



Assemblyman

Steve Otis



## Legislative Update

Winter 2019

Dear Friends,

This year marked one of the most productive years in history for state government. Over 900 bills passed both houses of the legislature, a sharp rise over recent years when around 600 measures winning two house approval was typical.

Major legislation was enacted to improve our rules for voting and elections, reform our criminal justice system, improve our environment, protect individual rights and continue our commitment to supporting education and controlling property taxes. I was a co-sponsor of most of the major measures passed this year.

From statewide to local concerns, most years I pass over 50% of the prime bills I introduce. This year I passed 13 of my 14 prime bills in both houses and to date have had 67 of my co-sponsored bills signed into law.

It was also an exceptional year for some of my policy priorities: supporting the funding needs of schools and local governments and winning continued success in expanding our state's commitment to funding clean water projects. All these efforts relieve pressure on local property taxes.

This work is guided by hearing from you at events and meetings or through your letters and phone calls. Ideas for legislation or the need to address an issue with a state agency often evolve from listening carefully to individuals, local officials and educators.

Please feel free to contact my office at (914) 939-7028, if I can be of any assistance.

Warm regards,

Steven Otis  
State Assemblyman

## Most Ambitious Climate Change Goals in the Nation

The Climate Leadership and Community Protection Act (CCPA) was passed, establishing New York as a leader in enacting a comprehensive program for reducing greenhouse gas emissions and setting goals other states are likely to follow. The legislation targets statewide greenhouse gas emissions to be reduced by 85 percent by 2050, 70 percent of electric generation to come from renewable sources by 2030, zero greenhouse gas emissions from electric generation by 2040 and aggressive growth in offshore wind, solar and energy storage capacity.

In addition, the legislation requires greenhouse gas reduction to be factored into state and local planning and decision-making in many ways, including the involvement of business, labor and the public. Just as we incorporated "smart growth" into planning decision-making years ago, the climate change legislation requires that we look at cleaner emissions policies in all planning decisions. The bill also prioritizes environmental justice issues so that higher needs communities are not ignored in the implementation of cleaner policies, projects and opportunities.

As a co-sponsor of this legislation, I am pleased that we have set aggressive targets. To meet these targets, much work is still before us including the transition to cleaner energy and continued advances in technology for cleaner vehicles. We are on the road with a game plan that will make a difference.



Assemblyman Otis with County Executive George Latimer, Lt. Governor Kathy Hochul and New Rochelle Mayor Noam Bramson, at a press conference announcing New Rochelle's usage of the NYS \$10 million Downtown Revitalization Initiative grant awarded to the city. The annual competition for the DRI grant rewards communities to build on demonstrated progress in their economic development program. New Rochelle was a deserving recipient.

## Early Voting and Improving Democracy with Election Reforms

November's elections saw the first statewide use of the new early voting option that gives voters the option to cast their ballots in person at selected days and times within nine days of the normal election day. Many voters took advantage of the ability to vote early. As has been the case in other states, I expect that early voting will be used increasingly in future years.

This year we also successfully passed other election reforms to improve the process, making it easier to register and increase public participation at every level. The reforms include pre-registration of 16- and 17-year-olds, and closing the limited liability company campaign finance loophole. We also combined federal and state primaries to a single day, which will increase turnout and save taxpayers over \$50 million per year. Further, we passed legislation that would allow same-day voter registration, and expansion of access and use of absentee ballots. The amendment must be passed by both the Assembly and Senate in consecutive legislative terms before it goes before voters as a ballot referendum.

## Extended Early Voting Hours for Small City Districts

Governor Cuomo has signed legislation into law that I sponsored along with Senator Mayer, to allow small city school districts to open polling places at 6 a.m. for their school elections (A.6540/S.4009).

