Transportation Authority; and
 - \$25,000 for Centro of Oneida.
- The Legislature provides an additional \$3.9 million in General Fund support for the following programs:
 - \$2 million for additional expenses of ATTAIN;
 - \$1.5 million for the Disability Advocacy Program, for a total of \$4.13 million;
 - \$50,000 for Ibero-American Action League;
 - \$50,000 for Mohawk Valley Latino Association;
 - \$50,000 for Centro Civico of Amsterdam;
 - \$50,000 for Spanish Action League in Onondaga;
 - \$50,000 for Hempstead Hispanic Civic Association;
 - \$50,000 for Hispanic Federation;
 - \$50,000 for Family Residence and Essential Enterprises, Inc.; and
 - \$50,000 for Campaign Against Hunger.

- **The Legislature includes \$1 million to assist refugee resettlement agencies statewide and expands the program to support eligible services for asylees.**
- **The Legislature decreases TANF support for childcare by \$19.76 million to allow TANF funds to support a variety of restorations and new initiatives. The Legislature increases childcare funding by \$19.76 million in OCFS to offset this decrease.**
- **The Legislature restores language requiring Local Social Services Districts to report to OTDA on expenditures for homeless services.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature accepts the Executive proposal to allow the continuation of the current federal cost of living adjustment in 2021 for individuals receiving Social Security Income (SSI), who reside in residential care, family care, or enhanced residential care settings.**
- **The Legislature accepts the Executive proposal to eliminate the requirement to have the individual's photo on their electronic benefit transfer (EBT) card.**

Recommended Changes to the Executive Budget New York State Higher Education Services Corporation

The Legislature provides an All Funds appropriation of \$1.1 billion, a decrease of \$16 million below the Executive proposal.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature does not include a proposed expansion of income eligibility for the Excelsior and Enhanced Tuition Scholarships. As a result, the corresponding appropriation is reduced by \$16 million.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Division of Housing and Community Renewal

The Legislature provides an All Funds appropriation of \$309.4 million, which is an increase of \$475,000 over the Executive proposal.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature amends a reappropriation for the Homeowner Protection Program to clarify that \$15 million of funding was dedicated to SFY 2019-20 and \$10 million is provided for SFY 2020-21.**
- **The Legislature adds funding for the following programs:**
 - **\$125,000 for Neighborhood Housing Services of Brooklyn;**
 - **\$100,000 for the Association for Neighborhood and Housing Development;**
 - **\$100,000 for Greater Harlem Housing Development Corporation;**
 - **\$75,000 for Neighborhood Housing Services of Queens; and**
 - **\$75,000 for Pa'lante Harlem, Inc.**

Capital Projects

- **The Legislature amends language directing the New York City Housing Authority (NYCHA) to provide NYCHA residents with employment opportunities to the extent practicable.**

Article VII

- **The Legislature allocates Mortgage Insurance Fund (MIF) proceeds to provide support to the following programs:**
 - **\$12 million to support the City of Albany;**

- **\$10 million to support the Homeowner Protection Program (HOPP). With the \$10 million remaining from JP Morgan settlement funds, the Program will receive a total of \$20 million in SFY 2020-21; and**
- **\$150,000 each in technical assistance funding for Neighborhood and Rural Preservation programs.**
- **The Legislature modifies the Executive proposal that would change the billing process between the State and New York City for tenant protection services by requiring the option to bill New York City directly or submit an invoice of local assistance payments to be reduced and by requiring the opportunity for New York City to request additional information on stated charges.**
- **The Legislature proposal increases the maximum loan amount to agricultural producers from \$100,000 to \$200,000 from the Housing Development Fund.**
- **The Legislature includes language to delay the New York City Housing and Vacancy Survey, which is conducted once every three years, by one year in any year for which the survey coincides with the federal decennial census.**
- **The Legislature includes language to increase the bonding authority of the New York City Housing Development Corporation from \$14.5 billion to \$15.5 billion.**

Recommended Changes to the Executive Budget Division of Human Rights

The Legislature provides an All Funds appropriation of \$18.15 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature does not include the Executive proposal to amend the Equal Protection clause of the New York Constitution to add “sex, sexual orientation, gender identity, ethnicity, national origin, age, and disability” as additional protected classes.**

Recommended Changes to the Executive Budget Department of Labor

The Legislature provides an All Funds appropriation of \$61.9 billion, an increase of \$58.29 billion over the Executive proposal.

State Operations

- The Legislature accepts \$1.65 billion for Unemployment Insurance Administration, an increase of \$1.05 billion over the Executive proposal, to reflect an increase in claims related to COVID-19.

Aid to Localities

- The Legislature includes \$60 billion, an increase of \$57.23 billion over the Executive proposal, to reflect an expected increase in claims for Unemployment Insurance Benefits for employees impacted by COVID-19.
- The Legislature provides \$12.75 million for the following community initiatives:
 - \$4 million for AFL-CIO Workforce Development Institute;
 - \$2.5 million for AFL-CIO Workforce Development Manufacturing Initiative;
 - \$1.62 million for the Displaced Homemakers Program;
 - \$750,000 for Manufacturers Association of Central New York, Inc.;
 - \$650,000 for additional support of the Employment and Training Program;
 - \$350,000 for the New York Committee on Occupational Safety and Health;
 - \$300,000 for the Worker Institute at the Cornell University School of Industrial Labor Relations;
 - \$250,000 for DREAMS Youth Build and Young Adult Training Program;
 - \$200,000 for the New York Committee on Occupational Safety and Health in Long Island;
 - \$200,000 for the New York Committee on Occupational Safety and Health in Western New York;
 - \$200,000 for Building Trades Pre-Apprenticeship Program in Nassau County;
 - \$200,000 for Building Trades Pre-Apprenticeship Program in Newburgh;
 - \$200,000 for Building Trades Pre-Apprenticeship Program in City of Rochester;
 - \$200,000 for Building Trades Pre-Apprenticeship Program in Western New York;
 - \$150,000 for AFL-CIO Cornell Domestic Violence Program;
 - \$150,000 for AFL-CIO Workforce Development Institute Leadership Program;

- \$150,000 for Cornell Industrial and Labor Relations School Sexual Harassment Prevention Program;
- \$140,000 for Pipe Trades Industry United Association Pilot;
- \$100,000 for the HOPE Program;
- \$100,000 for LaGuardia Community College;
- \$100,000 for the Lesbian, Gay, Bisexual, and Transgender Community Center;
- \$100,000 for the Newburgh LGBTQ Center;
- \$85,000 for the Northeastern New York Coalition for Occupational Safety and Health; and
- \$50,000 for the Criminal Records Discrimination Program at Cornell's School of Industrial and Labor Relations.

Capital Projects

- Not applicable.

Article VII

- **The Legislature accepts the Executive proposal to clarify the application of farm labor laws as it relates to immediate family members and supervisory employees.**
- **The Legislature accepts the Executive's proposal requiring private sector employers to provide sick leave to employees each calendar year.**
- **The Legislature agrees to modify the Executive's proposal to require payment of prevailing wage on construction work which is paid for in whole or in part out of public funds, where the amount of all such funds is at least 30 percent of total construction costs and such project costs are over \$5 million. This proposal also establishes on April 1, 2021, a Public Subsidy Board to issue determinations as to whether any construction work shall be deemed a covered project, create recommendations regarding additional criteria and could delay beyond January 1, 2022, the prevailing wage implementation effective date.**
- **The Legislature does not include the Executive's proposal to establish a task force to examine the classification of workers in the gig economy.**

Recommended Changes to the Executive Budget State of New York Mortgage Agency

The Legislature provides an All Funds appropriation of \$216.2 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget State University of New York

The Legislature provides an All Funds appropriation of \$11.9 billion, an increase of \$30.1 million over the Executive proposal.

