

FY 2024 NEW YORK STATE EXECUTIVE BUDGET

PUBLIC PROTECTION AND GENERAL GOVERNMENT
ARTICLE VII LEGISLATION

MEMORANDUM IN SUPPORT

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MEMORANDUM IN SUPPORT

A BUDGET BILL submitted by the Governor in
Accordance with Article VII of the Constitution

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and

funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the

expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding

from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018, amending the criminal procedure law relating to the pre-criminal proceeding settlements in the City of New York, in relation to the effectiveness thereof (Part A); to amend the criminal procedure law, in relation to setting bail (Part B); to amend the public health law, in relation to authorizing body scanner utilization in the department of corrections and community supervision and the office of children and family services facilities (Part C); to amend the correction law, in relation to lowering the minimum age for correction officers (Part D); to amend the executive law, in relation to the reporting of certain criminal offenses to a central repository (Part E); to amend the penal law, in relation to certain crimes relating to the possession of a firearm and the purchase and sale of body armor (Subpart A); and to amend the penal law, in relation to the purchase and sale of semiautomatic rifles (Subpart B) (Part F); to amend the state finance law and executive law, in relation to establishing a hazard mitigation revolving loan fund (Part G); to amend the volunteer firefighters' benefit law, the general municipal law, the labor law, and the civil service law, in relation to permitting the paying of a nominal fee to volunteer firefighters (Part H); to amend the executive law, in relation to a model domestic and gender-based violence policy; and to repeal certain provisions of such law relating to a model domestic violence policy for counties (Part I); to amend the military law, in relation to the expansion of eligibility for World Trade

Center death and disability benefits for members of New York's organized militia (Part J); directing the state liquor authority to review the alcoholic beverage control law and recommend legislative changes (Part K); to amend the alcoholic beverage control law, in relation to the issuance of temporary wholesale permits (Part L); to amend the alcoholic beverage control law, in relation to changes of ownership of a licensed business (Part M); to amend the alcoholic beverage control law, in relation to notifying municipalities of the filing of certain applications (Part N); to amend the alcoholic beverage control law, in relation to the issuance of temporary retail permits, and to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part O); to amend the county law and the judiciary law, in relation to entitled compensation for client representation (Part P); to amend chapter 303 of the laws of 1988, relating to the extension of the state commission on the restoration of the capitol, in relation to extending such provisions for an additional five years (Part Q); to amend the state finance law, in relation to methods of procurement; and repealing certain provisions of such law relating thereto (Part R); to amend the civil service law, in relation to competitive workforce expansion and retention (Part S); to amend the civil service law, in relation to employment and transfer of certain persons with disabilities (Part T); to amend the civil practice law and rules and the state finance law, in relation to the rate of

interest to be paid on judgment and accrued claims (Part U); to amend part HH of chapter 56 of the laws of 2022 amending the retirement and social security law relating to waiving approval and income limitations on retirees employed in school districts and board of cooperative educational services, in relation to the effectiveness thereof (Part V); to amend the retirement and social security law, in relation to allowing participating employers of the New York state and local retirement system to withdraw from the contribution stabilization program (Part W); to amend the civil service law, in relation to the ability to charge interest on past due balances for the New York state health insurance program (Part X); to amend the general municipal law, in relation to moving the special accidental death benefit appropriation from the department of audit and control to the general fund's miscellaneous all state department and agencies (Part Y); to amend the executive law, in relation to the first class of the commission on ethics and lobbying in government (Part Z); to amend the tax law and part C of chapter 2 of the laws of 2005 amending the tax law relating to exemptions from sales and use taxes, in relation to extending certain provisions thereof; to amend the general city law and the administrative code of the city of New York, in relation to extending certain provisions relating to specially eligible premises and special rebates; to amend the administrative code of the city of New York, in relation to extending certain provisions relating to exemptions and deductions from base rent;

to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements, benefit periods and applications for abatements; and to amend the administrative code of the city of New York, in relation to extending certain provisions relating to a special reduction in determining the taxable base rent (Part AA); to repeal subdivision 12 of section 239-bb of the general municipal law relating to county-wide shared services panels (Part BB); and to provide for the administration of certain funds and accounts related to the 2023-2024 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts; to amend part FFF of chapter 56 of the laws of 2022 providing for the administration of certain funds and accounts related to the 2022-2023 budget, in relation to the effectiveness of certain provisions thereof; to amend the military law, in relation to the deposit of funds for the use of armories; to amend the state finance law, in relation to the rainy day reserve fund; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend chapter 81 of the laws of 2002 relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of certain bonds & notes; to

amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend part D of chapter 63 of the laws of 2005, relating to the composition and responsibilities of the New York state higher education capital matching grant board, in relation to increasing the amount of authorized matching capital grants; to amend the New York state urban development corporation act, in relation to the nonprofit infrastructure capital investment program; to amend the New York state urban development corporation act, in relation to personal income tax notes for 2024, in relation to authorizing the dormitory authority of the state of New York and the urban development corporation to enter into line of credit facilities for 2024, and in relation to state-supported debt issued during the 2024

fiscal year; to amend the state finance law, in relation to payments of bonds; to amend the state finance law, in relation to the mental health services fund; to amend the state finance law, in relation to the issuance of revenue bonds; to amend the New York state urban development corporation act, in relation to permitting the dormitory authority, the New York state urban development corporation, and the thruway authority to issue bonds for the purpose of refunding obligations of the power authority of the state of New York to fund energy efficiency projects at state agencies; to amend the public authorities law, in relation to financing of metropolitan transportation authority (MTA) transportation facilities; and providing for the repeal of certain provisions upon expiration thereof (Part CC)

