2016 New York State Legislative Session Summary: The Impact on New York's Counties

An Interim Report
July 12, 2016

Hon. William Cherry, President
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**Contents**

Introduction .......................................................................................................................... 2

2016 Legislative Session Overview ..................................................................................... 2

Part I: State Budget Activity ............................................................................................... 3
  Highlights of the State Budget ......................................................................................... 3
  End of Session Budget Bill – Adjustments to State Budget ............................................. 6

Part II: Constitutional Amendments .................................................................................. 6

Part III: Non-Budget Legislative Action: Legislation that Passed Both Houses (PBH) of the Legislature .................................................................................................................... 7
  Aging ............................................................................................................................... 7
  Agriculture ...................................................................................................................... 7
  Children with Special Needs ........................................................................................... 8
  Criminal Justice, Judiciary and Legal Affairs ................................................................. 9
  Economic Development ................................................................................................. 9
  Elections .......................................................................................................................... 10
  Energy ............................................................................................................................. 11
  Environmental Conservation .......................................................................................... 11
  Ethics ............................................................................................................................... 12
  Gaming and Wagering .................................................................................................... 12
  Government Operations ................................................................................................. 13
  Heroin .............................................................................................................................. 13
  Housing ........................................................................................................................... 14
  Indigent Defense ............................................................................................................ 15
  Insurance ........................................................................................................................ 15
  Local Government Finance ........................................................................................... 16
  Medicaid .......................................................................................................................... 18
  Mental Hygiene ................................................................................................................ 18
  Procurement ................................................................................................................... 19
  Public Employee Relations ............................................................................................. 19
  Public Health .................................................................................................................. 21
  Public Safety ................................................................................................................... 22
    Public Safety—Corrections .......................................................................................... 24
  Real Property Tax ......................................................................................................... 25
  Social Services ............................................................................................................... 25
  Transportation and Public Works ................................................................................... 26
  Veterans ............................................................................................................................ 27

Appendix 1 ........................................................................................................................... 29

State Budget Priorities of the Governor and Legislature .................................................... 29

Budget Bills ....................................................................................................................... 33
Introduction

In general, the 2016 New York State Legislative Session provided some important wins for counties, beginning with the State Budget. A significant increase in state fiscal assistance to support local infrastructure needs was a key victory for counties. The advent of the property tax cap and a slow economic recovery in many parts of the state has made it difficult for most counties to maintain and improve local public infrastructure.

Counties also secured an important mandate relief victory at the close of the legislative session with the passage of a multi-year state takeover of county indigent defense costs. This bill has passed both houses but still needs to be delivered to Governor Andrew Cuomo for his approval.

What follows is a snapshot of bills that passed both the Senate and Assembly that will have a direct or indirect impact on county government operations, or to other local governments. The bills listed below provide a brief description of the intent of the legislation and where it is in the legislative process – this could include:

- Chapter Number (signed),
- Veto Message,
- “Delivered to the Governor” on such date (the Governor then has 10 days to act not including Sundays),
- “Passed Both Houses” (PBH) – meaning it has passed the Legislature but is waiting to be delivered to the Governor for action.

While the Legislature passed hundreds of bills, they are not all sent to the Governor at once. The Governor and each chamber of the legislature work closely to ensure the Executive has sufficient time to review and understand what each bill does. They then establish a schedule for sending these bills to the Governor for his signature or veto.

As always, if you have questions on any bill listed here (or any other bill), please contact the NYSAC office at (518) 465-1473.

2016 Legislative Session Overview

Between January 1, 2016 and June 17, 2016, the Legislature passed a total of 2,793 bills. The Senate passed 1,752 and the Assembly passed 1,041. Of these bills, 718 were approved by both houses, with 613 being approved in the last two weeks of the legislative session.

The 2016 legislative session was the first full session for Senate Leader Flanagan and Assembly Speaker Heastie. The Session ended with State legislators working through the night, finishing up shortly after 5 a.m. Saturday June 18th (two days after the scheduled end of session). The final hours included: ethics reforms; mandated testing of school drinking water supplies for lead; money for SUNY and CUNY; $570 million for “supportive housing” for the homeless; and continued state control of the New York Racing Association, among a wide variety of other items.

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Part I: State Budget Activity

Highlights of the State Budget

Cost Shifts to Counties and New York City for Medicaid – Rejected
Proposals repealing the existing zero percent growth cap in local Medicaid costs for New York City and replacing it with a new growth model that would have required the City to pay an increasing share of Medicaid costs that would climb to more than $475 million by the second year of implementation and grow each year thereafter.

In addition, in the final days of budget negotiation proposals modifying the county Medicaid cap to garner an additional $250 million annually in state savings.

NYSAC vigorously defended the State Medicaid Cap and neither of these proposals were implemented.

Reimbursement Cuts to New York City for CUNY - Rejected
The Governor proposed $485 million in state reimbursement cuts to CUNY. These cuts were rejected by the Legislature in the final budget agreement.

Sales Tax Intercept for New York City
The state did implement a proposal to intercept $540 million in New York City local sales tax spread over three years. It was done in relation to a dispute over New York City refinancing a portion of its debt for which the State paid the debt service. The City retained the fiscal benefit of the debt refinancing and the state objected, saying that the refinancing benefit should have accrued to the state. The sales tax intercept was the state’s way of garnering the benefit of the debt refinancing.

Funding for Local Transportation Infrastructure Increased
For several years counties and other local governments have been calling on state legislators and the Governor to increase funding for local infrastructure needs. Prior year reductions in state reimbursements to counties, the Great Recession, the implementation of the property tax cap and the slower than hoped for economic recovery in many regions of the state has left too many infrastructure projects on hold. The enacted State Budget provides a significant increase in funding for local roads and bridges as well as water infrastructure. In addition,

- For the first time in many years the state has enacted a five year capital plan for transportation and has restored fiscal equity between the MTA and DOT road projects at $27 billion over five years.

For local roads, bridges and culverts the budget adds three new programs

- PAVE-NY – $100 million per year for 4 years (CHIPS formula used for allocations)
- BRIDGE-NY – $100 million per year for 4 years (DOT will manage the allocation with local input)
- Extreme Weather Infrastructure Hardening Program – $500 million (over 5 years)

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The Budget also creates a $200 million upstate airport revitalization competition (5 grants of $40M each)

In total, the 2016-17 state budget provides $638 million annually for the next four years for local roads and bridges. This represents a 31 percent annual increase in funding over the 2015-16 budgeted level of $488 million.

Water Quality and Safety Infrastructure – Increased Funding
The Budget added $200 million to an ongoing $200 million water infrastructure program, bringing the three year total to $400 million. The program will be administered by the Environmental Facilities Corporation and is available to provide grants for both drinking water and sewer treatment works projects (clean water) that protect or improve water quality and/or public health.

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Local Government Consolidation & Efficiency Grant Programs

Municipal Restructuring Grants
The enacted budget modifies how $150 million, set aside from bank settlements funds in last year’s budget, will be used. Initially, $150 million was set aside for municipal restructuring and shared services grants, but this has been modified as follows:

- $25 million will be used for the Empire State Poverty Reduction Initiative;
• $100 million will be used for a downtown revitalization program (for ten urban areas); and
• $25 million of the original $150 million for municipal restructuring and government efficiency grants.

*Municipal Consolidation Competition ($20 million)*
The final budget includes funding for a new Municipal Consolidation Competition to encourage the reduction of costs through a competitive application process, to be administered by the Department of State.

*Local Government Performance and Efficiency Grant Program ($40 million)*
Funding for this program was not included in the enacted budget. Funding under this program is controlled by the Governor’s Fiscal Restructuring Board and prior year funds were re-appropriated, but no new funding was authorized for State fiscal year 2016-17.

**Other Direct Fiscal Impacts for Counties**

*FAA Aviation Fuel – Local Sales Tax Repeal*
The final budget included language that eliminates the local sales tax on noncommercial aviation fuels effective in 2018. This is being done to satisfy a FAA ruling that requires all taxes raised on aviation fuel be retained by the airport for aviation purposes only. The Division of Budget estimates the aggregate annual county revenue loss at less than $4 million when fully implemented.

*DA Salary Reimbursement*
The Budget did not include funding to support a $1.6 million mandated salary increase for county district attorneys.

*Community College FTE Support*
The Budget boosted state community college aid by $20 million, increasing the FTE funding per student aid by $100, increasing the total per student aid to $2,697 for 2016-17.