State Operations

- **The Legislature restores the following:**
 - **\$700,000 to Small Business Development Centers;**
 - **\$600,000 for Graduate Diversity Fellowships for a total of \$6.6 million;**
 - **\$500,000 for the State University of New York (SUNY) mental health services;**
 - **\$250,000 for the Cornell Veterinary School for a total funding of \$500,000;**
 - **\$200,000 for the New York Institute for Leadership and Diversity and Inclusion;**
 - **\$150,000 for New York Hispanic Leadership Institute; and**
 - **\$100,000 to the Benjamin Center at SUNY New Paltz.**
- **The Legislature increases the fringe benefits appropriation for SUNY by \$26.4 million, for a total of \$1.8 billion.**

Aid to Localities

- **The Legislature restores the following:**
 - **\$1.01 million in funding for SUNY childcare for a total of \$2.0 million; and**
 - **\$100,000 for the Orange County Community College Bridge Program.**

Capital Projects

- **The Legislature modifies the strategic capital matching grants program to clarify that funding will only be provided if the bonds may be issued without adversely affecting the availability of funding for health, safety, or essential government services.**
- **The Legislature allows funding from a Stony Brook Athletic Facility reappropriation to be used for the construction of the Engineering and Applied Sciences building.**

Article VII

- **The Legislature does not include the Executive proposal that would extend SUNY's authorization to annually increase undergraduate resident tuition up to \$200 through the 2024-25 Academic Year.**
- **The Legislature accepts the Executive proposal that would authorize annual non-resident undergraduate tuition increases of up to 10 percent through the 2023-24 Academic Year at SUNY ESF, Downstate Medical Center, Upstate Medical Center, and SUNY Poly.**
- **The Legislature accepts the Executive proposal to establish the "Curing Alzheimer's Health Consortium" within SUNY.**

Recommended Changes to the Executive Budget Office of the Welfare Inspector General

The Legislature provides an All Funds appropriation of \$1.31 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Recommended Changes to the Executive Budget
Miscellaneous: Education, Labor & Family Assistance**

Arts and Cultural Facilities Improvement Program

- **The Legislature accepts the Executive proposal and recommends no changes.**

Raise the Age

- **The Legislature accepts the Executive proposal and recommends no changes.**

Pay for Success

- **The Legislature accepts the Executive proposal and recommends no changes.**

HEALTH & MENTAL HYGIENE

By Agency

Recommended Changes to the Executive Budget State Office for the Aging

The Legislature provides an All Funds appropriation of \$274.8 million, an increase of \$3.1 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$325,000 in additional support for Naturally Occurring Retirement Communities (NORC) and Neighborhood Naturally Occurring Retirement Communities (NNORC) to provide nursing services.
- The Legislature provides General Fund support for the following programs:
 - \$450,000 for the Holocaust Survivors Initiative;
 - \$340,000 for Lifespan of Greater Rochester, Inc.;
 - \$290,000 for Regional Aid for Interim Needs, Inc.;
 - \$250,000 for the Jewish Community Council of Greater Coney Island;
 - \$200,000 for the Older Adults Technology Service;
 - \$200,000 for the Gay, Lesbian, Bisexual, and Transgender Elders (SAGE);
 - \$200,000 for the Statewide Senior Action Council - Patients' Rights Hotline;
 - \$175,000 for the Center for Elder Law and Justice;
 - \$110,000 for the Selfhelp Clearview Senior Center;
 - \$100,000 for the Bay Ridge Center;
 - \$100,000 for LiveOn NY;
 - \$100,000 for SAGE LGBT Welcome Elder Housing;
 - \$90,000 for the Jewish Association for Services for the Aged;
 - \$90,000 for Riverdale Senior Services, Inc.;
 - \$86,000 for the Foundation for Senior Citizens Home Sharing and Respite Program; and
 - \$20,000 for the Jewish Association for Services for the Aged - Bay Eden Senior Center.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Developmental Disabilities Planning Council

The Legislature provides an All Funds appropriation of \$4.8 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Health

The Legislature provides an All Funds appropriation of \$161.1 billion, an increase of \$72.6 billion or 82 percent over the Executive proposal. This increase is largely attributable to the inclusion of appropriations with a duration of two years.

State Operations

- The Legislature denies an Executive proposal to eliminate hospital audits on resident working hours.

Aid to Localities

Medicaid

- The Legislature provides restorations of \$499.4 million to the Medicaid Program, including:
 - \$150 million to reject an Executive proposal to limit the State takeover of local Medicaid spending growth to the global cap growth rate for counties that adhere to the property tax cap;
 - \$94 million to restore an Executive proposal to implement an increased across-the-board Medicaid rate reduction, reducing the reduction from \$219 million to \$125 million;
 - \$69.7 million to deny an Executive proposal to discontinue indigent care pool funding for public hospitals;
 - \$34.7 million to modify an Executive proposal to adjust benefit eligibility criteria for personal care and Consumer Directed Personal Assistance Program services to prevent the exclusion of individuals with dementia or Alzheimer's disease;
 - \$33.2 million to modify an Executive proposal to remove the indigent care pool transition collar by maintaining funding for enhanced safety net hospitals;
 - \$22.5 million for a partial restoration of the Workforce Retraining and Retention program;

- \$22.4 million to deny an Executive proposal to eliminate prescriber prevails;
 - \$17.25 million to provide a partial restoration of the Managed Long Term Care Quality Pool;
 - \$15.2 million to modify an Executive proposal to institute a sixty (60) month eligibility look-back for Long Term Care services, reducing the look back period to thirty (30) months;
 - \$14 million to deny an Executive proposal to reduce coverage for over-the-counter drugs;
 - \$11.7 million to provide a partial restoration to reduce taxi and livery rates;
 - \$5.5 million to deny an Executive proposal to restrict the Community Spouse Resource Amount;
 - \$4.1 million to deny an Executive proposal to carve out adult day health care transportation by maintaining the current service delivery model;
 - \$3 million to deny an Executive proposal to eliminate supplemental ambulance rebate payments; and
 - \$2.3 million to deny an Executive proposal to eliminate spousal refusal.
- The Legislature includes \$35.6 million in additional savings related to an Executive proposal to implement a two percent withhold of Managed Care Plan premiums to incentivize encounter data accountability.
 - The Legislature does not include an Executive proposal related to managed care payment reforms by removing the proposed pay and pursue model for insurance claim payment.
 - The Legislature does not include \$5.5 million to establish Social Determinants of Health Networks.
 - The Legislature includes \$250 million to establish a Distressed Provider Assistance Fund for grants to financially distressed hospitals and nursing homes, funded through a local sales tax intercept.

Public Health

- The Legislature restores \$3.82 million to restore funding for School-Based Health Centers to SFY 2016-17 funding levels.