PURPOSE:

This bill contains provisions needed to implement the Public Protection and General Government portion of the FY 2024 Executive Budget.

This memorandum describes Parts A through CC of the bill which are described wholly within the parts listed below.

Part A – Extend Various Criminal Justice and Public Safety Programs That Would Otherwise Sunset

Purpose:

This bill would extend for two years various criminal justice and public safety programs and continue the existing formula for distribution of certain monies recovered by county district attorneys that would otherwise expire in 2023.

Summary of Provisions and Statement in Support:

This bill would extend the authorization of various sections of law to ensure the continuation of a host of criminal justice programs -- all of which have been extended multiple times. Key programs and statutory provisions continued by this bill include: psychological testing of correctional officer candidates; expanding the geographic area of employment of certain police officers; determinate sentencing; work release programs and furloughs for incarcerated individuals; the earned eligibility program; substance abuse treatment for incarcerated individuals; alternatives to incarceration; armory rent; the ignition interlock program for individuals convicted of alcohol-related violations; electronic court appearances; the adult interstate compact; mandatory arrest in cases of domestic violence; protective measures for child witnesses; and allowing county District Attorneys in New York City to retain a portion of recoveries they make before the filing of an accusatory instrument with the remaining amount distributed equally between the State and the City of New York.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it will ensure that the State continues to receive a share of such revenues.

Effective Date:

This bill would take effect immediately.

Part B – Make Improvements to the State’s Bail Laws

Purpose:

This bill would amend the Criminal Procedure Law to clarify existing contradictions in the bail laws, restore judicial discretion in securing order determinations, and enhance public safety.

Summary of Provisions and Statement in Support:

This bill would amend relevant provisions of the Criminal Procedure Law to remove the requirement that the court, when making a securing order determination for a bail qualifying offense, impose the least restrictive means necessary to ensure the principal’s return to court. This will provide judges greater flexibility in making a determination about whether an individual must remain in pre-trial confinement.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2024 Executive Budget because it would afford judges greater discretion in making securing order determinations and relates to the number of individuals in pre-trial confinement.

Effective Date:

This bill would take effect 30 days after it shall have become law.

Part C – Body Scanner Technology

Purpose:

This bill would authorize the use of body scanning technology within both Department of Corrections and Community Supervision (DOCCS) and Office of Children and Family Services (OCFS) facilities. This would help enhance safety for staff and people who are detained or committed and reduce the need for more invasive physical searches by staff.

Summary of Provisions and Statement in Support:

Under current law, only local correctional facilities may use body imaging scanning equipment to screen people for contraband and they can only screen incarcerated individuals. This bill would allow both DOCCS and OCFS to utilize body scanning technology within their facilities to screen for contraband. This would reduce the need for more invasive physical searches and enhance safety for both staff and people who are detained or committed. This bill would also expand the use of the technology to visitors in a very specific set of circumstances that would otherwise have required a

physical search. Finally, this bill would expand the current reporting rules to require DOCCS and OCFS to submit annual reports to the Speaker of the Assembly, and the Temporary President of the Senate if the technology is utilized in one or more facilities.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget.

Effective Date:

This bill would take effect 120 days after it becomes law.

Part D – Lower the Hiring Age for Correction Officers

Purpose:

This bill would amend the Correction Law to lower the minimum hiring age of correction officers from 21 years of age to 19 years of age to expand the pool of applicants.

Summary of Provisions and Statement in Support:

Due to the need to increase the pool of applicants, this bill would increase the correction officer candidate pool by lowering the minimum hiring age from 21 years of age to 19 years of age.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget.

Effective Date:

This bill would take effect immediately.

Part E – Establish Statewide Repository of Criminal Shooting Incidents

Purpose:

This bill would establish a centralized repository of all criminal shooting incidents that involve the discharge of a firearm, shotgun or rifle. The Division of State Police (State Police) would be charged with maintaining this repository. This bill would assist law enforcement in investigating and responding to firearm-related crimes.

Summary of Provisions and Statement in Support:

This bill would require State Police to maintain a centralized repository of all criminal offenses involving the discharge of firearms. This repository would be required, among other things, to include data for the type, serial number, caliber and model of the weapon, the location of the incident, the extent of injuries, and whether the firearm was recovered by law enforcement, and whether an arrest was made and crimes charged. The data acquired by law enforcement agencies would be sent to the repository no later than 72 hours after a determination is made that the firearm discharge occurred in connection with a criminal offense.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it will assist law enforcement in investigating and responding to violent firearm-related crimes.