More state budget action, including the use of bank settlement funds, the priorities of the Governor and Legislature, and links to budget bills can be found in Appendix 1 or by clicking here.
End of Session Budget Bill – Adjustments to State Budget

S.8159 (Flanagan) / A.10741 (Farrell, Jr.)
This bill would refine parts of the 2016-17 Enacted Budget by making several technical amendments. On the last day of session, the Legislature passed a mini-omnibus budget bill that made technical amendments to the budget they passed in early April. Amendments included:

- Making technical corrections to ensure that STAR exemption recipients and personal income tax (PIT) credit recipients are placed on equal footing, clarify the eligibility criteria for the credit of sellers and buyers of residential property, and facilitate the administration of the PIT credit.
- Extending the New York Racing Association (NYRA) Re-organization Board for one additional year.
- Conforming the existing wage parity statute to the $15 per hour minimum wage schedule in New York City and the rest of the downstate region (Westchester, Nassau and Suffolk counties). The amendment passed with the FY 2017 Enacted Budget incorrectly referenced different schedules.
- Additional capital appropriations totaling $20 million for the City University of New York and $30 million for the State University of New York.
- Extending mayoral control of the New York City public school system for one year, until June 30, 2017, and would require the City to publish a listing of the total funding allocated to each community school district twice a year.
- Enactment of the “Zombie Property” law which require federally chartered banks, savings banks, savings and loan associations, or credit unions that originate, own, service, or maintain loans to secure and maintain 1 to 4 residential real properties deemed to be vacant and abandoned; mandates good faith negotiations during mandatory settlement conferences during foreclosure proceedings; expedites the foreclosure process for vacant and abandoned properties; and imposes additional notice requirements.

Status: Signed by the Governor, Chapter 73 of the Laws of 2016

Part II: Constitutional Amendments

S.7966 (Farley) / A.10737 (Englebright)
An act approving land transactions relating to implementation of the settlement of property disputes in township 40, in the Town of Long Lake. This legislation finalizes an amendment to the State Constitution for resolving land title issues in the Adirondack Park as approved by voters.

Status: PBH

S.8163 (Croci) / A.10739 (Buchwald)
CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY proposing an amendment to section 7 of article 5 of the constitution, in relation to the public pension of a public officer. This proposed amendment would have to be passed by the Legislature again next year and then it can be placed on the 2017 November ballot. If approved by voters it would allow for the revocation or reduction of pension payments of statewide and local elected officials and high ranking appointees and department heads of state and local governments, and public authorities if they are convicted of a felony that is directly related to their existing duties as public officers.

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CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY proposing an amendment to article 14 of the constitution, in relation to allowing public utility lines and bicycle paths on certain state lands in the forest preserve and establishing a forest preserve health and safety land account. This proposed amendment would have to be passed by the Legislature again next year and then it can be placed on the 2017 November ballot.

Part III: Non-Budget Legislative Action:
Legislation that Passed Both Houses (PBH) of the Legislature

NYSAC has identified the following pieces of legislation, categorized by issue area, that have or may have an impact on our county governments. These are bills that have passed both the State Senate and State Assembly. Some have already been signed into the Laws of 2016 and others await delivery to and consideration by Governor Cuomo. We will update the status of these measures periodically as they move through the lawmaking process.

**Aging**
Establishes a senior center council

**A.1150 (Rodriguez) / S.8099 (Valesky)**
This bill establishes the Senior Center Council to provide a forum for the discussion of challenges facing senior centers.

**Interagency council for older adults**

**A.7628-A (Barron) / S.5999 (Parker)**
This bill establishes an interagency council for the purpose of coordinated planning on issues related to older adults which shall assess current programs and services across multiple agencies and shall consider current and projected needs.

**Match requirements for NORC aid**

**A.10201 (Harris) / S.7851 (Golden)**
The purpose of this bill is to make it easier for low and moderate income areas to meet the match requirement for state funding of a classic or neighborhood naturally occurring retirement community (NORC).

**Agriculture**
Creates a farm investment fund

**A.2417-C (Santabarbara) / S.3678-C (Funke)**
The Farm Investment Fund would feature grants of up to $50,000 to help farmers with the cost of infrastructure, equipment, and practices.

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Agricultural districts law improvements
A.8082 (Magee) / S.4851-A (Ritchie)
Departmental Bill # 59
This bill amends the Agriculture and Markets Law (AML) to streamline the process for the creation, review and consolidation of agricultural districts. In addition, the bill also amends the Real Property Tax Law's (RPTL) property tax exemption for structures and buildings used exclusively in the raising and production for sale of agricultural or horticultural commodities to expressly include permanent and impermanent structures and buildings.
Status: Signed by Governor, Chapter 25 of the Laws of 2016

Relates to access to viable agricultural land for new and beginning farmers
A.9536 (Magee) / S.7011-A (Ritchie)
This bill authorizes the Commissioner of the New York State Department of Agriculture and Markets to enhance access to viable agricultural land for new and beginning farmers and would have the Commissioner of the Office of General Services work with the Commissioner of Agriculture and Markets to develop an inventory of state-owned real property that may be viable for farming and make that inventory available to the Department of Agriculture & Markets to disseminate.
Status: PBH

Expands the farm, apple and cuisine trails programs
S.5720-B (Valesky) / A.7988-B (Magee)
This bill expands the program that established farm trails, apple trails, and cuisine trails so that they can further economic development opportunities in Upstate areas and promote the State's agricultural, food processing, and tourism industries.
Status: PBH

Schools to purchase local food
A.6182 (Russell) / S.6731 (Ranzenhofer)
This bill amends general municipal law to allow school districts to purchase from associations of ten or fewer producers or growers or to make purchases of less than $25,000 without applying for permission from the commissioner of education.
Status: Signed by the Governor, Chapter 62 of the Laws of 2016

Children with Special Needs
Early Intervention Coordinating Council membership
A.9889 (Jaffee) / S.7680 (Serino)
This bill relates to the membership of the early intervention coordinating council. It adds representatives of managed care plans or managed care plan trade associations familiar with how claims for services are provided to the council.
Status: PBH

Preschool special education evaluations
A.9422 (Glick) / S.6851 (Lavalle)
This two year extender would allow approved multidisciplinary evaluation programs to employ a certified school psychologist to conduct a multidisciplinary evaluation of a preschool child or an infant or toddler having or suspected of having a disability. This bill would expire on June 30, 2018.

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Criminal Justice, Judiciary and Legal Affairs

Jurisdiction and venue for organized retail theft crimes  
A.6503-A (Cusick) / S.3822-A (Venditto)
This legislation amends the penal law to allow crimes falling under the definition of organized retail theft to be prosecuted in any county that is contiguous to another county where at least one alleged occurred offense is part of a pattern of activity. The five counties of New York City are deemed contiguous with each other. Under this legislation, one district court would be granted jurisdiction over all criminal offenses, persons, and property that form the pattern of criminal offenses.  
Status: Signed by Governor as Chapter 63 of the Laws of 2016

Central off-hours arraignment  
S.7209-A (Bonacic) / A.10360 (Lentol)
This bill authorizes the Chief Administrative Judge, after consulting with appropriate local stakeholders, and with approval of the Administrative Board of the Courts, to establish a plan for designating off-hours arraignment parts in local criminal courts of a county to be held on a rotating basis. Status: PBH

Town court consolidation  
S.7328 (O'Mara) / A.10130 (Friend)
This bill permits the town boards of Erin and Chemung (Chemung County) to establish a single town court. Status: PBH

No fees/fines for dismissed traffic tickets  
S.6422-A (Avella) / A.9249 (DenDekker)
This bill is a chapter amendment to Chapter 578 of the Laws of 2015, which ensures that a person who had a vehicle or traffic violation dismissed and who was not held liable for any violation in satisfaction of such charge cannot have an additional fee or charge assessed by any municipality. Status: Signed by the Governor, Chapter 16 of the Laws of 2016

Economic Development

Mixed-Martial Arts sporting events  
S.5949-A (Grifo) / A.2604-C (Morelle)
This bill establishes protocols for combative sports. It authorizes mixed martial arts events in this state, including establishing procedures for applications for licenses, penalties for violations and imposes taxes on gross receipts of such events. Status: Signed by the Governor, Chapter 32 of the Laws of 2016

Creates a comprehensive website of small business and minority and women-owned business enterprise assistance  
A.9591-A (Richardson) / S.6959-A (Parker)
This bill creates a comprehensive website of small business and minority and women-owned business enterprise assistance; requires the department of economic development to review its existing websites, directories, and registries offering assistance to small businesses and minority and women-owned business enterprises and consolidate them into a comprehensive website.

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Status: PBH

**Restore New York's communities initiative**
*A.10257 (Schimminger) / S.7285 (Ranzenhofer)*

**Departmental Bill # 73**
**Empire State Development (Internal # 2 - 2016)**
The bill would enhance the Economic State Development Corporation's (ESD) ability to utilize the Restore New York’s Communities Initiative (“Restore NY”) by allowing reconstructed buildings in eligible locations to be used in a manner beyond their previous purpose at the same location.