- **The Legislature provides \$800,000 for the Nurse-Family Partnership program.**
- **The Legislature modifies the Executive proposal to change requirements for Enhancing the Quality of Adult Living (EQUAL) program by clarifying that the funds may not be used to supplant the obligations of the facility operator to provide a safe comfortable living environment for residents in a good state of repair and sanitation and removing changes to funding eligibility and eligibility and use of funds.**
- **In addition, the Legislature provides:**
 - **\$1.43 million for Community Health Advocates;**
 - **\$1.1 million for the Rural Health Access and Network Development;**
 - **\$938,000 for Family Planning Services;**
 - **\$525,000 for HIV/AIDS – Community Services Programs (CSP);**
 - **\$525,000 for HIV/AIDS – Multi-Service Agencies (MSA);**
 - **\$500,000 for the Diversity in Medicine Program;**
 - **\$500,000 for the Hunger Prevention and Nutrition Assistance Program (HPNAP);**
 - **\$500,000 for the Alliance for Donation;**
 - **\$475,000 for LGBT Health and Human Services Network;**
 - **\$450,000 for the Primary Care Development Corporation (PCDC);**
 - **\$450,000 for Sickle Cell Anemia;**
 - **\$409,000 for the Finger Lakes Health Systems Agency;**
 - **\$300,000 for New Alternatives for Children;**
 - **\$276,000 for the Long Term Care Community Coalition;**
 - **\$250,000 for the Safe Motherhood Initiative;**
 - **\$250,000 for the ALS Association of Greater New York;**
 - **\$250,000 for Lyme and Tick Born Diseases;**
 - **\$224,000 for the Alzheimer’s Disease Resource Center, Inc.;**
 - **\$209,071 for Crisis Services of Buffalo and Erie County;**
 - **\$200,000 for the Maternity and Early Childhood Foundation;**
 - **\$180,000 for the International Lymphatic Disease Patient Registry and Biorepository;**
 - **\$150,000 for the Coalition for the Institutionalized, Aged, and Disabled;**
 - **\$140,000 for Gay Men Health Crisis;**
 - **\$125,000 for the New York State Dental Association;**
 - **\$100,000 for the Breast Cancer Coalition of Rochester;**
 - **\$100,000 for the Urban HealthPlan;**
 - **\$100,000 for ACR Health’s Q Center;**
 - **\$100,000 for the Adelphi University Breast Cancer Center;**
 - **\$100,000 for the Maternal Depression Peer Support Program;**
 - **\$84,000 for the New York State Coalition for School Based Health Centers;**
 - **\$50,000 for the Spina Bifida Association of Northeast New York;**
 - **\$50,000 for the APICHA Community Health Center;**

- \$30,000 for the Boys & Girls Club of Northern Westchester Drug Prevention Program;
- \$20,000 for the Westchester Jewish Community Center;
- \$13,000 for the Planned Parenthood of the Mid-Hudson Valley – Newburgh; and
- \$13,000 for the Union Community Health Center.

Capital Projects

- The Legislature modifies the Executive proposal to shift 50 percent of EQUAL funds to capital funding by providing that the funds may not be used to supplant the obligations of the facility operator to provide a safe comfortable living environment for residents in a good state of repair and sanitation and removing changes to funding eligibility.

Article VII

- The Legislature accepts the Executive proposal to extend the Health Care Reform Act.
- The Legislature denies the Executive proposal to eliminate hospital compliance audits in relation to medical resident working hours.
- The Legislature modifies the Executive proposal to restrict the eligible uses for Enhanced Quality of Life grant funds to ensure that any funds are used to enhance services.
- The Legislature accepts the Executive proposal to eliminate various public health programs and transfer the administration of the Comprehensive Care Center for Eating Disorders Program from the Department of Health to the Office of Mental Health.
- The Legislature modifies the Executive proposal to extend various sections of law.
- The Legislature does not include proposal to expand the Physician Profile reporting requirements.
- The Legislature does not include the proposal to increase oversight over physicians, expand the definition of professional misconduct of physicians, and eliminate due process and confidentiality provisions.
- The Legislature modifies the Executive proposal to add only permanently scheduled fentanyl analogs to the schedule of the state-controlled substances schedule and rejects the authorization for the Commissioner of Health to automatically schedule drugs.

- **The Legislature does not include the proposal to require hospitals and nursing homes to establish an antimicrobial resistance program.**
- **The Legislature does not include the proposal to expand the Sexual Assault Forensic Examiner program to require its establishment in all hospitals.**
- **The Legislature modifies the Executive proposal to increase Center for Environmental Health fees, to eliminate increased fees on camps.**
- **The Legislature modifies the Executive proposal on vaping and tobacco to:**
 - **prohibit the sale of flavored vapor products except those that have been approved by the FDA;**
 - **prohibit the sale of tobacco and vapor products in pharmacies, prohibit shipment or transport of such products;**
 - **prohibit distribution and redemption of coupons on such products;**
 - **prohibit display of such products in storefronts that are within a certain distance from a school;**
 - **require manufacturers to disclose ingredients in such products, increase monetary penalties for retail dealer;**
 - **limit or restrict the sale of certain carrier oils connected to acute illnesses;**
 - **establish a vaping prevention, control and awareness program to educate students, parents and school personnel;**
 - **modifies the restrictions on ads for vapor products targeted at youth; and**
 - **does not include the expansion of the Clean Indoor Air Act.**
- **The Legislature does not include the proposal to require an additional surcharge of three percent of the total capital value of all Certificate of Need construction project applications for hospitals and residential care facilities.**
- **The Legislature accepts the Executive proposal to update the name of a program from “Physically Handicapped Children’s Program” to the “Children and Youth with Special Health Care Needs Support Services Program.”**

Medicaid Redesign Team II (MRT) Article VII

Care Management

- **The Legislature modifies the MRT proposal to authorize the COH to:**
 - **establish a diabetes and chronic disease self-management program;**
 - **increase reimbursement for Private Duty Nursing services for medically fragile children by adding language to establish a directory of Private Duty Nurses so families can more easily locate such services;**
 - **establish a pilot program to promote the use of alternatives to opioids for the treatment of chronic lower back pain through access to acupuncture and chiropractic services; and**
 - **establish a maternal health promotion pilot program to reduce maternal mortality by utilizing services such as home visiting after birth.**

Distressed Hospitals or Nursing Homes

- **The Legislature includes a proposal to:**
 - **establish a Distressed Provider Assistance Program to provide grants to financially distressed general hospitals and nursing homes funded by county sales tax revenue;**
 - **require all social services districts, providers and other recipients of Medicaid funds to make all fiscal and statistical records and reports available to the COH or DOB upon request in order to demonstrate their right to receive payment; and**
 - **require all personally identifiable information disclosed would remain confidential.**

Global Cap

- **The Legislature would modify the methodology of the Medicaid Global Cap and extend it for an additional year, and to clarify current Executive practice related to spending management under the Medicaid global cap.**
- **The Legislature does not include the Executive proposal to limit the State takeover of local Medicaid spending growth to the global cap growth rate only for counties that adhere to the property tax cap.**

Health Information Technology and Social Determinants of Health

- The Legislature modifies the MRT proposal to expand the potential modalities as well as the list of authorized providers that may use telehealth services to include care managers for Health Homes, Patient Centered Medical Homes, OPWDD Care Coordination Organizations, hospice, and voluntary foster care agencies by making clarifying changes and removing the Executive’s emergency regulation authority.
- The Legislature modifies the MRT proposal to authorize the Commissioner of Health (COH) to establish three pilots to promote social determinants of health including medically tailored meals, medical respite programs for homeless patients, and “street medicine” to allow diagnostic and treatment centers to provide offsite services to the chronically homeless by ensuring the funds will be directed at recipients of the pilot programs.