Effective Date:

This bill would take effect 180 days after it becomes law.

Part F – Technical Amendments to the Concealed Carry Improvement Act.

Purpose:

In July 2022, the New York Legislature enacted the Concealed Carry Improvement Act (CCIA) to update New York’s firearm licensing and possession laws following the United States Supreme Court’s decision in New York State Rifle & Pistol Association v. Bruen. New York has long required a license to carry a concealed handgun in public and has long set forth basic eligibility criteria for a license, including a requirement that the applicant be at least 21 years old, have no felony record, and otherwise be of “good moral character.” Until Bruen, New York also required demonstrating “proper cause” to obtain a concealed carry license. In Bruen, the Supreme Court invalidated the “proper cause” requirement because it was unsupported by historical tradition. The Bruen court recognized the necessity and constitutionality of modern firearm regulations, that states could regulate and restrict firearms through licensing regimes, and that certain locations are “sensitive places” where arms carrying could be prohibited consistent with the Second Amendment.

The CCIA, which the Legislature passed on July 1, 2022, removed the proper cause requirement and made several other changes to New York’s firearm licensing and possession laws. The CCIA made more precise the longstanding requirement of “good moral character” for a firearm license, provided that applicants for licenses to carry concealed firearms in public shall meet in person with the licensing officer for an interview, complete training, and among other things, submit statutorily specified information. The CCIA also codified several “sensitive locations” in which carrying a

firearm would not be allowed and separately bars possessing firearms in a so-called “restricted place” that is another person’s private property. The sensitive-place and private-property provisions included several exemptions, including for law-enforcement officers, military personnel, security guards, and persons lawfully hunting.

This bill would provide technical amendments to the CCIA and relevant provisions of the Penal Law to ensure that the State’s firearm regulations are implemented effectively and keep New Yorkers safe.

Summary of Provisions and Statement in Support:

This bill would amend certain sections of the definition of sensitive location to include that persons responsible for security in places of worship may carry firearms and that holding an active license to sell alcohol renders an establishment a sensitive location. This bill would amend certain sensitive location exemptions, among other things, by including that individuals who constitute law enforcement or retired law enforcement under federal law or revenue collection offices of the Metropolitan Transportation Authority are exempted from the prohibition against carrying firearms in such locations. This bill would also enumerate certain additional exceptions to the definition of sensitive location to include persons engaged in historical reenactments, motion pictures, theatrical productions, military ceremonies, funerals, and honor guards, as well as persons training or competing for the biathlon. This bill would make a technical change to the definition of “restricted location” and would add certain restricted location exemptions, including exempting individuals who constitute law enforcement or retired law enforcement under federal law from the prohibition against carrying firearms in such locations. Finally, this bill would amend relevant provisions of the Penal Law and would add the classes of individuals exempted from criminal liability under certain provisions related to the storage of firearms in vehicles and purchase and sale of body armor and semiautomatic rifles and distinguish the degree of the offense for the first and second violation.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget and to carry out the CCIA in an effective manner and protect the people of New York State.

Effective Date:

This bill would take effect immediately.

Part G – Establish the Hazard Mitigation State Revolving Loan Fund

Purpose:

This bill would create the New York State Hazard Mitigation State Revolving Loan Fund (Fund) to administer federal assistance with a state match through low interest loans to local governments for mitigation projects.

Summary of Provisions and Statement in Support:

The Federal Safeguarding Tomorrow through Ongoing Risk Mitigation Act requires the establishment of a dedicated fund in state law for New York to receive and administer loans via capitalization grants from the Federal Emergency Management Agency. This bill would amend the State Finance Law and Executive Law to establish the Fund and authorize the Division of Homeland Security and Emergency Services to administer the revolving loan program.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget to receive and administer loans from the Federal Emergency Management Agency.

Effective Date:

This bill would take effect immediately.

Part H – Stabilizing Fire Service to Improve Emergency Response

Purpose:

This bill would give governing boards of cities, towns, villages, and fire districts the ability to pay nominal fees to volunteer firefighters for responding to calls and completing specific trainings.

Summary of Provisions and Statement in Support:

This bill would amend the State Volunteer Firefighters' Benefit Law, the General Municipal Law, the Labor Law, and the Civil Service Law to allow governing boards of cities, towns, villages, and fire districts to pay nominal fees to volunteer firefighters for responding to calls and completing specific trainings, without eliminating current benefits. These changes would support volunteer firefighter recruitment and retention efforts.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it would help to address volunteer firefighter recruitment and retention challenges.

Effective Date:

This bill would take effect immediately.

Part I – Modernize Gender-Based Violence Policies and Procedures

Purpose:

The purpose of this bill is to convene a task force to develop a model domestic and gender-based violence policy for counties. The proposed model would cover all systems providing services to victims of domestic and gender-based violence, by assuring that best practices, policies, protocols, and procedures are used to address the issue of domestic and gender-based violence.