The purpose of this law is to conform the opening time for polls in small city school districts (city school districts with less than one hundred twenty-five thousand inhabitants) to the same time polls may open in all other independent school districts around the state. Small city school districts were the only school districts that did not have the option of opening polling places before 7:00 a.m. for school board elections or annual budget votes. In many communities, especially in suburban counties, there are many voters who commute too early to vote at 7:00 a.m., thereby limiting residents the opportunity to participate in the election process. This bill gives small city school districts the option to open polls at 6 a.m.

## Cashless Tolls Come to New Rochelle

For many years I have advocated for cashless tolling to replace the traditional tollbooths on I-95 at the New Rochelle – Larchmont border. The slowing down of cars and trucks created noise and increased air pollution in the neighborhoods near the toll.

The tollbooths have now been removed and vehicles no longer have to slow down or stop to pay their toll. The new cashless system will automatically charge all passing vehicles, either through their E-ZPass or by Tolls By Mail that will have a bill mailed to their home (<https://www.tollsbymailny.com>). The I-95 corridor is one of the busiest in the country with our Westchester section experiencing increased and record traffic volumes in recent years. Thanks go to the NYS Thruway Authority and Governor Cuomo for this change in New Rochelle and the ongoing elimination of traditional tollbooths statewide. Photo credit: NYS Thruway Authority.



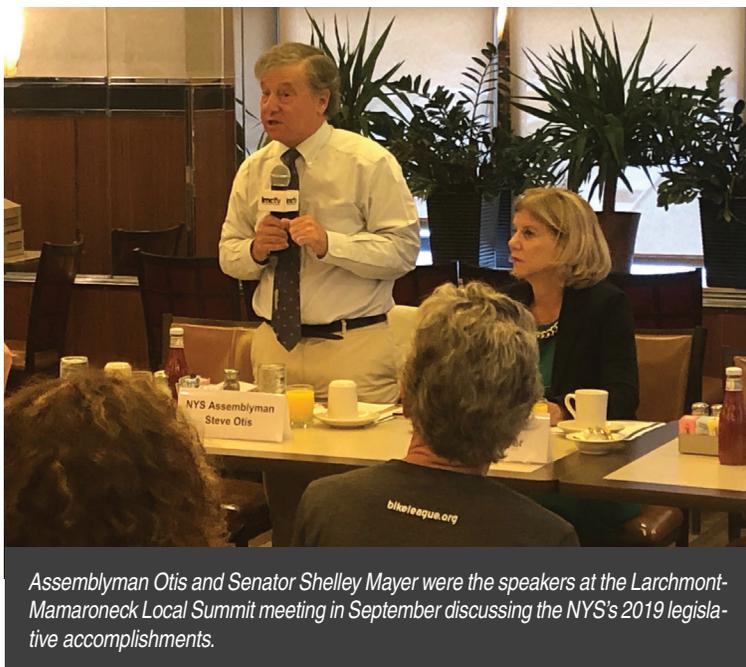
## Legislation to Protect Commercial Tenants

An important piece of legislation I passed this year was aimed at protecting commercial tenants and small businesses from arbitrary lease termination. The bill will ensure small-business owners have the right to go to court to challenge the unjust termination of their lease.

The goal of the legislation is to reinstate an important 1968 NYS Court of Appeals decision that has protected commercial tenants from lease terminations executed without due process through the courts to make sure the rights of tenants and landlords are accurately determined before an eviction takes place.

This legislation will protect small businesses from arbitrary lease terminations by providing commercial tenants their day in court. Business stability is enhanced by letting a court weigh in when lease terms are under dispute and summary eviction is sought by a landlord.

The legislation reinstates the law in the 1968 Yellowstone decision which gave tenants the right to seek a declaratory judgment and an injunction to delay speedy eviction until a court can determine which party is responsible for lease terms in question. Two recent appellate court decisions have removed these protections but invited the legislature to establish the policy through statute. Without the legal protections offered by this legislation, there is nothing to stop landlords from then taking advantage of their tenants and unjustly forcing them out of rented space in the middle of a lease.