Hospitals

- The Legislature modifies the MRT proposal related to hospital funding by:
 - restoring \$32.3 million in funding for non-public Enhanced Safety Net hospitals that were negatively impacted by the removal of the Indigent Care pool transition collar; and
 - restoring \$70 million in funding for public hospitals.
- The Legislature accepts the MRT proposals to:
 - eliminate the general hospital quality pool and supplemental payment pool for sole community hospitals;
 - reduce capital funding for general hospitals through reduction in inpatient capital rate add-ons and capital reconciliation rates;
 - reduce indigent care pool funding for voluntary hospitals; and
 - establish a mechanism to create a rate add-on for New York City H+H facilities.

Long Term Care

- The Legislature accepts the MRT proposal to reduce nursing home capital funding and eliminate residual equity reimbursement from the capital rates for for-profit nursing homes.

- The Legislature modifies the MRT proposal to:
 - institute a home and community based eligibility look-back period for the transfer of assets to reduce the proposed time from 60 months to 30 months;
 - change eligibility criteria for personal care services and the Consumer Directed Personal Assistance Program by adding in language to ensure those who have been diagnosed with dementia or Alzheimer’s disease and need assistance with more than one Activities Daily of Living (ADL) will be eligible for services;
 - institute a temporary moratorium on the approval of new or expanded Managed Long Term Care plans (MLTC);
 - impose a cap on statewide MLTC enrollment growth at a target percentage, by adding in language that would ensure equal access for individuals with higher needs through automatic enrollment in a plan where appropriate;
 - issue a request for offers for Licensed Home Care Services Agencies to contract with the DOH; and
 - does not include the Executive’s proposals to eliminate spousal refusal and reduce the community spouse resource allowance.

Manage Care

- The Legislature modifies the MRT proposal to:
 - promote encounter data accountability submitted by Managed Care Organizations (MCO);
 - authorize MCOs to distribute electronic notifications to enrollees; and
 - authorize the COH to establish five-year demonstration programs to explore an integrated delivery system and global budgeting program for the Bronx and rural areas, by increasing the penalty for MCOs failure to comply with data accountability standards.

Pharmacy

- The Legislature modifies the MRT proposal on pharmacy to:
 - not include the elimination of prescriber prevails;
 - authorize COH to remove coverage for over the counter drugs; and

- increase in copayments for over the counter drugs.
- The Legislature accepts the proposal to align the method for calculating growth in the Medicaid drug cap to match the Medicaid global cap growth methodology.
- The Legislature modifies the MRT proposal to transition the drug benefit under Medicaid from managed care to fee-for-service (FFS) no earlier than April 1, 2021 by:
 - requiring DOH to obtain federal approval;
 - authorizing DOH to establish uniform standards, payment policies and reimbursement methodologies for any sites where drugs may be administered or dispensed under FFS;
 - requiring DOH to determine an appropriate methodology for providing funding for entities eligible for 340B; and
 - requiring the COH to convene an advisory group composed of stakeholder representatives to make recommendations on how projected savings can be achieved with respect to enhanced 340B reimbursement.
- The Legislature modifies the MRT proposal on medication assistance treatment (MAT), and drug rebates by adding language to ensure coverage on a statewide formulary for all MAT drugs currently on a managed care formulary or covered by fee for service, so long as it is the lowest cost drug of its type. Additionally, the statewide formulary would also include new MAT drugs so long as they are equal or lower in cost than comparable drugs in its class. The Legislature also gives authority to DOH to negotiate for rebate arrangements on new high cost drugs, gene therapies, and other specific drugs identified by the commissioner.

Program Integrity

- The Legislature modifies the MRT proposal to expand the Office of Medicaid Inspector General's authority to impose monetary penalties in certain instances and to enact reforms to enhance the Medicaid program's integrity efforts by adding in language to help ensure due process rights are available.

Transportation

- The Legislature modifies the MRT proposal on transportation services under Medicaid to:
 - restore supplemental payments to ambulance providers;

- establish a process for DOH to contract with a transportation broker for delivering Medicaid transportation services by adding language to ensure the utilization of high quality providers, with preference shown to those that currently provide such services, as well as ensuring access to Medicaid enrollees throughout the State, including in rural areas;
- maintain the adult day transportation service delivery model;
- restore a portion of taxi and livery reimbursement rates;
- authorize the COH to seek additional federal funds for state and municipal emergency transportation providers; and
- eliminate the Executive's proposal to utilize and expand community paramedicine proposal.

Wage Parity

- The Legislature modifies the MRT proposal to amend the Home Care Wage Parity Law to implement additional transparency, compliance, and accountability standards to ensure that entities receiving wage parity payments are appropriately using those funds for the benefit of home care workers by making language changes to conform with a chapter amendment enacted in 2020.

Recommended Changes to the Executive Budget Office of the Medicaid Inspector General

The Legislature provides an All Funds appropriation of \$50.02 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Mental Hygiene

The Legislature provides an All Funds appropriation of \$600 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office of Addiction Services and Supports

The Legislature provides an All Funds appropriation of \$824.6 million, an increase of \$3.5 million over the Executive proposal.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature restores \$2 million to fund Substance Abuse Prevention and Intervention Specialist (SAPIS) programs in New York City schools.**
- **The Legislature includes appropriations for the following:**
 - **\$600,000 for the Family and Children’s Association;**
 - **\$450,000 for the Save the Michaels of the World, Inc.;**
 - **\$350,000 for the Recovery Community Outreach Center;**
 - **\$100,000 for the SAFE Foundation, Inc.; and**
 - **\$25,000 for Camelot of Staten Island.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **Not Applicable**

Recommended Changes to the Executive Budget Office of Mental Health

The Legislature provides an All Funds appropriation of \$4.5 billion, an increase of \$8.1 million over the Executive proposal.

State Operations

- The Legislature does not include the Executive language to authorize counties to establish and operate a restoration program within a local or state correctional facility and provides a restoration of \$1.7 million.

Aid to Localities

- The Legislature provides \$4.5 million to the Dwyer Veteran Peer to Peer Services Program.
- The Legislature includes appropriations for the following:
 - \$1.1 million for Comprehensive Care Centers for Eating Disorders;
 - \$400,000 for FarmNet;
 - \$200,000 for Westchester Jewish Community Services;
 - \$175,000 for South Fork Behavioral Health Initiative; and
 - \$100,000 for Mental Health Association in New York State.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature modifies the Executive language to streamline the admission process for a children's mental health Residential Treatment Facility (RTF), by requiring the Office of Mental Health (OMH) to consult a RTF prior to any admission to such facility; allow OMH to conduct a medical necessity review no sooner than 14 days after an admission to a RTF; expand the membership of the advisory board to include families who received RTF services and children's mental health service providers; and require such board to issue an annual report to the Legislature and the Governor regarding RTF admissions.