Summary of Provisions and Statement in Support:

This bill would require the Office for the Prevention of Domestic Violence (OPDV) to update the State’s model policy for domestic violence, which has not been updated in more than 30 years and reflects an outdated approach to domestic violence survivors and their needs. OPDV would set up a task force to develop a model domestic and gender-based violence policy to include best practices, policies, protocols, and procedures. Counties would be required to adopt the model policy no later than six months after it is completed. OPDV would also provide training, technical support, and information to implement the adoption of county policies.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget in order to improve the delivery of gender-based violence services and increase the number of survivors who receive services. OPDV would require an additional \$300,000 and 2 staff members.

Effective Date:

This bill would take effect 180 days after it becomes law.

Part J – Expand Eligibility for World Trade Center Death and Disability Benefits to New York’s Organized Militia

Purpose:

This bill would amend Military Law to expand both the eligibility criteria and the application deadline for disability pensions related to servicemembers who were activated to State Active Duty (SAD) on or after September 11, 2001 in response to the attack on the World Trade Center (WTC).

Summary of Provisions and Statement in Support:

This bill would expand eligibility for WTC death and disability benefits to servicemembers on SAD that participated in World Trade Center site rescue, recovery, or cleanup operations, who are determined to have incurred a qualifying condition and are otherwise ineligible to receive benefits due to their SAD status. Currently, certain servicemembers that were on SAD during and after September 11 do not qualify. This bill would also allow the Division of Military and Naval Affairs (DMNA) to promulgate regulations that would mirror New York State’s WTC Disability Law.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2024 Executive Budget and provide benefits to State Active Duty (SAD) servicemembers who participated in the response to the events of September 11, 2001. The FY 2024 Executive Budget includes a \$4 million appropriation for this purpose.

Effective Date:

This bill would take effect immediately.

Part K – Review of Alcoholic Beverage Control Law

Purpose:

This bill would direct the State Liquor Authority (SLA) to review the Alcoholic Beverage Control (ABC) Law and recommend policy-neutral legislative changes.

Summary of Provisions and Statement in Support:

This bill would direct SLA to review and make recommendations on policy-neutral legislative changes to ABC Law in order to restructure the law so that businesses are able to better understand the law leading to more growth and better compliance by those businesses.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it begins the process of modernizing the ABC Law.

Effective Date:

This bill would take effect immediately.

Part L – Issuance of Temporary Wholesale Permits

Purpose:

This bill would authorize the State Liquor Authority (SLA) to issue temporary permits to wholesalers while their applications for permanent wholesale licenses are reviewed. A temporary permit currently does not exist for wholesalers. This bill would ensure that wholesalers are able to operate their businesses without unnecessary delay.

Summary of Provisions and Statement in Support:

This bill would amend the Alcoholic Beverage Control Law to allow individuals to apply for a temporary permit to operate any alcoholic beverage wholesale business as long as:

- the applicant has a wholesale license application at the same premises pending before the SLA;
- the applicant has obtained all permits, licenses, and other documents necessary for the operation of the business; and
- any current license in effect at the same premises that may not operate concurrently has been surrendered prior to the application.

The bill would require the SLA to make a determination on the temporary wholesale permit within 45 days of receipt. A temporary permit would be in effect for six months or until the permanent license is approved for the applicant; whichever is sooner. The SLA could extend such permits for subsequent three-month periods upon the payment of a fee. The SLA would also have the authority to cancel or suspend a temporary permit for good cause shown.

This bill is a common sense approach to ensuring that new businesses can begin sales quickly if they meet the requisite standards.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it allows applicants for wholesale licenses to operate their businesses on a temporary basis while they await final approval for a permanent license with the SLA.

Effective Date:

This bill would take effect 90 days after enactment.

Part M – Expedite SLA Review of Corporate Changes

Purpose:

This bill would require the State Liquor Authority (SLA) to act on changes in membership or other corporate structure to a limited liability company (LLC) within 90 days of receipt of an application. If SLA takes no action on the application within the 90 days, the application would be deemed approved.

Summary of Provisions and Statement in Support:

Longer than normal processing times at the SLA have caused certain businesses operational hardships while they wait for the SLA to approve applications for purely administrative changes in their corporate structure. This bill would amend the Alcoholic Beverage Control Law to provide that if the SLA fails to approve or deny a change within 90 days of receipt of an application, that change shall be deemed approved. The bill would also provide that the change would not be deemed approved if it would violate existing provisions of the Alcoholic Beverage Control Law (i.e., 3-tier system, felony/misdemeanor convictions or police interest).

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it would streamline the process of applying for a change in membership for an LLC or other corporate change. It would also alleviate some of the administrative burden for review on SLA.

Effective Date:

This bill would take effect immediately.

Part N – Expedite SLA Municipal Notification Process

Purpose:

This bill would amend the Alcoholic Beverage Control (ABC) Law to allow individuals to apply for a license with the State Liquor Authority (SLA) without having to wait 30 days for the municipal notice period to lapse.