**Status: PBH**

**Authorization of farm brewery licensee to sell wine and spirits manufactured by a licensed farm winery or farm distillery**
*S.5707-A (Ritchie) / A.7960-A (Magee)*
This bill gives wineries and breweries an opportunity to expand their income potential by adding the ability to sell wine or spirits manufactured by any New York State licensed farm winery or distillery at retail for consumption on or off premises. It would also allow farm wineries to sell beer or cider in a similar fashion. This would help farm breweries and farm wineries and distilleries to expand the market for their products.

**Status: PBH**

**Expands the Film Production Tax Credit to additional counties**
*S.6987 (Amedore) / A.9415 (Gunther)*
The purpose of this legislation is to create an additional 10% Film Production Tax Credit for the counties that are both outside of the New York City studio zone and ineligible for the current 10% incentive. These counties include: Warren, Saratoga, Washington, Rensselaer, Greene, Columbia, Ulster, Dutchess, Sullivan, Orange, Putnam and Suffolk.

**Status: PBH**

**Elections**

**Absentee ballot canvassing**
*S.1384 (Marchione) / A.3330 (Fahy)*
Repeals Section 3-408 of the Election Law. In a past session the Election Law was amended to require that absentee ballots be canvassed centrally, at Boards of Elections offices or their facilities, and not at poll sites. However, Section 3-408, which provided for poll workers to be appointed to count said ballots in poll sites inadvertently remained. This bill repeals that section.

**Status: PBH**

**Payments to polling sites related to accessibility**
*S.6979 (Akshar) / A.7597 (Cusick)*
This bill repeals the ability to place different amounts of payment for the use of poll sites based on accessibility levels. The bill memo cites that federal and state law requiring that all poll sites be accessible, therefore there is no longer any need for such distinction.

**Status: Signed by the Governor, Chapter 43 of the Laws of 2016**
Standard mail for annual voter notice
S.6818 (Avella) / A.7817 (Cusick)
This bill amends election law to permit standard mail for the annual voter notice as well as requires necessary postal endorsements to ensure "no forwarding" and the prompt return of updated address information to the local board of elections for mail that cannot be delivered as addressed.
Status: Signed by the Governor, Chapter 44 of the Laws of 2016

Campaign materials reporting
S.7090 (Valesky) / A.10105 (Steck)
Under current law, campaign materials (posters, flyers, and buttons) are submitted with the post-election reports by mail. This bill would clarify campaign materials may be filed electronically with the State Board of Elections.
Status: PBH

Absentee voting for emergency responders
S.6833-A (Savino) / A.9919 (Cusick)
Allows registered voters who serve as emergency responders during an emergency declared by the Governor or court of competent jurisdiction to apply for a special ballot at any time prior to any election regardless of absentee ballot deadlines.
Status: PBH

Local elected officials and filing oaths of office related to recent elections
S.8062 (Ritchie) / A.10598 (Otis)
Provides that any village, town, city or county official duly elected on November 3, 2015 or March 15, 2016 who currently occupies the office which he or she was elected but who failed to take or file his or her respective oath of office within the statutorily prescribed period shall continue to serve in such capacity and for the full term to which he or she was elected upon the taking and filing oaths of office consistent with the County Law, Town, Law, or the Public Officers Law, provided that such oaths are taken within 30 calendar days after the effective date of this act.
Status: Signed by the Governor, Chapter 94 of the Laws of 2016

Energy
Solar Property Tax Abatement Extender (NYC only)
S.7110 (Lanza) / A.9745 (Rosenthal)
Extends until January 1, 2019, the deadline to apply for the solar electric generating system real property tax abatement.
Status: PBH

Environmental Conservation
Relates to the adoption of rules and regulations
A.9219 (Zebrowski) / S.6729 (Murphy)
This bill increases the period for prior notice of public hearings relating to proposed rules and regulations on significant environmental matters (such as air pollution control and solid waste management) from 30 to 45 days, in order to provide the public with the same opportunity to comment as currently applies for other regulations for which hearings are required.
Dissolves the Madison County sewer district
S.7016 (Valesky) / A.9539 (Magee)
This bill dissolves the Madison County Sewer District and transfers the entirety of its property, assets, and liabilities to the Town of Cazenovia.

Status: PBH

Ethics
Third party expenditures for campaigns and other lobbying reporting
S.6581 (Flanagan) / A.10742 (Heastie)
Relates to independent expenditures during election campaigns; provides that independent expenditures shall not include payments or expenditures where coordination occurs in the creation, formation or operation of the person making such payment or expenditure.

Status: PBH

Pension revocation for corruption conviction
S.8163 (Croci) / A.10739 (Buchwald)
CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY proposing an amendment to section 7 of article 5 of the constitution, in relation to the public pension of a public officer. This proposed amendment would have to be passed by the Legislature again next year and then it can be placed on the 2017 November ballot. If approved by voters it would allow for the revocation or reduction of pension payments of statewide and local elected officials and high ranking appointees and department heads of state and local governments, and public authorities if they are convicted of a felony that is directly related to their existing duties as public officers.

Status: Delivered to the Attorney General, June 22, 2016

Gaming and Wagering
S.4237-A (Gallivan) / A.10510 (Peoples-Stokes)
This bill increases vendor fees to the facilities located within forty miles of a Native American class III gaming facility.

Status: PBH

S.8019 (Amedore) / A.6124-C (Pretlow)
This bill would provide that, of the amount from each OTB's contribution to its capital acquisition fund from its total pari-mutuel wagering pools on a quarterly basis, up to 75 percent of such amount may be used by the OTB for any corporate purpose.

Status: PBH

S.8153 (Bonacic) / A.10736 (Rules/Pretlow)
This bill amends the racing, pari-mutuel wagering and breeding law, allowing for the registration and regulation of interactive fantasy sports contests.

Status: PBH
Host county gaming revenue sharing  
S.5670 (Valesky) / A.7844 (Magee)  
This bill provides for sharing of revenue from gaming devices located within Madison County to help with increased use of infrastructure and services that are provided by the county such as emergency services and security.  
**Status: PBH**

**Government Operations**

Procedures for providing public notice of meetings held through electronic means or streaming  
A.6959-A (Galef) / S.7958 (Marchione)  
Relates to giving public notice of meetings through electronic means.  
**Status: PBH**

Requires certain annexation petitions to be reviewed by county planning departments  
A.10120 (Skoufis) / S.7850 (Larkin)  
This legislation would require county planning departments to review specific annexation petitions pursuant to General Municipal Law (GML) 239, a process that already exists for many municipal planning and zoning actions.  
**Status: PBH**

FOIL appeals process  
S.6865 (Ranzenhofer) / A.9711-A (Bushwald)  
This bill creates an expedited court appeal process for determining appeals of FOIL decisions. It covers all governmental entities except the Judiciary.  
**Status: PBH**

Local government records management program funding  
S.6708 (Ritchie) / A.10527 (Fahy)  
The New York State Local Government Records Management Improvement Fund grant program is designed to help local governments address their electronic records management needs. This bill stops the State from sweeping any un-allocated funds dedicated to this grant.  
**Status: PBH**

**Heroin**

Relates to opioid antagonists  
A.9078B (Mayer) / S.6346-B (Carlucci)  
This bill requires any chain pharmacy with twenty or more locations to pursue or maintain a non-patient specific prescription with an authorized health care professional to disperse an opioid antagonist to a consumer upon request, or to register with the department of health as an opioid overdose prevention program.  
**Status: Signed by the Governor, Chapter 65 of the Laws of 2016**

Reporting of data on opioid overdoses on a county basis  
S.6516A (Amedore) / A.9251-A (Rosenthal)  
This bill requires the commissioner of health to report data on opioid overdoses on a county basis. Reporting shall occur annually on or before October 1 and data shall be posted on the Department of Health website. The commissioner shall provide the data to counties on a monthly basis.