Assemblyman Otis and Senator Shelley Mayer were the speakers at the Larchmont-Mamaroneck Local Summit meeting in September discussing the NYS's 2019 legislative accomplishments.

## Green Light Bill Signed Into Law

New York is now the 13th state to allow undocumented immigrants to receive driver's licenses. Requiring all drivers to be properly trained, licensed and insured protects all drivers.

The new legislation will help improve road safety by allowing undocumented individuals to take a road test at the DMV and ensure that they are driving safely.

Additionally, the increase in legal drivers on the road will raise revenue for the state and enable undocumented New Yorkers to drive in compliance with the law.

There was great support for this legislation from many groups in Westchester who advocated for this bill for years. Driver's license access has worked well in other states. We do not want unproven, uninsured drivers on our roads.

## Census 2020: The Importance of Local Complete Count Committees

New York has been undercounted in previous census counts resulting in the loss of billions in federal funding for hospitals, public schools, transportation, emergency services and more. In order to ensure everyone is counted, the 2019-20 NYS budget includes \$20 million to promote the census and assist with local outreach efforts to raise awareness and increase participation.

You can get involved locally through Complete Count Committees that many localities are establishing to ensure your community is accurately counted. Contact your local municipal government for more information, or reach out to the Westchester County Complete Count Committee at (914) 995-2000. You can also apply to be a paid part-time census taker by visiting [2020census.gov/jobs](https://2020census.gov/jobs).



## New Laws to Protect Crime Victims

During this session we passed a series of bills to aid crime victims and their families. One bill aimed to broaden the scope of who can receive compensation from the Office of Victim Services following the murder of a loved one (A.2566/S.4958). Prior to the passage of this bill, only spouses could receive these benefits. The new law expands coverage to include domestic partners.

Another bill expanded the eligibility of child victims, helping to ensure that people who have been impacted by crime receive the reimbursements and services to which they are entitled (A.7051/S. 6353).

It also changed the law to ensure that people will not be evicted from their homes if they call the police (A.2665-A/S.4657-A). In the past, landlords could use local nuisance laws to evict tenants who call the police multiple times. This legislation establishes the right of the tenant to call the police without fear of losing their home over a 911 call.

The legislature also took action to extend the statute of limitations on certain rape offenses and to expand the civil statute of limitations for related claims (A.8412/S.6574).

## PSC Approves Water Usage Data Agreements with Westchester Local Governments

### *Approval Based on 2018 Otis Legislation*

The NYS Public Service Commission has approved agreements between the Suez water company and 10 Westchester local governments to allow municipalities to fund clean water infrastructure improvements calculated by quantity of water usage. The agreements simplify the process by which local governments can access water usage data through private water companies and will make this process less expensive for customers and taxpayers as well as protect the security of customer water usage information. The agreements will also make it easier for municipalities to make decisions about clean water infrastructure projects.

Last year I sponsored and passed the authorizing legislation at the request of Westchester local governments served by the Suez water company. The process will assist local governments in addressing their clean water infrastructure obligations and reduce the cost to property taxpayers. The legislation was sponsored in the Senate by Shelley Mayer and signed into law by Governor Cuomo in 2018.

Agreements approved cover Port Chester, Ardsley, Bronxville, Dobbs Ferry, Hastings-on-Hudson, New Rochelle, Pelham Manor, Tuckahoe, City of Rye, and Rye Brook which requested home rule legislation to allow them to calculate project costs based upon water usage. They had determined that using water consumption volume as a basis for a separate sewer charge was a more accurate way to bill consumers while encouraging water conservation and potentially reducing residents' property taxes.

We have had tremendous support from the Public Service Commission and Governor Cuomo in supporting the legislation and working through the agreement process to address the request of Westchester local governments.

## Tenant Protection and Housing Laws Strengthened

For the first time in decades, New York's tenant protection and housing laws received a full overhaul this year. Rent regulation laws for areas already covered by such protections were renewed and the prospect of periodic expiration of such laws was eliminated. Changes were made to many provisions including vacancy decontrol and expanding the ability of communities around the state to opt into tenant protections if they saw the need. Westchester County communities already had that option.