Summary of Provisions and Statement in Support:

Under current law, an applicant must give a municipality notice between 30 days and 270 days before filing an application for a license with the SLA, so that the municipality has time to voice any concerns to the SLA. This bill would allow an applicant to submit their notice to the municipality and their application to the SLA on the same day. The SLA would be prohibited from acting on the application for at least 30 days from the date the municipality receives notice so that the municipality would still have time to raise its concerns.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it streamlines the application process by waiving the current municipal notice waiting period and allowing applications to be reviewed immediately after providing notice to the relevant municipality.

Effective Date:

This bill would take effect immediately.

Part O – Issuance of Temporary Retail Permits

Purpose:

This bill would allow more businesses to apply for temporary retail permits and would allow those businesses to begin operations in a more expeditious manner.

Summary of Provisions and Statement in Support:

Current law prohibits the New York State Liquor Authority (SLA) from issuing a temporary permit to a new business unless an active retail license existed at the location within the past two years. This bill would amend the Alcoholic Beverage Control Law to provide that any new business can receive a temporary permit as long as no former license at the proposed location has previously been canceled, suspended, or revoked.

Current law allows the SLA to issue 30-day extensions of temporary permits while the business's application is pending. This bill would increase that timeframe to allow the SLA to issue 90-day extensions. Current law also requires those businesses operating with temporary permits to purchase product on a cash-on-delivery basis. This bill would allow these businesses to operate in the same manner as a fully licensed business by purchasing product on a credit-basis. Finally, this bill would make permanent the ability of the SLA to issue temporary permits to new businesses.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget to allow small businesses to open more quickly in New York, generating new jobs and taxable revenue.

Effective Date:

This bill would take effect immediately, except section 2 of this bill would take effect on the 90th day after it shall have become law.

Part P – 18-b Assigned Counsel Rates

Purpose:

This bill would increase the hourly rate paid to assigned counsel program attorneys statewide.

Summary of Provisions and Statement in Support:

This bill would increase the assigned counsel program rates in New York City and other downstate counties (Suffolk, Nassau, Westchester, Rockland, Putnam, Orange, Dutchess, Ulster, and Sullivan) to \$158 per hour, and would increase the rates in upstate counties to \$119 per hour.

This bill would also increase the cap on total compensation for time expended providing representation to \$10,000 for New York City and downstate counties, and \$7,000 for upstate counties.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it would increase the hourly rates paid to assigned counsel statewide.

Effective Date:

This bill would take effect on April 1, 2023.

Part Q – Extension on the State Commission on the Restoration of the Capitol

Purpose:

This bill would extend the authority of the State Commission on the Restoration of the Capitol for an additional five years from April 1, 2023 to April 1, 2028.

Summary of Provisions and Statement in Support:

The Capitol is an historic work of architecture and a representation of the State of New York. It is important that it be maintained in a manner consistent with its original design. The maintenance and restoration of the Capitol is an ongoing project that requires continual oversight to ensure that the restoration process maintains the integrity of the original design and historical authenticity of the Capitol. Continuation of the State Commission on the restoration of the Capitol would ensure that the Capitol is properly maintained and preserved for future generations.

This bill would amend Chapter 303 of the Laws of 1988 as amended by Part T of Chapter 55 of the Laws of 2018 to extend for an additional five years the State Commission on Restoration of the Capitol. The Commission was extended in 1988, 1993, 1998, 2003, 2008, 2013, and 2018 for five-year periods.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget because work remains to be completed on the restoration of the Capitol and the Commission's role must continue past 2023.

Effective Date:

This bill would take effect immediately.

Part R – Electronic Bidding

Purpose:

This bill would allow State agencies to require electronic submission of documents, including use of electronic signatures, for certain submissions and documents to modernize and increase efficiency of the procurement process and attract supplier diversity.

Summary of Provisions and Statement in Support:

This bill would modify section 163 of the State Finance Law to allow State agencies to require electronic submission of bids, bid-related documents, contracts, and contract-related documents, including the use of electronic signatures.

Agencies would be required to comply with the standards set forth in the Electronic Signatures and Records Act. Currently, at least 36 states use electronic procurement processes. Allowing for the electronic submission of documents benefits the environment and saves time and resources for both bidders and State agencies. In addition, enabling electronic signatures would help meet the needs of small vendors, including minority- and women-owned businesses and service-disabled veteran-owned businesses, who often run their businesses from the field, helping the State attract greater supplier diversity.

Budget Implications:

This bill is necessary to enact the FY 24 Executive Budget because it will create administrative efficiencies for State agencies.

Effective Date:

This act would take effect immediately.

Part S – Expand Continuous Recruitment of a Diverse, Inclusive, and Talented Workforce

Purpose:

This bill would expand the titles eligible for continuous recruitment, which would increase the pool of qualified candidates at any given time. Candidates would no longer have to wait for an exam to be offered and a list be posted.