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Status: Signed by the Governor, Chapter 66 of the Laws of 2016

Opioid antagonists at libraries
S.7860 (Amedore) / A.10364 (Gottfried)
This legislation would amend existing law to authorize public libraries to maintain and administer opioid antagonists in the event of a life-threatening emergency. Individuals administering an opioid antagonist must be trained to use an opioid antagonist by a DOH approved program.
Status: Signed by the Governor, Chapter 68 of the Laws of 2016

Relates to abuse-deterrent analgesic opioid drug products
S.6962-A (Hannon) / A.10478 (Cusick)
This bill limits the substitution of abuse-deterrent analgesic opioid drug products for analgesic opioids lacking such technology.
Status: PBH

Treatment and recovery services
S.8137 (Ortt) / A.10725 (Rules/Steck) (Governor Program # 31)
This bill relates to providing coverage for immediate access to a five-day emergency supply of certain medications and prohibits prior authorization for a prescription for buprenorphine for opioid addiction detoxification or maintenance treatment. It also relates to the heroin and opioid addition wraparound demonstration services program and lastly, it relates to emergency services for persons intoxicated, impaired, or incapacitated by alcohol and/or substances.
Status: Signed by the Governor, Chapter 69 of the Laws of 2016

Continuing education and insurance coverage
S.8139 (Murphy) / A.10727 (Rules/Rosenthal) Governor Program # 33
The purpose of this bill is to require continuing medical education on pain management by physicians and other healthcare providers, to mandate insurance coverage for needed inpatient treatment services, to limit opioid prescriptions from 30-day supplies to 7-day supplies, and to require pharmacists to provide additional education and counseling to those receiving opioids.
Status: Signed by the Governor, Chapter 71 of the Laws of 2016

Heroin & opioid overdoses and data collection/reporting
S.8138 (Amedore) / A.10726 (Rules/Cusick) Governor Program # 32
This bill empowers professionals to administer emergency assistance to individuals, requires enhanced data collection and reporting on heroin and opioid overdoses and requires hospitals to educate individuals about available treatment services.
Status: Signed by the Governor, Chapter 70 of the laws of 2016

Housing
Unlawful advertisement of AirBnB rentals in New York City
A.8407-C (Rosenthal) / S.6340-A (Lanza)
Relates to prohibiting advertising for the use of dwelling units in a class A multiple dwelling and requires notice to tenants of the consequences of advertising a rental unit on short term rental websites.

**Status: PBH**

### Indigent Defense

**Indigent defense cost reporting clarification**

*S.5601 (Golden) / A.7292 (Farrell)*

This bill clarifies that county annual reports regarding the detail and certification of indigent defense service costs are to be submitted to the Office of Indigent Legal Services rather than the State Comptroller.

**Status: PBH**

### State fiscal takeover of county indigent defense costs

*S.8114 (DeFrancisco) / A.10706 (Fahy)*

This legislation would provide for the state to incrementally take over funding and provide full funding of indigent defense services by 2022, and relieve all counties of this financial strain. Additionally, this bill would expand and make uniform throughout the state indigent defense services.

**Status: PBH**

### Insurance

**Licensed acupuncturists under the workers’ compensation program**

*A.2462-A (Bronson) / S.7431-A (Martins)*

This bill authorizes the care and treatment of injured employees by a duly licensed and registered acupuncturist under the workers’ compensation program. Current state workers’ compensation law allows for only licensed physicians and psychologists to be reimbursed for services. This bill allows those patients who would benefit most to receive specialized medical treatment from qualified acupuncturists. The bill would not result in increased costs to the state, since the need for acupuncture would be determined by a physician as an alternative to other treatments, and not by the patient.

**Status: PBH**

**Insurance coverage for breast cancer examinations**

*S.8093 (Flanagan) / A.10679 (Barrett)*

An act to amend the insurance law, in relation to coverage for the detection of breast cancer; to amend the public health law, in relation to requiring certified mammography facilities to provide extended hours; and to amend the civil service law, in relation to excused leave to undertake a screening for breast cancer.

**Status: Signed by the Governor, Chapter 74 of the Laws of 2016**

**Insurance coverage for the small-group health insurance market**

*S.6694 (Seward) / A.9248 (Seawright)*

This bill would provide that stop-loss, catastrophic and reinsurance coverage may only be sold in the small group health insurance market to groups with 51 to 100 workers which already had policies as of January 1st, 2015. The bill would sunset the exemption for these groups in three years. Additionally, the bill would require the Department of Financial Services to contract with an independent entity to study the effects of the sale of stop-loss, catastrophic and reinsurance coverage on the small group market. Stop-loss carriers are responsible for the costs of the contract entered
with the independent entity to cover the report. The report is due to the Legislature on or before March 1, 2018.

**Status: Signed by the Governor, Chapter 12 of the Laws of 2016**

**Prostate cancer screening leave**

*S.8107 (Hannon) / A.409-B (Dinowitz)*

This bill provides civil service employees in NYC the same right to leave for prostate cancer screenings that men in the rest of the state have. Currently, civil service employees outside of the city of New York are entitled to four hours excused leave for prostate cancer screening and 4 hours excused leave for breast cancer screening. The Governor also signed a bill this year extending the same 4 hours of leave for NYC employees for breast cancer screenings.

**Status: PBH**

**Local Government Finance**

**Allocation of private activity bond cap between state and local governments**

*A.10255 (Magnarelli) / S.7637 (Little)*

This bill would provide an orderly and efficient tax-exempt, private activity bond allocation process for State and local issuers by extending for an additional two years to July 1, 2018 the current allocation system and modifying the use of bond allocations, multi-year set asides, and state reporting requirements.

**Status: Signed by the Governor, Chapter 82 of the Laws of 2016**

**Authorizes a municipality to amortize over 10 years the cost of an early retirement incentive**

*A.10547 (Hooper) / S.6799 (Hannon)*

Authorizes the town of Hempstead, in the county of Nassau, to amortize over a period of 10 years, the payments made to town employees upon separation from employment.

**Status: PBH**

**Requires state agencies to pay small businesses within fifteen days of receipt of an invoice**

*A.9174-A (Blake) / S.6387-B (Martins)*

Amends the state finance law, in relation to requiring state agencies to pay small businesses within fifteen days of receipt of an invoice; and to amend a chapter of the laws of 2015 amending the state finance law relating to requiring state agencies to pay small businesses within fifteen days of receipt of an invoice, as proposed in legislative bills numbers S.5283-A and A.6902-B, in relation to making technical corrections.

**Status: Sign by the Governor, Chapter 36 of the Laws of 2016**

**Allows certain intangible assets to be considered capital assets for financing purposes**

*A.10120 (Farrell) / S.7907 (Lanza)*

This bill would amend the local finance law to provide a period of probable usefulness of five years for intangible assets classified as capital assets under generally accepted accounting principles and determined to have a useful life of at least five years by an appropriate engineering or other professional.

**Status: PBH**

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Relates to certain recording taxes
S.7442 (DeFrancisco) / A.9490 (Magnarelli)
This legislation will not allow Industrial Development Agencies (IDAs) to exempt the .25% of the mortgage recording tax that is allocated to New York transit authorities.
Status: PBH

Authorizes certain service contracts as allowable for financing
S.7514 (Robach) / A.10514 (Morelle)
Authorizes the issuance of bonds by Monroe County, the pre-payment of certain service contract obligations in amounts sufficient to redeem bonds issued by certain local development corporations.
Status: PBH

Authorizes the County of Fulton to impose a hotel occupancy tax
S.7093 (Farley) / A.9635 (Butler)
This legislation gives Fulton County the same authority that most other counties already have to enact a local law establishing an occupancy tax on hotel or motel rooms. The authorization is up to 4 percent.
Status: PBH

Several counties had their hotel occupancy tax or mortgage recording taxes extended.

The following bills authorize municipalities other than counties to impose hotel occupancy taxes that are in addition to any other such taxes imposed locally.

A.209-A (Abinanti) / S.6872 (Stewart-Cousins)
Town of Greenburgh, and villages therein, and the village of Sleepy Hollow to adopt a 3 percent hotel occupancy tax.
Status: PBH

A.9690 (Paulin) / S.7153 (Latimer)
Authorizes the Village of Tuckahoe to impose a 3 percent hotel occupancy tax.
Status: PBH

A.9691 (Buchwald) / S.7314 (Latimer)
Authorizes the Town of North Castle to impose a 3 percent hotel occupancy tax.
Status: PBH

A.9692 (Buchwald) / S.7135 (Latimer)
Authorizes the Village of Harrison to impose a 3 percent hotel occupancy tax.
Status: PBH

A.9693 (Otis) / S.7154 (Latimer)
Authorizes the Village of Mamaroneck to impose a 3 percent hotel occupancy tax.
Status: PBH

A.9694 (Otis) / S.7152 (Latimer)
Authorizes the Village of Port Chester to impose a 3 percent hotel occupancy tax.
**Status: PBH**

**A.9776 (Skoufis) / S.7499 (Larkin)**  
Authorizes the Town of Woodbury to impose a 5 percent hotel occupancy tax.  
**Status: PBH**

**A.10033 (Buchwald) / S.8161 (Rules)**  
Authorizes the Village of Mount Kisco to impose a 3 percent hotel occupancy tax.  
**Status: PBH**

**A.10302 (Barrett) / S.7790-A (Marchione)**  
Authorizes the City of Hudson to impose a 4 percent hotel occupancy tax.  
**Status: PBH**

**S.6965 (Farley) / A.9475 (Tedisco)**  
Authorizes the Town of Clifton Park to impose a 1.5 percent hotel occupancy tax.  
**Status: PBH**

**Medicaid**

**Makes the cost of donor breast milk Medicaid reimbursable**  
**S.6583-B (Hannon) / A.9353-C (Solages)**  
Amends the social services law, in relation to requiring medical assistance coverage for the cost of donor breast milk in certain circumstances.  
**Status: PBH**

**Creates a supplemental Medicaid reimbursement rate for certain high Medicaid utilization hospitals, including county hospitals**  
**S.6948-A (Hannon) / A.9476-A (Gottfried)**  
The legislation is intended to provide a more focused definition of "Safety Net Hospitals" to assure financial viability. Publicly owned hospitals would qualify.  
**Status: PBH**

**Criminal background checks on employees of nursing homes and home care service agencies**  
**S.7298 (Hannon) / A.10382 (Hyndman)**  
Provides that criminal history record checks received from the division of criminal justice services shall be available to nursing home and home care service agencies.  
**Status: Signed by the Governor, Chapter 88 of the Laws of 2016**

**Mental Hygiene**

**Medication assisted treatment for substance abuse**  
**S.7301 (Amedore) / A.10294 (Rosenthal)**  
This bill requires a credentialed alcoholism and substance abuse counselors (CASAC) to complete training in medication assisted treatment as part of their continuing education requirement.  
**Status: PBH**

**Judicial diversion programs**
This bill will allow courts, at their discretion, to permit an eligible defendant to participate in alcohol or substance abuse treatment diversion programs in the district in which they reside (as opposed to where the incident occurs).