- **The Legislature modifies the Executive language to establish a new program for the care and treatment of civilly confined sex offenders, by allowing staff currently working with this population to have the option of providing care and treatment in other facilities operated by OMH.**
- **The Legislature modifies the Executive language to extend the statutory authority for OMH to establish Comprehensive Psychiatric Emergency Programs (CPEPs) and expand access to and improve efficiency of CPEP services, by maintaining the 72-hour time limit a person may be held for emergency care, observation, and treatment in a CPEP.**

Recommended Changes to the Executive Budget Office for People with Developmental Disabilities

The Legislature provides an All Funds appropriation of \$5 billion, an increase of \$440,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature includes General Fund appropriations for the following:
 - \$150,000 for the Best Buddies Program;
 - \$150,000 for the Special Olympics New York, Inc.;
 - \$90,000 for Jawonio, Inc.; and
 - \$50,000 for the Epilepsy Foundation of Northeastern New York.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature accepts the Executive language to grant oversight authority to Office for People with Developmental Disabilities (OPWDD) for care coordination organizations (CCOs) approved under the 1915 federal waiver and developmental disability crisis services under the Medicaid state plan.
- The Legislature adds language to extend the statutory requirement for OPWDD to give 90 days notice prior to the closure or transfer of an independent residential alternative (IRA), until March 31, 2022.

Recommended Changes to the Executive Budget Justice Center for the Protection of People with Special Needs

The Legislature provides an All Funds appropriation of \$58.6 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature does not include the Executive language that would remove the statutory mandate for the Justice Center to check the State Central Register of Child Abuse and Maltreatment during its investigation of an alleged incident of abuse and neglect.**

**TRANSPORTATION, ECONOMIC
DEVELOPMENT &
ENVIRONMENTAL CONSERVATION**

By Agency

Recommended Changes to the Executive Budget Adirondack Park Agency

The Legislature provides an All Funds appropriation of \$6.03 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Agriculture and Markets

The Legislature provides an All Funds appropriation of \$195.45 million, an increase of \$4.36 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$31.77 million for local assistance on programs, an increase of \$4.36 million over the Executive proposal. The Legislative restorations include the following:
 - \$1 million for Agribusiness Child Care;
 - \$300,000 for Harvest NY;
 - \$300,000 for Northern NY Agricultural Development
 - \$250,000 for the New York Farm Viability Institute;
 - \$207,000 for the Cornell University Diagnostic Lab;
 - \$200,000 for Farmland for the New Generation, regional navigators;
 - \$200,000 for Farmland for the New Generation, resource center;
 - \$150,000 for the Cornell University Rabies Program;
 - \$136,000 for the New York State Apple Growers Association;
 - \$125,000 for Turfgrass Stewardship;
 - \$125,500 for Tractor Rollover Protection;
 - \$118,000 for Cornell Farm Family Assistance (FarmNet);
 - \$96,000 for the Maple Producers Association, including \$65,000 for the Maple Experience Truck;
 - \$62,000 for the Cornell Golden Nematode Program;
 - \$50,000 for the Hop and Barley Evaluation and Field Testing Program;
 - \$50,000 for the Cornell University Salmonella Dublin program;
 - \$50,000 for Cornell University Concord Grape Research;
 - \$50,000 for Cornell University Vegetable Research;
 - \$40,000 for the Red Hook Farms Initiative; and
 - \$20,000 for Cornell University Onion Research.

- **The Legislature provides funding for the following new programs:**
 - **\$500,000 for Agricultural Programs;**
 - **\$250,000 for Cornell Cooperative Extension Urban Agriculture Program; and**
 - **\$80,000 for New York Organic Farmers Association (NOFA).**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature does not include the Executive proposal to authorize school districts to use their own procurement guidelines when purchasing goods and services for school meal programs, and instead increases, from \$50,000 to \$100,000, an exemption from procurement requirements for orders of certain products made directly from New York State producers and growers.**

Recommended Changes to the Executive Budget Department of Economic Development

The Legislature provides an All Funds appropriation of \$90.2 million, an increase of \$2.6 million over the Executive Proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature restores support for the following programs:
 - \$12.96 million in total support for the Centers for Advanced Technology;
 - \$9.53 million in total support for the Centers of Excellence;
 - \$747,975 for the New York Medical College Center of Excellence in Precision Responses to Bioterrorism and Disaster;
 - \$250,000 for the Albany Center of Excellence in Atmospheric and Environmental Prediction and Innovation; and
 - \$101,078 for the Center of Excellence in Healthy Water Solutions at Clarkson University and SUNY College of Environmental Science and Forestry.
- The Legislature does not include the following appropriations in the Executive proposal:
 - \$19.5 million related to the consolidation of the Centers of Excellence and Centers for Advanced Technology; and
 - \$1.5 million for the creation of a statewide Innovation Hub Center.

Capital Projects

- Not applicable.

Article VII

- **The Legislature does not include the Executive proposal to reduce funding to the Centers of Excellence and establish a joint program with the Centers of Advanced Technology.**

Recommended Changes to the Executive Budget New York State Energy Research and Development Authority

The Legislature provides an All Funds appropriation of \$18.20 million.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature accepts the Executive proposal to authorize the collection of \$22.7 million from utility assessments, an increase of \$3 million to fund 27 new positions at the Department of Environmental Conservation to support the implementation of the Climate Leadership and Community Protection Act (CLCPA) enacted in 2019.

Recommended Changes to the Executive Budget Department of Environmental Conservation

The Legislature provides an All Funds appropriation of \$7.77 billion, an increase of \$430,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature funds the following programs, totaling \$430,000:
 - \$265,000 for Sustainable South Bronx;
 - \$75,000 to study hydraulic shell fishing in Oyster Bay, Nassau County;
 - \$45,000 for the Brooklyn Queens Land Trust;
 - \$25,000 for OSS Project, Inc.; and
 - \$20,000 for water quality monitoring in Setauket Harbor.

Capital Projects

Environmental Protection Fund (EPF)

- The Legislature does not include the Executive proposal to divert funds from the EPF for personal service expenses. The Legislature also makes the following changes to the EPF:
 - \$31 million for Land Acquisition, an increase of \$1 million over the Executive;
 - \$18 million for Farmland Protection, an increase of \$1 million over the Executive;
 - \$16 million for Zoos, Botanical Gardens, and Aquaria, an increase of \$2 million over the Executive;
 - \$15.31 million for Municipal Recycling, a \$562,000 increase over the Executive;
 - \$1 million for the East River Esplanade;
 - \$1 million for the Scajaquada Creek cleanup; and
 - ensure EPF funds can be used to address Lyme disease and other tick-borne illnesses.

- The Legislature decrease the following programs: Climate Smart Community Projects, the Water Quality Improvement Program, the Oceans and Great Lakes Initiative, Public Access and Stewardship, and Brownfield Opportunity Area Grants.