Summary of Provisions and Statement in Support:

This bill would amend section 57 of the Civil Service Law (CSL) to provide that the Department of Civil Service (the Department) or municipal commissions may use a continuous recruitment testing process to establish an eligible list for any open-competitive class position and to hold continuous recruitment exams when appropriate. Continuous recruitment examinations provide an important mechanism for agencies to maintain a qualified pool of applicants. Eliminating the requirement that there must be an inadequate number of well qualified candidates available would enable State and local entities to use continuous recruitment to add to the pool of qualified candidates at more regular intervals.

The bill would also streamline the examination process and make it easier and more efficient for candidates and provide recruitment flexibility to the State and municipalities. Continuous recruitment makes appointments faster than traditional civil service examinations, reduces provisional appointments, and appeals to jobseekers who do not want to wait several months to take an examination and then be added onto an eligible list. Unlike traditional civil service exams, continuous recruitment examinations can be scored immediately and be offered online, which increases availability to job seekers.

This bill would also allow the Department to expand the use of continuous recruitment examinations beyond the traditional hard-to-recruit titles, such as engineers and nurses, to a broader array of critical titles, like police officers and motor vehicle representatives. Lastly, streamlining some examination processes would allow the Department to devote more resources to critical titles that are not suited for continuous recruitment.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget because it will ensure the State can recruit a diverse and talented workforce and save time on recruitment efforts.

Effective Date:

This bill would take effect immediately.

Part T – 55-b & 55-c Candidate Expansion

Purpose:

The bill would create more opportunities for individuals with physical and mental disabilities to work in state government by amending the Civil Service Law to expand the number of positions and to give employees in those positions the opportunity to transfer into competitive class positions.

Summary of Provisions and Statement in Support:

This bill would amend section 55-b of the Civil Service Law to increase the maximum number of positions designated for individuals with disabilities from 1,200 to 1,700. This bill would also give employees hired under sections 55-b and 55-c of the Civil Service Law an opportunity to transfer into a competitive class position, provided they meet the requirements for transfer. Veterans with disabilities are eligible for positions designated under section 55-c. These changes would create more opportunities for individuals with disabilities to work in state government.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget because it would ensure the State can recruit and retain a diverse workforce.

Effective Date:

This bill would take effect immediately.

Part U – Market-Based Interest Rate on Court Judgments

Purpose:

This bill would change the 9% fixed interest rate on court judgments and accrued claims to a market-based interest rate, resulting in lower state taxpayer costs and relief to local governments.

Summary of Provisions and Statement in Support:

Currently, under the New York Civil Practice Law and Rules (CPLR) and State Finance Law, the interest rate for judgments and accrued claims is 9% per year. This fixed rate was increased in the early 1980's when the prevailing interest rates exceeded 12%. The intent was to provide claimants with a reasonably equitable interest rate on judgments and claims. The economic climate has changed and current interest rates are much lower. A market interest rate would ensure that neither party in a lawsuit will be disadvantaged by an interest rate that is above or below the current market rate.

The bill would amend Section 5004 of the CPLR and Section 16 of the State Finance Law (for claims against the State) to eliminate the 9% fixed rate. The new rate would be calculated at the one-year United States treasury bill rate. This is calculated based on the weekly average one-year constant maturity treasury yield for the calendar week preceding the date of the entry of the judgement. This is the same rate permitted for civil money judgments recovered in federal district court.

This rate does not apply to the State Tax Law which sets interest rates at 2% per year for judgments from consumer debt.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget because it would reduce the amount of interest paid by the State on court judgments and accrued claims by approximately \$2.5 million annually and provide fiscal relief to local government and businesses.

Effective Date:

This bill would take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2023.

Part V – Extend Waiver of Retiree Income Cap for Public School Employees

Purpose:

Under current law, many retirees who are re-employed by a public employer and earn in excess of \$35,000 could have their pension benefit diminished or suspended absent a waiver. This bill would provide a one-year extension of the waiver for a retiree's earnings in excess of \$35,000 for public school employees to address staffing shortages.

Summary of Provisions and Statement in Support:

This bill would amend Section 2 of Part HH of Chapter 56 of the Laws of 2022 to extend the waiver of earnings income limitation for public school employees contained in subdivision 9 of section 211 of the Retirement and Social Security Law for an additional year, to June 30, 2024. The waiver is set to expire June 30, 2023.

Many school districts continue to face staffing shortages brought on by the COVID-19 pandemic, including in critical positions such as classroom teachers and school bus drivers. As part of last year's Enacted Budget, a temporary waiver of the earnings limitation for retirees was enacted to alleviate the shortages in these schools. By continuing the waiver, it would give school districts the ability to continue to hire and retain retirees who fill these vital positions.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it provides relief to school districts that are currently facing staffing shortages.

Effective Date:

This bill would take effect immediately.

Part W – Amending the Contribution Stabilization Program for participating employers in the New York State and Local Retirement System

Purpose:

This bill would amend the Contribution Stabilization Program and the Alternate Contribution Stabilization Program administered by the New York State and Local

Retirement System by allowing employers to withdraw from the programs and making other technical changes to the programs.