**Status: PBH**

**NY ABLE Savings Account Act**  
*A.10206 (Gunther) / S.7882 (Carlucci)*  
Allows the comptroller to enter into a contract with the administrator of the NYS college choice tuition savings program for the purpose of administering the NY ABLE savings account program and providing account depositories and managers.

**Status: PBH**

**Procurement**  
Relates to notice provisions in public works contracts; requires certain language in contracts  
*S.6906 (Ranzenhofer) / A.10136 (Cusick)*  
This bill relates to notice provisions in public work contracts, requires certain language in contracts, that notwithstanding anything to the contrary, any contract made and awarded by a public owner for any public work project shall contain, or be presumed to contain, a provision or provision equally favorable that failure to give any notice required to be given by such contract within the time prescribed therein shall not invalidate any claim made by the contractor or other claimant, unless the failure to provide timely notice has materially prejudiced the public owner.

**Status: PBH**

**Technical corrections to definition of “restricted period”**  
*S.7722 (Lanza) / A.10296 (Peoples-Stokes)*  
This bill creates one definition of "restricted period" in the procurement lobbying act. The 2016-17 enacted budget made changes to the definition in section 139-j of the state finance law, but did not make corresponding changes to section 139-k. This bill rectifies that oversight.

**Status: PBH**

**Not-for-profit piggybacking on county contracts**  
*S.2243 (Stewart-Cousins) / A.4292 (Galef)*  
Authorizes certain not-for-profit corporations that provide a service to a county, to make purchases or to contract for services through the county with which the not-for-profit has a contract. Such purchases or contracts for services made through a county contract by a not-for-profit shall directly relate to the service for which the not-for-profit provides such county.

The county may establish limitations with respect to commodities and services and impose other appropriate conditions upon purchasing as deemed necessary by the chief fiscal officer of the county to protect the county’s own purchasing interests.

**Status: PBH**

**Public Employee Relations**  
**Pension service credit buy-in for veterans**  
*S.7160 (Larkin) / A.9531 (Paulin)
This law allows for all honorably discharged veterans the ability to purchase up to three years of service credit toward New York State ERS and PFRS pensions. In order to qualify for the credit purchase employees must be in the New York State pension system for at least five years. All such ERS costs are to be paid for by the State.

**Status: Signed by the Governor, Chapter 41 of the Laws of 2016**

**Notifications to retired employees of health insurance changes**

*S.2448 (Farley) / A.639-A (Abinanti)*

Requires that the governing board of a public corporation give ninety days prior notice of a change in a health insurance plan to retired employees or their families who are covered under such plan. Where the contract, plan or amendment is contracted for as part of negotiations between a public corporation and a recognized and certified employee organization, such notice shall be given at the time such health insurance contract is binding on the covered officers, retired employees or families.

**Status: PBH**

**20-year retirement option for county corrections officers and deputy sheriffs**

*S.4001-B (Ortt) / A.6612-B (Abbate)*

This bill will allow county corrections officers and deputy sheriffs who are engaged in corrections officer duties to become covered by the provisions of a special 20-year retirement plan, which will provide a benefit of one-half of final average salary upon retirement, if the employing county elects to provide such benefits.

**Status: PBH**

**Noncontributory 20-year retirement option for PFRS**

*S.7023 (Young) / A.9702 (Abbate)*

Tier V police officers and firefighters hired are currently placed in a contributory 20-year retirement plan unless they were subject to a collective bargaining agreement that provided to the contrary. This bill would afford this same protection to police officers and firefighters working without a collective bargaining agreement. In addition, this bill would allow any participating employer, in the future, to provide a non-contributory 20-year retirement notwithstanding the provisions of Tier V or Tier VI.

**Status: PBH**

**Mandatory retirement age for PFRS**

*S.7387 (Hannon) / A.9851 (Abbate)*

This bill would raise the mandatory retirement age from 62 to 65 for certain members of the New York State and Local Police and Fire Retirement System.

**Status: PBH**

**PFRS disability filing deadlines**

*S.75012 (Golden) / A.7184 (Abbate)*

Extends the filing deadline from 2 years to 5 years for firefighters in the New York State and Local Police and Fire Retirement System to file application for disability benefits due to certain cancers.

**Status: PBH**

**Eliminates notarization requirement on NYSLERS applications**

*S.7212 (Golden) / A.9348 (Abbate)*
This proposal removes the requirement that an application for membership in the New York State and Local Employees' Retirement System or the New York State and Local Police and Fire Retirement System be notarized.

**Status:** PBH

**NYSHIP buyouts**

* S.7120 (Golden) / A.9715 (Abbate)

Currently, the Department of Civil Service, in accordance with Policy Memo 122rd dated May 15, 2012, will only allow those employees whose other health insurance coverage is not NYSHIP to participate in health insurance buyout programs. This bill would override such memo in regards to NYSHIP.

**Status:** PBH

**Permanent total disability payment increase**

* S.1000 (Funke) / A.5133 (Morelle)

Current law provides a $400 weekly payment for benefits paid to permanent totally disabled volunteer firefighters and ambulance workers. This law would raise that amount to $600 weekly.

**Status:** PBH

**Public Health**

**Lyme disease education**

* A.8105-A (Barrett) / S.5804-A (Serino)

This bill relates to instructional tools and materials for school districts and libraries to assist in the education and awareness program to protect children from Lyme disease and tick-borne infections.

**Status:** PBH

**Lyme disease awareness & prevention**

* S.5803-A (Serino) / A.8106-A (Barrett)

This bill relates to including a Lyme disease and tick-borne infection awareness and prevention program within health care and wellness education and outreach programs.

**Status:** PBH

**Organ donation registration**

* S.5313-A (Hannon) / A.4990-B (Ortiz)

This bill allows New Yorkers age 16 or older to consent to enroll in the New York State Donate Life Registry and preserves the parents’ ability to give final authorization should the under-aged individual be considered for organ, eye or tissue donation.

**Status:** PBH

**Lauren’s Law extender (organ donation)**

* S.6228 (Carlucci) / A.8594 (Ortiz)

Extends, for an additional 4 years, the provisions of Lauren's law, requiring individuals who apply for a New York State Driver’s License to complete the organ donor registry section. The applicant must check the box for either “yes” or “skip this question” under the organ donor registry section of the application.

**Status:** PBH

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Organ donation registration
S.6952-A (Hannon) / A.9667-A (Gunther)
Requires applications for health care coverage through the health benefit exchange to include a space to register in the donate life registry for organ, eye and tissue donations.
Status: PBH

Relates to moving human remains between counties
S.7307-A (Young) / A.10020-A (Santabarbara)
Eliminates restrictions on the removal of human remains from the county in which the death occurred. This bill would allow a licensed funeral director to remove the body of a deceased person from a county non-adjacent to the county in which the funeral firm is located to any county within New York State, in the same manner as has long been allowed for deaths in adjacent counties.
Status: PBH

Requirements to identify, assess and treat suspected victims of human trafficking
A.8650-B (Paulin) / S.6835-B (Lanza)
Requires health officials and others in a variety of health care settings to identify, assess and appropriately treat suspected victims of human trafficking and maintain ongoing training programs to help identify such individuals.
Status: PBH

Out-patient house calls
A.7714-C (Gottfried) / S.8081 (Hannon)
This bill authorizes hospital out-patient clinics and diagnostic and treatment centers (DTC) to render services to patients by means of making house calls to their place of residence.
Status: PBH

Lead testing of school drinking water
A.10740 Rules (Lupardo) / S.8158 (O'MARA) (Governor Program # 37)
This bill would require school districts and boards of cooperative educational services to conduct periodic testing of the potable water systems in their school buildings to monitor for lead contamination, and would provide State aid to reimburse a portion of the cost of such testing and the associated remediation. Requires notification to county health departments.
Status: PBH

Use of epinephrine auto-injector devices
S.6800 (Hannon) / A.9357 (Abinanti)
This bill would authorize, but not mandate, public venues such as restaurants, youth organizations, sports leagues, theme parks, sport arenas, day care and educational facilities to stock and administer epinephrine auto-injectors in an emergency to individuals who appear to experience anaphylactic symptoms.
Status: PBH

Public Safety
Judicial diversion programs
S.6322-A (Ranzenhofer) / A.9104-A (Gunther)
This bill will allow courts, at their discretion, to permit an eligible defendant to participate in alcohol or substance abuse treatment diversion programs in the district in which they reside (as opposed to where the incident occurs).