Environmental Bond Act of 2020

- The Legislature provides \$3 billion for the Environmental Bond Act of 2020, including support for the following project categories:
 - \$1 billion for restoration and flood risk reduction projects, including not less than \$100 million for shoreline protection, not less than \$100 million for inland flooding and the local waterfront revitalization program, and not more than \$250 million for a voluntary real property buy-out program. Other eligible projects include:
 - habitat restoration and forest conservation;
 - repairing or relocating flood-prone or repeatedly flooded roadways; and
 - removing, altering, and/or right-sizing dams, bridges, and culverts.
 - \$550 million for open space land conservation and recreational projects, including not less than \$200 million for open space land conservation, not less than \$100 million for farmland protection, and not more than \$75 million for fish hatcheries.
 - \$700 million for climate change mitigation projects, including not less than \$350 million for green buildings, including renewable energy and weatherization for state buildings. Other eligible projects include:
 - climate smart communities;
 - urban forestry;
 - urban heat island reduction; and
 - air and water pollution reduction.
 - \$550 million for water quality improvement projects, including not less than \$200 million for water infrastructure improvement act projects and not less than \$100 million for municipal stormwater grants. Other eligible projects include:
 - green infrastructure;
 - agricultural nutrient runoff reduction and the promotion of soil health;
 - harmful algal bloom abatement;
 - sewer line construction to replace failing septic systems; and
 - lead service line replacement.

- **The Legislature requires the Department to make every effort practicable to ensure that 35 percent of the funds dedicated to the Environmental Bond Act of 2020 benefit environmental justice communities.**

Article VII

- **The Legislature modifies the following Executive proposals that would:**
 - **authorize the creation of \$3 billion of State debt for the Environmental Bond Act of 2020 upon approval by the voters at the November 2020 general elections;**
 - **implement the \$3 billion Environmental Bond Act of 2020 by allocating funds to specific purposes and requiring the development of eligibility criteria;**
 - **authorize interest-free bond maturities of up to 40 years for certain water infrastructure improvement projects by making technical amendments;**
 - **prohibit high-volume hydraulic fracturing for oil and natural gas wells effective immediately and establishes a moratorium on the use of gel propane on fracking; and**
 - **prohibit the sale or distribution of disposable polystyrene food containers and loose-fill packaging beginning January 1, 2022.**
- **The Legislature does not include the following Executive proposals that would:**
 - **make wetland maps educational, rather than regulatory, and provide new penalties for coastal erosion hazard area violations;**
 - **establish a manufacturer take-back program for carpets and mattresses; and**
 - **expand the authority of the DEC to regulate the abandonment and plugging of oil, natural gas, injection, monitoring, and solution mining wells.**

Recommended Changes to the Executive Budget Metropolitan Transportation Authority

The Legislature provides an All Funds appropriation of \$3 billion and a contingency appropriation of \$1.02 billion.

State Operations

- Not applicable.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature modifies the Executive proposal to appropriate \$3 billion in funding for the \$54.8 billion 2020-24 Metropolitan Transportation Authority (MTA) Capital Plan by requiring that a portion of funding is subject to a memorandum of understanding.

Article VII

- The Legislature accepts the Executive proposal to increase the MTA statutory bonding capacity from \$55.5 billion to \$90.1 billion.
- The Legislature modifies the Executive proposal to extend, from April 1, 2021, to December 31, 2024, the authority for municipalities in the Metropolitan Commuter Transportation District (MCTD) to share property tax revenues with the MTA through the use of tax increment financing, by instead extending the provisions to April 1, 2022.
- The Legislature modifies the Executive proposals to increase penalties associated with intentionally causing physical injury to certain MTA transit employees and to authorize the MTA to ban people designated as repeat offenders of unlawful sexual conduct by instead authorizing the court to prohibit use of MTA services as a condition of a sentence related to certain assaults and unlawful sexual conduct.

- **The Legislature authorizes the MTA to issue up to \$10 billion in bonds or other obligations between fiscal years 2020 and 2022 to offset operating revenue decreases and cost increases related to COVID-19.**
- **The Legislature authorizes the MTA to access funds in the Central Business District Tolling Capital Lockbox for two years to offset revenue decreases or cost increases related to COVID-19.**
- **The Legislature establishes a process by which the MTA can acquire certain property within the City of New York for limited categories of capital plan projects.**
- **The Legislature requires New York State and New York City to each contribute \$3 billion toward the 2020-24 MTA Capital Plan and further increases New York City's share of paratransit costs to one-half of overall costs until June 2024.**
- **The Legislature does not include the Executive proposal to authorize the Long Island Rail Road and Metro North Railroad to enter private property abutting their rights of way to remove or trim vegetation.**
- **The Legislature does not include the Executive proposal to amend the penal law to make the intentional use of a toll facility without payment a class-A misdemeanor and to make it a violation with a fine of \$100-\$500 to drive on a toll road with an obscured license plate.**
- **The Legislature does not include the Executive proposal to modify the MTA's bidding and procurement processes.**

Recommended Changes to the Executive Budget New York State Gaming Commission

The Legislature provides an All Funds appropriation of \$432.51 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposals to extend the current pari-mutuel tax rates and provisions related to the simulcasting of out-of-state thoroughbred and harness races for one year.
- The Legislature modifies the Executive proposal to authorize the New York Racing Association, Inc. (NYRA) to fund from their capital expenditures for the construction and furnishing of an equine drug testing and research lab for use by the Gaming Commission by clarifying the authorization language and requiring NYRA to submit an initial report to the legislature and the Gaming Commission, to be made public, on the plan for the building of such lab.
- The Legislature modifies the Executive proposal to eliminate the restriction that requires sports wagering be operated exclusively in a casino's designated sports wagering lounge and would allow a sports pool to be operated in areas approved by the Gaming Commission that are outside the lounge but still within in the casino by clarifying how wagers can be placed in these new areas within the casino.

- **The Legislature does not include the Executive proposal allowing the state to enter into a multi-state compact for the creation of a uniform set of rules and regulations of permitted and prohibited use of drugs in thoroughbred racehorses.**
- **The Legislature does not include the Executive proposal to eliminate the current 2,500 square feet restriction imposed on vendors offering Quick Draw games.**
- **The Legislature included a proposal to extend the use of up to \$2 million from the unpaid purse cushion account through 2021 and extends the maximum amount of two percent to be drawn from the owner's share of purses until April 1, 2024, for the New York Jockey Injury Compensation Fund.**

Recommended Changes to the Executive Budget Department of Motor Vehicles

The Legislature provides an All Funds appropriation of \$450.58 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature modifies the Executive proposal to make permanent provisions related to the increase and disposition of certain Department of Motor Vehicles (DMV) fees into, and payment of DMV costs from, the Dedicated Highway and Bridge Trust Fund by instead authorizing a two-year extension.
- The Legislature modifies the Executive proposal to extend for two years the Internet Point Insurance Reduction Program (“I-PIRP”) provider eligibility criteria, providing that DMV shall in its discretion approve additional applications for both I-PIRP and the online mandatory 5-hour pre-licensing course, and prohibiting 16 and 17 year olds statewide from taking the online 5-hour pre-licensing course.
- The Legislature modifies Executive proposals to authorize the operation of electric bicycles (e-bikes) and electric scooters (e-scooters) by amending provisions related to definitions and operating requirements, and adding other provisions including those related to public lands, labeling, sidewalks and shared e-bike systems.
- The Legislature includes language providing an exception to the prohibition on sharing DMV records with immigration enforcement agencies related to applications to a Trusted Traveler Program or information necessary to facilitate vehicle imports and exports.