Summary of Provisions and Statement in Support:

This bill would amend sections 19-a and 319-a of the Retirement and Social Security Law. First, the bill would allow employers to use reserve funds to reduce their pension bill in years they are eligible to amortize a portion of their bill. Under current law, the employer's contribution rate must exceed the system's graded rate to access their reserve funds. However, some employers, such as those with a higher proportion of Tier 6 employees, are precluded from accessing their reserve funds because their contribution rates are below the system's graded rate. This amendment would change the requirement from the system's graded rate to the employer's graded rate, providing uniformity for all employers.

Second, the bill would lower the maximum amount in an employer's reserve account from 100% of payroll to an amount that does not exceed the employer's previous year's contribution amount. This amendment provides a more realistic amount for employers to be precluded from future reserve deposits.

Finally, the bill would allow employers to exit the Contribution Stabilization Program or the Alternative Contribution Stabilization Program, subject to approval by the Comptroller and provided all prior year amortizations are paid in full, including interest. Beginning the fiscal year following termination, the employer would not be permitted to make a graded payment. Any existing reserve fund assets would be used to reduce future annual bills up to the amount the employer would have been able to amortize if still in the program. The employer would be permitted to re-enter the regular Contribution Stabilization Program only if eligible to amortize, provided all reserve fund assets are depleted.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget because it fixes a discrepancy in which some employers cannot use their reserve balance. It also provides increased flexibility to public employers by allowing them to exit the Contribution Stabilization Program or the Alternative Contribution Stabilization Program.

Effective Date:

The bill would take effect immediately and would be deemed to have been in full force and effect on and after April 1, 2023.

Part X – NYSHIP Interest for Premiums in Arrears

Purpose:

This bill would permit the Department of Civil Service (DCS) to charge interest to New York State Health Insurance Program (NYSHIP) participating employers that do not pay NYSHIP premiums by the due date.

Summary of Provisions and Statement in Support:

Currently, many NYSHIP participating employers are past due on paying their premiums. Unpaid premiums result in liquidity issues for NYSHIP because the health insurance plan must still meet its payment obligations and pay interest on past due amounts. Outstanding amounts increase NYSHIP premium costs for all participating employers, plan members, and the State. DCS does not have the legal right to charge interest to NYSHIP participating employers.

This bill would amend Section 1, subdivision 2 of section 163 of the Civil Service Law to provide DCS with the authority to apply an interest amount no greater than the interest incurred by the health insurance plan because of such late payment and at the discretion of the President of the Civil Service Commission.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget because it aims to reduce NYSHIP arrears and mitigates annual premium increases. In turn, this bill would benefit all NYSHIP participating employers, NYSHIP members, and the State.

Effective Date:

This bill would take effect immediately.

Part Y – Special Accidental Death Benefit (208-f GML)

Purpose:

This bill would add counties as payors of the special accidental death benefit under Section 208-f of the General Municipal Law, which clarifies that beneficiaries of members of county sheriff departments are eligible for such benefits. The bill would also authorize moving the appropriation for this benefit from the Office of the State Comptroller to the General State Charges budget in the State Operations appropriation bill.

Summary of Provisions and Statement in Support:

This bill would amend subdivision b and subdivision b-1 of section 208-f of the General Municipal Law to include counties as payors of the special accidental death benefit. Chapter 488 of 2002 amended section 208-f of the General Municipal Law to provide paid uniformed members of a county sheriff's office outside of New York City the same special accidental death benefit provided to police officers and firefighters.

This bill would ensure that there is no confusion that widows and widowers of deceased uniformed members of a county sheriff's department are eligible for the benefit. The bill also would authorize moving the appropriation for this benefit from the Office of the State Comptroller to the General State Charges budget in the State Operations appropriation bill.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget as it clarifies that beneficiaries of a uniformed member of a county sheriff's department are eligible for these benefits. It also eliminates the requirement for this appropriation to be included in the Comptroller's budget, and instead, will be included in the General State Charges budget in the State Operations appropriation bill.

Effective Date:

This bill would take effect immediately and be deemed to have been in full force and effect on and after April 1, 2023.

Part Z – Commission on Ethics' Composition and Term Staggering

Purpose:

This bill would correct the law regarding the number of commissioners serving on the Commission on Ethics and Lobbying and Government (Ethics Commission) and fix their staggering.

Summary of Provisions and Statement in Support:

This bill would amend paragraph a of subdivision 4 of section 97 of the Executive Law to stagger the terms for each of the eleven initial Commissioners. The Commission was constituted in July 2022, and the first 10 commissions have been appointed. This bill staggers the terms for these initial appointees as follows: the Governor's first appointee would serve an initial term of four years, their second appointee would serve an initial term of two years, and their third appointee would serve an initial term of one year; the Attorney General's appointee would serve an initial term of four years; the Comptroller's appointee would serve an initial term of four years; the Temporary President of the

Senate's first appointee would serve an initial term of four years and their second appointee would serve a term of two years; the Minority Leader of the Senate's first appointee would serve an initial term of four years; the Speaker of the Assembly's first appointee would serve initial terms of four years and their second appointee would serve a term of two years; and the Minority Leader of the Assembly's appointee would serve a term of four years.