**Status: PBH**

**Residence and domicile of sex offender registrants**

**A.1819-A (Gunther)/S.1608-A (Bonacic)**

This bill defines "residence" for clarification in the sex offender registry law and directs the Division of Criminal Justice Services (DCJS) to develop a notification procedure for mandatory reporting by offenders who have multiple residences.

**Status: PBH**

**Notification of the next of kin of the death of an inmate**

**A.7500-A (Joyner) / S.5427-A (Rivera)**

This bill would require the department of corrections and community supervision (DOCCS) to be responsive to the next of kin or other designated person who inquire as to the circumstances surrounding the death of a prisoner, and to provide such person with an original preliminary death certificate.

**Status: PBH**

**DCJS to provide notice to the appropriate local police agency, of the change of address, or the other information relating to a sex offender**

**A.9239 (Englebright) / S.7252 (Ortt)**

This bill requires the Division of Criminal Justice Services to notify local law enforcement in no more than forty-eight hours that a sex offender has had a change of address. This bill also requires the Division to notify law enforcement regarding a change of residence to another state, or a change of status at an institution of higher education.

**Status: PBH**

**Medical authorization forms for people in the custody of the department of corrections and community supervision**

**A.9406 (Blake) / S.6892 (Rivera)**

This bill would require the department of corrections and community supervision (DOCCS) to provide inmates with forms to disclose medical information and mental health treatment information, and to provide persons appointed to receive such disclosures a copy of the authorization form.

**Status: PBH**

**Relates to disaster preparedness and medical supplies**

**A.8562-A (Dinowitz) / S.6446 (Croci)**

This bill requires that the state disaster preparedness plan make provisions to ensure that medical supplies and medication can be delivered to pharmacies, hospitals and nursing homes located within an area declared to be experiencing a disaster.

**Status: PBH**

**Reporting requirements for disaster assistance programs**

**A.9173 (Kaminsky) / S.6420-A (Croci)**
This legislation requires quarterly claim reports from the Governor's Office of Storm Recovery on certain disaster assistance programs. In addition, such reports would also be required to include the total number of sub-recipient agreements by county for the New York Rising Community Reconstruction Program, and the status of and community reconstruction projects by county that are in the design or construction phases.

**Status: Signed by the Governor, Chapter 3 of the Laws of 2016**

**Greene County land conveyance for 911 call center**  
*S.7603 (Amedore) / A.9853 (Lopez)*  
This bill relates to the transfer and conveyance of certain unappropriated state land to the county of Greene, in relation to using the land for a 911 emergency call center.  
**Status: PBH**

**Identification of unknown dead and missing persons**  
*A.10278-A (Otis)/S.7987-A (Savino)*  
This legislation would promote more comprehensive sharing of identifying information by including reporting to NamUs in the state statute that covers the reporting of unidentified remains by coroners and medical examiners.  
**Status: PBH**

**Vehicles operated by sanitation workers in the definition of hazard vehicle**  
*S.426 (Marcellino) / A.7763-B (DenDekker)*  
This legislation would include sani-vans and waste collection vehicles in the definition of hazard vehicle and includes hazard vehicles within certain speed restrictions.  
**Status: PBH**

**Public Safety—Corrections**

**Death certificate fees for inmates**  
*S.7853-A (Gallivan) / A.10200-A (Rozic)*  
This bill prohibits charging a fee to obtain a death certificate for an inmate who has died under custody.  
**Status: PBH**

**Relates to the Washington & Essex County correctional facilities**  
*S.6088-A (Little) / A.8596-A (Woerner)*  
Authorizes the Washington and Essex county correctional facilities to also be used for the detention of persons under arrest being held for arraignment in any court located in each such county.  
**Status: PBH**

**Restraint of pregnant prisoners**  
*S.6695 (Montgomery) / A.9163 (Perry)*  
This bill limits the kind of restraint that may be used on a pregnant female inmate who falls into the extraordinary circumstances exception (allowing her to be shackled) to wrist restraints in front of the body and to require preapproval of the use of restraints by the superintendent of a prison or a county sheriff except in case of an emergency where the need to restrain a pregnant woman arises during transport. The bill also requires an annual report to the legislature and/or the Commission of
Correction about the circumstances under which women are shackled pursuant to the extraordinary circumstances exception.  
**Status: Signed by the Governor, Chapter 17 of the Laws of 2016**

**Real Property Tax**

*The Legislature passed 21 separate bills that allow not-for-profits to file for retroactive property tax exemptions. To preserve space these bills are not listed separately.*

**Exempting the real property of a land bank**  
*S.7880 (Valesky) / A.10375 (Magnarelli)*  
Exempts properties held by a land bank from ad valorem levies and special assessments.  
**Status: PBH**

**Grants additional powers to land banks**  
*A.7592-B (Magnarelli) / S.7589-B (Valesky)*  
Allows a land bank to hold title to real property in the name of a subsidiary to help facilitate financing and liability protections.  
**Status: PBH**

**Taxes and assessments on state land**  
*S.5926 (Marchione) / A.7673 (Dilan)*  
Current law relating to taxes and assessments for state lands requires that "a person, body or board authorized to assess lands for local improvements or purposes, shall serve on the comptroller of the state, at least three weeks prior to the confirmation of the same, a written notice of every assessment on state lands, showing the purpose for which the assessment is made, the state lands assessed and the amounts for which they are assessed, and referring to the law authorizing the assessment, and no such assessment shall be legal unless such notice is duly served."

This amendment would remove the notice requirement to the Office of the State Comptroller.  
**Status: PBH**

**Veterans’ property tax exemption**  
*S.6385-A (LaValle) / A.10598 (Thiele)*  
Clarifies real property tax exemption thresholds for veterans, at local option.  
**Status: Signed by the Governor, Chapter of the Laws of 2016**

**Social Services**

**OCFS data on child care providers to be posted online**  
*A.1864 (Mayer) / S.742 (Kennedy)*  
Requires the NYS Office of Children and Family Services to post any additional relevant qualifications of child day care providers which are submitted to such office on its website.  
**Status: PBH**

**Treatment of siblings in permanency and other hearings**  
*A.9759 (Buchwald) / S.6859 (Avella)*  
Relates to contact by siblings in child protective, permanency and termination of parental rights proceedings.  
**Status: PBH**

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Requires OCFS to conduct a study on the availability of child care for working parents
S.1422 (Carlucci) / A.1083 (Paulin)
The purpose of this bill is to have the Office of Children and Family Services (OCFS) examine, evaluate and make recommendations concerning the availability of day care for children in this State. OCFS shall review with particular care on the impact of the lack of access to necessary day care services on the ability of women in or near poverty to enter into the workforce.
Status: PBH

Investigations of illegally operated child day care services
S.1706-A (Golden) / A.7451-A (Joyner)
Requires the Office of Children and Family Services to investigate current child care operations advertising their services in New York State.
Status: PBH

Provides for tax deductions for adopting a child with special needs
S.4121-A (Ritchie) / A.10658 (Simon)
This bill would establish an individual taxpayer deduction of ten thousand dollars for the adoption of a child with special needs, under the age of eighteen who possesses a specific physical, mental, or emotional condition or disability of such severity or kind that it constitutes an obstacle to the child's adoption. Status: PBH

Relates to the statewide central register of child abuse and maltreatment
S.6384-A (Amedore) / A.9166 (Fahy)
This bill would create a definition of "Criminal Justice Agency" with respect to the Statewide Central Register of Child Abuse and Maltreatment. The bill also provides clarification for when records would be provided to such agency, thereby eliminating the previously established administrative process.
Status: Signed by the Governor, Chapter 13 of the Laws of 2016

Permanency hearings for children
S.6389-A (Felder) / A.9178 (Lupardo)
The purpose of this bill is to require actual notice of and establish a statutory right for the child to attend a permanency hearing regarding the plan for a youth in foster care.
Status: Signed by the Governor, Chapter 14 of the Laws of 2016

Transportation and Public Works
S.7180-A (Ritchie) / A.8664-A (Gunther)
Authorizes farm vehicles to travel on a highway from the point of sale to a farm.
Status: PBH