Recommended Changes to the Executive Budget Olympic Regional Development Authority

The Legislature provides an All Funds appropriation of \$158.59 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office of Parks, Recreation, and Historic Preservation

The Legislature provides an All Funds appropriation of \$489.16 million, an increase of \$230,000 over the Executive proposal.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature funds the following programs:**
 - **\$200,000 for the Prospect Park Alliance; and**
 - **\$30,000 for the Broadway Mall Association.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Public Service

The Legislature provides an All Funds appropriation of \$106.23 million

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive renewable energy siting development and transmission proposal to include additional municipal notice and participation, a sunset of 2030, and shifts the new Office of Renewable Siting from the Department of Economic Development to the Department of State.
- The Legislature modifies the Executive proposal to make permanent the authorization for certain agency expenses to be reimbursed by a utility assessment by expanding the activities eligible for reimbursement at the Department of State to include a new Office of Renewable Energy Siting, and by extending the authorization for one year.
- The Legislature does not include the Executive proposal to establish net neutrality provisions for all internet service providers and require all state entities to contract exclusively with ISPs that adhere to such provisions.
- The Legislature does not include the Executive proposal to authorize the Department of Public Service to undertake administrative investigations of, and commence enforcement proceedings against, combination gas and electric corporations.

Recommended Changes to the Executive Budget Department of State

The Legislature provides an All Funds appropriation of \$320.69 million, an increase of \$65.2 million over the Executive proposal.

State Operations

- **The Legislature includes:**
 - **\$10 million for the new Office of Renewable Energy Siting;**
 - **\$10 for programs which assist non-citizens with legal services, case management, English as a second language training, job training and placement assistance, and post-employment services;**
 - **\$2.95 million in additional support to supplement the Local Government and Community Services Program; and**
 - **\$600,000 in additional support for the Business and Licensing Services Program.**

Aid to Localities

- **The Legislature includes an additional \$39.3 million in federal funding from the community services block grant to community action agencies and other eligible entities.**
- **The Legislature restores support for the following programs:**
 - **\$900,000 in total support the Public Utility Law Project (PULP);**
 - **\$750,000 for the Independent Redistricting Commission;**
 - **\$250,000 for the Student Loan Consumer Assistance Program;**
 - **\$75,000 for Catholic Charities Community Services Archdiocese of New York;**
 - **\$75,000 for Immigrant Families Together;**
 - **\$75,000 for the New York Immigration Coalition;**

- **\$75,000 for New York Legal Assistance Group Incorporated;**
- **\$52,251 for the Empire Justice Center;**
- **\$35,000 for Neighbors Link;**
- **\$20,000 for Catholic Charities of Orange, Sullivan, and Ulster;**
- **\$20,000 for the Emerald Isle Immigration Center; and**
- **\$16,500 for Mobilization for Justice, Inc.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature accepts the following Executive proposals to:**
 - **extend for one year the authority of the Secretary of State to charge increased fees for expedited handling of certain documents;**
 - **add “E Pluribus Unum” to the Arms of the State; and**
 - **remove the requirement that certain occupational licensees be either U.S. citizens or green card holders.**
- **The Legislature modifies the following Executive proposals relating to:**
 - **gender pricing discrimination to include new language for legal clarity purposes;**
 - **allow a state test for the licensing of home inspectors that meets new requirements or exceed national standards set by the Examination Board of Professional Home Inspectors in consultation with the New York State Association of Home Inspectors, include questions related to state-specific procedures, rules, and regulations, as well as changes to state and federal law, and be updated annually;**
 - **make permanent the authorization for certain agency expenses to be reimbursed by a utility assessment by expanding the activities eligible for**

reimbursement at the DOS to include a new office of renewable energy siting, by instead extending the authorization for one year; and

- the renewable energy siting development and transmission proposal to include additional municipal notice and participation, a sunset of 2030, and shifts the new Office of Renewable Energy Siting from the Department of Economic Development to the DOS.
- The Legislature does not include the following Executive proposals to:
 - remove the Department of State's (DOS) responsibility for serving corporations with service of process;
 - regulate the activity of telemarketers and require implementation of certain technologies and call blocking services; and
 - eliminate the biennial fee associated with filing business statements with the DOS.

Recommended Changes to the Executive Budget Department of Taxation and Finance

The Legislature provides an All Funds appropriation of \$468.56 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to extend the oil and gas fee for three years, from March 31, 2021 to March 31, 2024.
- The Legislature modifies the Executive proposal to make technical amendments to the telecommunication and railroad ceiling program, to continue certain reporting requirements.
- The Legislature does not include the Executive proposal to make various changes to the state's tax fraud statutes, including changes to modify the applicability of the existing fraud provisions, authorize the aggregation of certain tax fraud counts, and create new criminal tax fraud statutes related to tax return preparers that attempt to file 10 or more fraudulent tax returns in a given year.
- The Legislature does not include the Executive proposal to authorize municipalities that have separate tax rates for homestead and non-homestead properties the option to place converted condos assessed at full value using the sales-based method into the homestead class, which would align taxation of these units with other residential properties.

- **The Legislature does not include the Executive proposal to combine the Property Transfer form and the Real Estate Transfer Tax form into a one consolidated Real Property Transfer form and to create an online system for e-filing and paying such taxes and fees.**
- **The Legislature does not include the Executive proposal to eliminate the State Board of Real Property Tax Services and to transfer its powers and duties to the Commissioner of Taxation and Finance.**

Recommended Changes to the Executive Budget Division of Tax Appeals

The Legislature provides an All Funds appropriation of \$3.04 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget New York State Thruway Authority

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- **The Legislature modifies the Executive proposal to allow the Thruway Authority to enter into agreements for use of its fiber optic system without requiring a public auction by ensuring such agreements are based on set fees which reflect fair market value, providing fiber optic leases to certain public entities at cost, and ensuring Attorney General and State Comptroller approval of contracts.**
- **The Legislature does not include the Executive proposal to create a single toll-collection and financing agency and transfer all assets, liabilities, and responsibilities of the New York State Bridge Authority to the Thruway Authority and instead authorizes the two authorities to enter into a coordination agreement and ensures any such agreement protects collective bargaining rights.**

Recommended Changes to the Executive Budget Department of Transportation

The Legislature provides an All Funds appropriation of \$11.91 billion, an increase of \$131 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature modifies appropriation language for the School Fare program to ensure that the program maintains the same eligibility criteria and discount structure as provided to students during the 2019-20 school year.
- The Legislature does not include appropriation language that would have made the disbursement of dedicated revenues to the Metropolitan Transportation Authority (MTA) contingent upon approval from the Director of the Budget and the Commissioner of the Department of Transportation (DOT).
- The Legislature includes \$66 million in appropriation authority in anticipation of federal grant funding for the rural and small urban transit aid program in response to COVID-19.

Capital Projects

- The Legislature restores \$65 million in Extreme Winter recovery funding while maintaining \$438.1 million for the Consolidated Highway Improvement Program (CHIPs) and \$39.7 million for the Marchiselli Program.
- The Legislature reduces capital appropriations for consultant engineering by \$33.4 million and provides \$33.4 million in appropriations for state workforce engineers.
- The Legislature includes a \$4 million carve-out to support diesel train engine retrofits including the upgrade of one diesel train engine owned by the LIRR to meet higher emissions standards.
- The Legislature includes appropriation language to ensure the DOT provides, quarterly, a schedule of planned capital project lettings.