The goal of the reforms adopted is to improve stability and affordability for tenants and to make sure protections are available statewide where there is a need. In the last three decades the number of units under rent regulation has dropped significantly, placing pressure on affordability. I am sure the legislature will continue to track the changes this year and make adjustments as necessary.

## Protecting Victims of Domestic Violence

New York State has once again demonstrated its resolve to protect and support victims of domestic violence through the passage of a package of bills. These bills of which I was a co-sponsor, include increasing the statute of limitations for civil suits against a domestic abuser from one year to two years (A.1945/S.2416), as well as prohibiting employers from discriminating against domestic violence survivors (A.5618/S.1040) and empowering hospitals to establish policies and train employees to help identify and aid victims of domestic violence (A.2850-A/S.3962A) and to allow victims who have received an order of protection to terminate telecom contracts without penalty (A.5318/S.2356).

## Flaw in Parking Ticket Rules Corrected

I am always looking for ways to address the needs of local governments. A number of local judges brought to my attention a series of conflicting court decisions governing the ability of local governments to enforce parking tickets that required correction.

Those decisions affecting the Hudson Valley and Long Island brought into question if the amount of detail required on a parking ticket gave ample notice and whether written tickets gave local courts jurisdiction over recipients of parking tickets. The lack of clarity created by these court decisions has interfered with the ability of local governments to enforce those tickets, collect fines, and control traffic and parking in their communities.

I introduced legislation that will provide drivers increased notice of the details of a parking violation and give local governments clear jurisdiction, through their courts, to enforce parking tickets. The ability of local governments to manage limited parking and keep spaces available for shoppers and businesses will be restored.

Governor Cuomo signed this legislation into law in November.



*At the ribbon-cutting event at the Carver Center in Port Chester to celebrate the opening of the Robert Kaplan & Debra Stokes Kaplan Technology Learning and Innovation Center. The Carver Center sponsors a wide variety of essential programs to enrich the education of Port Chester students. From left to right: Assemblyman Otis, Board Chair Claire Diesen Steinberg, Debra Stokes Kaplan and Robert Kaplan.*

## Additional Steps to Protect New Yorkers from Gun Violence

This year we have taken important steps to help protect New Yorkers from gun violence. In February the legislature passed a package of common sense gun reforms that closed loopholes in the firearms background check process, banned bump stocks, created a gun buy-back program and allowed a court to determine if someone is likely to cause serious harm to themselves or others.

In June we passed legislation to ban the manufacture, sale, transport and possession of undetectable firearms in New York State. These undetectable firearms, which can be created by 3D printing or laser cutting machines, are dangerous because they cannot be detected by traditional security screening methods like x-rays and metal detectors. It is important that we update our laws to match changes in technology that threaten our safety.

At the end of session, we also passed legislation to improve safe storage rules in the home.



Assemblyman Otis has been sponsoring workshops for local governments on NYS clean water grants annually. This year, a Green Infrastructure Grant Workshop was held at the Jay Heritage Center in May and focused on the Environmental Facility Corporation's more innovative programs. The Water Infrastructure Improvement Act (WIIA) Grant program will award a record \$350 million in grants in 2019. Pictured from left to right: Suzanne Clary, Executive Director of Jay Heritage Center, Assemblyman Otis, Nancy Seligson, Mamaroneck Town Supervisor, and Tracy Brown, Executive Director of Save the Sound.

## College Internships

Legislative internships are available to college students in my district and Albany offices. These internships focus on legislative research, analysis of state issues, correspondence and assisting constituents.

If you are interested in applying for 2020 spring or summer internships, please send a cover letter and resume to me at [otiss@nyassembly.gov](mailto:otiss@nyassembly.gov). For more information about these opportunities, please contact my District Office at 914-939-7028.

New York State Assembly, Albany, New York 12248



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**Legislative Update**

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