S.7938 (Valesky) / A.8702-A (Magnarelli)
Under current law the "Move-Over Law" requires drivers approaching stopped police, emergency or hazard vehicles with their lights flashing to slow down and, if on a divided highway, to move over at least one lane away from that vehicle if traffic conditions allow. This legislation extends the "Move-Over Law" to include authorized emergency personnel and hazard vehicle operators by including vehicles operated by volunteer firefighters and volunteer ambulance workers involved in roadside emergency operations, which are displaying revolving blue or green lights as authorized by law.
Status: PBH

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**S.5825-B (Lanza) / A.5627-B (Perry)**
This bill would amend the definition of livery within vehicle and traffic law to include a motor vehicle with a driver having a seating capacity of at least nine but not more than fourteen passengers used to carry passengers for hire in a commuter van service under an authorization issued by a municipality.
**Status:** PBH

**S.8005 (O'Mara) / A.8202-A (Brindisi)**
An act to establish a temporary advisory board on upstate transit funding within the Department of Transportation, composed of the Commissioner and nine other members to study, develop and make specific recommendations for the growth, stability and sustainability of State public transit funding options.
**Status:** PBH

**Regulation and licensing of taxicabs, limousines, and livery vehicles**
**A.2370-B (Barrett) / S.4338-A (Serino)**
To amend the general municipal law and the vehicle and traffic law, in relation to authorizing the county of Dutchess to regulate the registration and licensing of taxicabs, limousines, and livery vehicles.
**Status:** PBH

**Regulation and licensing of taxicabs, limousines, and livery vehicles**
**A.7480-A (Skartados) / S.5301-A (Bonacic)**
To amend the general municipal law and the vehicle and traffic law, in relation to authorizing the county of Ulster to regulate the registration and licensing of taxicabs, limousines, and livery vehicles.
**Status:** PBH

**Regulation and licensing of taxicabs, limousines, livery transportation network company vehicles in certain municipalities**
**S.3538-B (Marchione) / A.1205-C (Magnarelli)**
To clarify section 181 of the General Municipal Law to ensure that cities, towns and villages have the authority to regulate limousines, livery and transportation network company vehicles operating in their jurisdiction.
**Status:** PBH

**Veterans**

**Property tax exemptions for veterans**
**S.2210-B (Larkin) / A.3379-A (Cusick)**
Authorizes school districts to grant the Cold War veterans' real property tax exemption.
**Status:** PBH

**Checking military service status at social services and other county departments**
**S.7983-B (Avella) / A.8641-B (Hevesi)**
Requires the department of social services, the department of health, and not-for-profit corporations to inquire into whether applicants for financial assistance have engaged in military service.
**Status:** PBH
Pension service credit buy-in for veterans
S.7160 (Larkin) / A.9531 (Paulin)
This law allows for all honorably discharged veterans the ability to purchase up to three years of service credit toward New York State ERS and PFRS pensions. In order to qualify for the credit purchase employees must be in the New York State pension system for at least five years. All such ERS costs are to be paid for by the State.

Status: Signed by the Governor, Chapter 41 of the Laws of 2016
Appendix 1

State Budget Priorities of the Governor and Legislature

Use of Bank Settlement Funds

The final Executive Budget provides that $1.96 billion of prior year and newly received bank settlement funds be used for a variety of purposes as described below. In addition, the Budget will also use $1.3 billion in bank settlement funds to temporarily finance the expansion of the Javits Center and for other debt management purposes. These “loaned out” bank settlements funds will be paid back to the respective accounts from which they came by the end of state fiscal year 2021.

Thruway Stabilization Plan ($700 million) – The Executive Budget invests in Thruway infrastructure, on top of last year’s commitment of $1.285 billion. This two-year investment of nearly $2 billion will support both the New NY Bridge project and other transportation infrastructure needs for the rest of the Thruway’s core system across the State.

Transportation Capital Plan ($200 million) – as part of the broader $22.1 billion five-year State Transportation Capital Plan.

Housing and Homeless Plan ($640 million) – establishes a multi-year investment in affordable housing, services and other housing opportunities for individuals and families who are homeless or at risk of homelessness. Over the next five years, funding will be used to create new housing opportunities for individuals and families in need of supportive services, as well as assist vulnerable populations in securing stable housing – $590 million for capital projects and $50 million for other service costs.

Environmental Protection Fund ($120 million) – one-time deposit into the fund.

Economic Development ($255 million) – The Executive Budget includes $170 million to continue support of the revitalization of Upstate New York through a competitive process. An additional $85 million will continue the economic development strategy of creating jobs, strengthening and diversifying economies, and generating economic opportunities across the State.

Empire State Poverty Reduction Initiative ($25 million) – Planning grants totaling $5 million will be available in ten communities with high concentrations of poverty. In addition, $20 million will be available for grants to match private sector and foundation funding.

Municipal Consolidation Competition ($20 million): The final Executive Budget included a recommendation for a new Municipal Consolidation Competition to encourage the reduction of costs through a competitive process, to be administered by the Department of State.

Temporary Financing of Javits Center Expansion and other Debt Management Purposes ($1.3 billion)

Similar to the use of bank settlement funds last year the Governor may transfer any amount of this funding in the case of an economic downturn, or to cover disallowances or settlements related to overpayment of Federal Medicare and Medicaid revenues in excess of $100 million.
### Use of Bank Settlement Funds

<table>
<thead>
<tr>
<th></th>
<th>Governor</th>
<th>Assembly</th>
<th>Senate</th>
<th>Final Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dedicated Infrastructure Investment Fund</td>
<td>$1,967M</td>
<td>$1,837.5M</td>
<td>$1,797M²</td>
<td>$1,960M</td>
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<tr>
<td>Thruway Stabilization Program</td>
<td>$700M</td>
<td>$310M</td>
<td>$700M</td>
<td>$700M</td>
</tr>
<tr>
<td>Upstate Revitalization Initiative</td>
<td>$170M</td>
<td>$100M</td>
<td>$0</td>
<td>$170M</td>
</tr>
<tr>
<td>Affordable Housing</td>
<td>$640M</td>
<td>$640M</td>
<td>$640M*</td>
<td>$640M</td>
</tr>
<tr>
<td><em>Emergency Homeless Needs</em></td>
<td>($50M)</td>
<td>($50M)</td>
<td>($50M)</td>
<td>($50M)</td>
</tr>
<tr>
<td>DOT Capital Contribution</td>
<td>$200M</td>
<td>$200M</td>
<td>$40M</td>
<td>$200M</td>
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<tr>
<td>Municipal Competition</td>
<td>$20M</td>
<td>$0</td>
<td>$0</td>
<td>$20M</td>
</tr>
<tr>
<td>Environmental Protection Fund</td>
<td>$120M</td>
<td>$120M</td>
<td>$120M</td>
<td>$120M</td>
</tr>
<tr>
<td>Other Economic Development Projects</td>
<td>$85M</td>
<td>$0</td>
<td>$52M</td>
<td>$85M</td>
</tr>
<tr>
<td>Emergency Homeless Response</td>
<td>$50M</td>
<td>$50M</td>
<td>$50M*</td>
<td>$50M</td>
</tr>
<tr>
<td>Empire State Poverty Reduction Initiative</td>
<td>$25M</td>
<td>$62.5M</td>
<td>$25M*</td>
<td>$25M</td>
</tr>
<tr>
<td>Aviation Plan</td>
<td>$0</td>
<td>$55M</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Non-MTA Transit</td>
<td>$0</td>
<td>$250M</td>
<td>$100M</td>
<td>$0</td>
</tr>
<tr>
<td>Rail Projects</td>
<td>$0</td>
<td>$100M</td>
<td>$60M</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Other Transactions</strong></td>
<td><strong>$340M</strong></td>
<td><strong>$495M</strong></td>
<td>(1)</td>
<td><strong>$1,300M</strong></td>
</tr>
<tr>
<td>Temporarily Fund Javits Center Expansion &amp; other Debt Management Actions (to be reimbursed)</td>
<td></td>
<td></td>
<td></td>
<td>$1,300</td>
</tr>
<tr>
<td>Thruway Toll Credit</td>
<td>$340M</td>
<td>$15M</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>SUNY/CUNY Tuition Freeze</td>
<td>$0</td>
<td>$280M</td>
<td>(1)</td>
<td>$0</td>
</tr>
<tr>
<td>Second Avenue Subway</td>
<td>$0</td>
<td>$200M</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

### Minimum Wage

The Budget included an increase in the minimum wage from $9 to $15. Consistent with current state law the minimum wage increase does not apply to local governments in New York. However, the state and its many authorities and SUNY are voluntarily implementing the new wage scale for their employees, many local governments have also indicated they will follow the new wage scale.