Article VII

- **The Legislature accepts the Executive proposal to authorize the operation of semi-trucks with tandem trailers over specified routes located off various thruway exits across the state.**
- **The Legislature modifies the Executive proposal to increase the threshold under which CHIPs projects may be performed either by a municipality's own forces or by competitively-bid contracts from \$250,000 to \$350,000.**
- **The Legislature modifies the Executive proposal to increase penalties imposed for violations of laws or regulations prohibiting the operation of certain motor vehicles on highways or parkways, and for violations relating to vehicle height by establishing maximum penalties for violations which would not include imprisonment, and removing provisions that would have allowed for vehicle registration suspensions.**
- **The Legislature modifies the Executive proposal to authorize the use of rear-facing blue lights on DOT-designated "safety service patrol vehicles" providing highway incident management and motorist assistance by expanding the authorization to include all tow-trucks and roadside service vehicles.**
- **The Legislature modifies the Executive proposal to increase penalties for unlawfully soliciting ground transportation services at airports by establishing maximum penalties under the provision and by removing the authorization for the seizure and forfeiture of vehicles used in repeat offenses. The Legislature does not include an authorization for the Port Authority police officers to enforce any local law, rule or regulation related to ground transportation service at Port Authority airports.**
- **The Legislature does not include the Executive proposal to expand crimes committed against highway workers, motor vehicle inspectors, and motor carrier inspectors; create a work zone safety and outreach program; modify laws relating to the moving of vehicles, cargo, and debris following crashes; and increase penalties for persons convicted of failing to exercise due care to avoid hitting a pedestrian or bicyclist and causing physical injury or serious physical injury.**

Recommended Changes to the Executive Budget Urban Development Corporation

The Legislature provides an All Funds appropriation of \$482.66 million, an increase of \$4.72 million over the Executive proposal.

State Operations

- Not applicable.

Aid to Localities

- The Legislature restores support for the following programs:
 - \$670,000 for Stony Brook Medicine National Cancer Institute;
 - \$550,000 for the Bronx Overall Economic Development Corporation;
 - \$544,000 in total support for the Queens Chamber of Commerce;
 - \$500,000 for the Brooklyn Alliance, Inc.;
 - \$365,000 for additional support for the Minority and Women Owned Business Enterprise (MWBE) Development and Lending Program, for a total appropriation of \$1 million;
 - \$300,000 for the Brooklyn Chamber of Commerce;
 - \$200,000 for CenterState CEO;
 - \$200,000 for the North Country Chamber of Commerce;
 - \$150,000 for Association of Community Employment Programs;
 - \$150,000 for the Buffalo Niagara Partnership;
 - \$150,000 for Canisius College;
 - \$140,000 for the Kingsbridge Riverdale Van Cortland Development Corp.;

- **\$100,000 for Adirondack North Country, Inc.;**
- **\$100,000 for the Brooklyn Neighborhood Improvement Association;**
- **\$100,000 for the Harlem Park to Park initiative;**
- **\$100,000 for the New York Women’s Chamber of Commerce;**
- **\$100,000 for the Queens Economic Development Council;**
- **\$50,000 for the Bayside Business Association;**
- **\$50,000 for the Buffalo Niagara International Trade Gateway Organization;**
- **\$50,000 for Invest Buffalo Niagara, Inc.;**
- **\$50,000 for the Joint Bellerose Business District Development Corporation;**
- **\$50,000 for the World Trade Center Buffalo Niagara;**
- **\$25,000 for the Bronx Cooperative Development initiative; and**
- **\$20,000 for the Women's Enterprise Development Center, Inc.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature accepts the following Executive proposals to:**
 - **extend the authorization of the Urban Development Corporation (UDC) to administer the Empire State Economic Development Fund from July 1, 2020 to July 1, 2021;**
 - **extend the general loan powers of the UDC from July 1, 2020 to July 1, 2021; and**
 - **extend the application period for the START-UP NY Program for an additional five years, to December 31, 2025. Such authorization would otherwise sunset on December 31, 2020.**

- **The Legislature modifies the Executive proposals related to:**
 - **the Economic Transformation Program’s eligibility criteria by extending the sunset date to March 31, 2021, allow communities affected with prison closure between April 1, 2011 and March 31, 2021 to be eligible for funding assistance under the program; and**
 - **the Community Development Act, allowing the Community Development Financial Institution Fund to receive funding from appropriations and other sources.**
- **The Legislature does not include the Executive proposal that would lengthen the amount of time temporary security guards can be used at specific events from 15 days to 20 days.**

**Recommended Changes to the Executive Budget
Miscellaneous: Transportation, Economic Development and
Environmental Conservation**

Greenway Heritage Conservancy for the Hudson River Valley

- **The Legislature accepts the Executive proposal and recommends no changes.**

Green Thumb Program

- **The Legislature accepts the Executive proposal and recommends no changes.**

Hudson River Park Trust

- **The Legislature accepts the Executive proposal and recommends no changes.**

Hudson River Valley Greenway Communities Council

- **The Legislature accepts the Executive proposal and recommends no changes.**

New York Power Authority

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature does not include the Executive proposal to allow New York Power Authority to establish a pure captive insurance company.**

LEGISLATURE & JUDICIARY

By Agency

Recommended Changes to the Executive Budget Judiciary

The Legislature provides an All Funds appropriation of \$3.27 billion.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature modifies the proposal on the authorization for courts to expressly consider domestic violence when distributing marital assets.
- The Legislature modifies the legalization of gestational surrogacy contracts and the creation of a civil procedure for judgments of parentage for children born through the use of assisted reproduction.
- The Legislature does not include legislation to expand authority for issuance of orders of protection by a family court.

DEBT SERVICE

Recommended Changes to the Executive Budget Debt Service

- The Legislature provides an All Funds appropriations of \$22.22 billion for debt service, an increase of \$11 billion over the Executive proposal, reflecting additional capacity required to respond to the COVID-19 public health emergency.
- The Legislature provides a \$13.55 billion appropriation for PIT revenue bond financing agreements, an increase of \$8 billion over the Executive proposal. This is related to the authorization of DASNY or UDC to issue short-term notes to address the delay in receipts caused by the deferral of the income tax filing date from April to July.
- The Legislature provides a new \$3 billion appropriation for payments related to the establishment of one or more lines of credit to address anticipated shortfalls and deferrals of state receipts due to the deferral of the income tax filing date from April to July.

Article VII

- The Legislature modifies the Executive proposal to extend the Dormitory Authority's authority to create subsidiaries for certain purposes to instead extend for a period of two years.
- The Legislature includes language to authorize the DASNY and the UDC to issue up to \$8 billion in personal income tax short-term notes to address a projected delay in tax receipts.
- The Legislature includes language to authorize the DASNY and UDC to enter into one of more agreements to establish a line of credit up to \$3 billion to address a projected delay in tax receipts.
- The Legislature includes language to notwithstanding certain provisions of the Debt Reform Act for all bonds issued in SFY 2020-21 to allow for flexibility in managing the State's financing needs.
- The Legislature increases the CHIPs bond cap by \$66.3 million, to \$11.35 billion.