There are different phase-in schedules for different regions of the state, as follows:

**New York City**

<table>
<thead>
<tr>
<th><strong>Large Employers (11 or more)</strong></th>
<th><strong>Small Employers (10 or fewer)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>$11.00 per hour by Dec. 31, 2016</td>
<td>$10.50 per hour by Dec. 31, 2016</td>
</tr>
<tr>
<td>$13.00 per hour by Dec. 31, 2017</td>
<td>$12.00 per hour by Dec. 31, 2017</td>
</tr>
</tbody>
</table>
$15.00 per hour by Dec. 31, 2018 | $13.50 per hour by Dec. 31, 2018
$15.00 per hour by Dec. 31, 2019

Rest of State

<table>
<thead>
<tr>
<th>Nassau, Suffolk &amp; Westchester</th>
<th>All other Counties</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10.00 per hour by Dec. 31, 2016</td>
<td>$9.70 per hour by Dec. 31, 2016</td>
</tr>
<tr>
<td>$11.00 per hour by Dec. 31, 2017</td>
<td>$10.40 per hour by Dec. 31, 2017</td>
</tr>
<tr>
<td>$12.00 per hour by Dec. 31, 2018</td>
<td>$11.40 per hour by Dec. 31, 2018</td>
</tr>
<tr>
<td>$13.00 per hour by Dec. 31, 2019</td>
<td>$11.80 per hour by Dec. 31, 2019</td>
</tr>
<tr>
<td>$14.00 per hour by Dec. 31, 2020</td>
<td>$12.50 per hour by Dec. 31, 2020</td>
</tr>
<tr>
<td>$15.00 per hour by Dec. 31, 2021</td>
<td>Up to $15, schedule TBD</td>
</tr>
</tbody>
</table>

Beginning in 2019, the state Division of Budget will conduct an annual analysis of the economy in each region and the effect of the minimum wage increases statewide to determine whether a temporary suspension of the scheduled increases is necessary, or should continue up to $15.

**Paid Family Leave**

The final Budget includes legislation creating a paid family leave program. Employees will be eligible for 12 weeks of paid family leave when caring for an infant, a family member with a serious health condition or to relieve family pressures when someone is called to active military service.

Benefits will be phased-in beginning in 2018 at 50 percent of an employee’s average weekly wage, capped to 50 percent of the statewide average weekly wage, and fully implemented in 2021 at 67 percent of their average weekly wage, capped to 67 percent of the statewide average weekly wage.

This program will be funded entirely through a nominal payroll deduction on employees and at no cost to businesses. Employees are eligible to participate after having worked for their employer for six months.

The program is voluntary for government employers.

**Major Tax Changes**

*Converting STAR to a Rebate Check*

The Governor finally succeeded in his attempt to convert STAR from an appropriated Budget item to a tax expenditure for new homeowners, or those that buy a new home. No new STAR applications will be approved. People moving into a new house would no longer see the STAR reduction on their tax bill, but would instead receive a rebate check from the state for the value of their STAR benefit (nothing changes if you currently receive a STAR benefit for your primary residence and you stay in your home). The fiscal impact for homeowners would be minimal, but it allows the State to stay within the self-imposed two percent spending cap more easily in future years.

*Farm Worker Retention Tax Credit*
With the goal of helping farmers adjust to the new minimum wage requirements the Budget included a farm worker tax credit paid out on a per employee basis beginning in the 2017 tax year at $250 – rising to $600 per eligible employee by tax year 2021. This credit is expected to be worth $30 million annually upon full implementation.

**Personal Income Tax Reductions**

The Budget implements significant income tax reductions by lowering income tax rates across a variety of tax brackets and also allows the temporary income tax on millionaires to expire as scheduled. The full annual reduction in income taxes will be $4.2 billion annually by 2025 when the reductions are fully phased in. The following charts show how the income tax rates changes will be phased in and each tax bracket will be impacted.

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Under $17,300</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.0%</td>
</tr>
<tr>
<td>$17,300 to $23,450</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
</tr>
<tr>
<td>$23,800 to $28,150</td>
<td>5.25%</td>
<td>5.25%</td>
<td>5.25%</td>
<td>5.25%</td>
<td>5.25%</td>
<td>5.25%</td>
<td>5.25%</td>
<td>5.25%</td>
<td>5.25%</td>
</tr>
<tr>
<td>$28,150 to $43,400</td>
<td>5.90%</td>
<td>5.90%</td>
<td>5.90%</td>
<td>5.90%</td>
<td>5.90%</td>
<td>5.85%</td>
<td>5.73%</td>
<td>5.61%</td>
<td>5.50%</td>
</tr>
<tr>
<td>$43,400 to $163,050</td>
<td>6.45%</td>
<td>6.33%</td>
<td>6.21%</td>
<td>6.09%</td>
<td>5.97%</td>
<td>5.85%</td>
<td>5.73%</td>
<td>5.61%</td>
<td>5.50%</td>
</tr>
<tr>
<td>$163,050 to $326,150</td>
<td>6.65%</td>
<td>6.57%</td>
<td>6.49%</td>
<td>6.41%</td>
<td>6.33%</td>
<td>6.25%</td>
<td>6.17%</td>
<td>6.09%</td>
<td>6.00%</td>
</tr>
<tr>
<td>$326,150 to $2,175,150</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
</tr>
<tr>
<td>Over $2,175,150</td>
<td>8.82%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
<td>6.85%</td>
</tr>
</tbody>
</table>

No Changes

Brackets Combined In 2022

Brackets Combined In 2018

**Annual State Budget Impact by SFY**

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Law</strong></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fully Phased In</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
</tr>
</tbody>
</table>

¹ Rate applied against income in excess of dollar amount that begins the respective income range. Married, filing jointly.

² NYSAC Estimate for Annual State Budget Impact

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Percent Reduction in Income Tax Rate by Income Bracket - Full Implementation

<table>
<thead>
<tr>
<th>Income Threshold</th>
<th>Percentage Change in Tax Rate</th>
<th>Final Income Tax Rate</th>
<th>Year of First Rate Change / Year of Full Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under $28,150</td>
<td>0%</td>
<td>4% to 5.25%</td>
<td>N/A</td>
</tr>
<tr>
<td>$28,150 to $43,400</td>
<td>-6.8%</td>
<td>5.50%</td>
<td>2022 / 2025</td>
</tr>
<tr>
<td>$43,400 to $163,050</td>
<td>-14.7%</td>
<td>5.50%</td>
<td>2018 / 2025</td>
</tr>
<tr>
<td>$163,050 to $326,150</td>
<td>-9.8%</td>
<td>6.00%</td>
<td>2018 / 2025</td>
</tr>
<tr>
<td>$326,150 to $2,175,150*</td>
<td>0%</td>
<td>6.85%</td>
<td>N/A</td>
</tr>
<tr>
<td>Over $2,175,150</td>
<td>-22.3%</td>
<td>6.85%</td>
<td>2018 / 2018</td>
</tr>
</tbody>
</table>

* While the tax rate for this bracket is not changing they will pay less income taxes as income they earn below $326,150 will be taxed at a lower rate in future years.

Budget Bills

State Operations Appropriations
S.6400-D/A.9000-D
Provides appropriations for state agencies and authorities.
Status: Signed by the Governor (Chapter 50)

Legislature and Judiciary Appropriations
S.6401-A/A.9001-A
Provides appropriations for the Legislature and the Judiciary.
Status: Signed by the Governor (Chapter 51)

General Debt Service Fund Appropriations
S.6402-D/A.9002-D
Provides necessary appropriations to service state and authority debt.
Status: Signed by the Governor (Chapter 52)

Aid to Localities Appropriations
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S.6403-D / A.9003-D
Provides appropriations for local governments and other entities in support of state programs.
Status: Signed by the Governor (Chapter 53)

Capital Projects Appropriations
S.6404-D / A.9004-D
Provides appropriations for capital projects.
Status: Signed by the Governor (Chapter 55)

Article VII - Enacts into law major components of legislation necessary to implement the state public protection and general government budget for the 2016-2017 state fiscal year
S.6405-C / A.9005-C
Status: Signed by the Governor (Chapter 57)

Article VII - Enacts into law major components of legislation necessary to implement the education, labor and family assistance budget for state fiscal year 2016-2017
S.6406-C / A.9006-C
Status: Signed by the Governor (Chapter 54)

Article VII - Enacts various provisions of law necessary to implement the state health and mental hygiene budget for the 2016-2017 state fiscal year
S.6407-C / A.9007-C
Status: Signed by the Governor (Chapter 59)

Article VII - Enacts into law major components of legislation necessary to implement the transportation, economic development and environmental conservation budget for the 2016-2017 state fiscal year
S.6408-C / A.9008-C
Status: Signed by the Governor (Chapter 58)

Article VII - Enacts into law major components related to revenues which are necessary to implement the state fiscal plan for the 2016-2017 state fiscal year
S.6409-C / A.9009-C
Status: Signed by the Governor (Chapter 60)