Subsequent appointees will continue to serve four year terms, under the existing law.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget because the Commissioners would be unable to support the State's commitment to ethics if their structure is unaligned with the law.

Effective Date:

This bill would take effect immediately.

Part AA - Extend Various Commercial Property and Sales Tax Incentives in New York City

Purpose:

This bill would extend, for five years, various property and sales tax incentives in New York City which are currently set to expire.

Summary of Provisions and Statement in Support:

Sections one and two of this bill would extend the Lower Manhattan sales and use tax exemption for five years. The exemption provides that a commercial tenant, landlord, or contractor is exempt from State and local sales and use tax when furnishing leased commercial office space in two designated areas of Lower Manhattan. The two areas cover parts of lower Manhattan around Murray Street and the World Trade Center site, the World Financial Center, and the Battery Park City area.

Sections three through six would extend by five years, the Energy Cost Savings Program Credit, which provides regulated energy cost savings for eligible businesses moving from designated areas or making investments in real property.

Sections 7 through 13 would extend by five years, the Lower Manhattan Energy Program, which reduces energy costs for property owners and commercial tenants.

Sections 14 through 16 would extend by five years, the Commercial Expansion Program, which provides property tax benefits to encourage businesses to locate in Manhattan above 96th Street, in the mid-town Special Garment District, the Bronx, Brooklyn, Queens, and Staten Island.

Sections 17 through 20 would extend by five years, the Commercial Revitalization Program, including the Commercial Rent Tax Special Reduction, which provides relief to small businesses from the Commercial Rent Tax.

Budget Implications:

This bill is necessary to implement the FY 2024 Executive Budget because the Financial Plan assumes the continuation of certain tax exemptions.

Effective Date:

This bill would take effect immediately.

Part BB - Repeal Unrelated County-Wide Shared Services Initiative Payment

Purpose:

This bill would repeal subdivision 12 of Section 239-bb of the General Municipal Law which authorizes a \$1 million annual payment to be made to the North Shore Water Authority from funds for the County-Wide Shared Services Initiative, an unrelated program.

Summary of Provisions and Statement in Support:

The State's County-Wide Shared Services Initiative (CWSSI) is a cost savings measure. It calls for each county and its local governments to work together to eliminate the duplicative provision of services and instead pool resources to provide shared services, thereby reducing expenses and facilitating property tax savings. In turn, the localities become eligible to receive an award from the State's CWSSI fund that matches the amount of savings earned.

The FY 2024 Executive Budget reappropriates over \$200 million to the CWSSI fund to match savings earned by eligible local governments. However, the payment authorized in subdivision 12 of Section 239-bb of the General Municipal Law is unrelated to CWSSI and this appropriation. Such a payment would reduce the amounts available for CWSSI's intended purpose of facilitating local government shared services. For this reason, this bill would repeal this annual payment.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2024 Executive Budget because it repeals a \$1 million payment tied to an unrelated appropriation and program.

Effective Date:

This bill would take effect immediately.

Part CC - Authorization for transfers, temporary loans, and amendments to miscellaneous capital/debt provisions, including bond caps.

Purpose:

This bill would provide the statutory authorization necessary for the administration of funds and accounts included in the fiscal year 2023-24 Executive Budget and propose certain modifications to improve the State's General Fund position in the upcoming fiscal year. Specifically, it would: (1) authorize temporary loans and the deposits of certain revenues to specific funds and accounts, (2) authorize the transfers and deposits of funds to and across various accounts, (3) extend various provisions of Chapter 56 of the Laws of 2022 in relation to capital projects and certain certifications, and (3) modify various debt and bond provisions necessary to implement the budget.

Statement in Support, Summary of Provisions, Existing Law, and Prior Legislative History:

This bill is necessary to execute a balanced Financial Plan in accordance with the 2023-24 Executive Budget. Similar legislation is enacted annually to authorize the transfer of funds budgeted in the financial plan (that do not have permanent statutory authorization) and to provide for other transactions necessary to effectuate the provisions of the budget. The bill includes the following provisions:

- Section 1 of this bill would authorize the Comptroller to make temporary loans to specific State funds and accounts during fiscal year 2023-24.
- Section 1-a of this bill would authorize the Comptroller to make temporary loans to accounts within specific Federal funds during fiscal year 2023-24.
- Sections 2 and 3 of this bill would authorize the Comptroller to make transfers between designated funds and accounts.
- Section 4 of this bill would authorize the Comptroller to deposit funds into the Banking Services Account.

- Section 5 of this bill would authorize the Dormitory Authority of the State of New York (DASNY), at the direction of the Director of the Division of Budget (DoB) and upon request by the State University of New York (SUNY), to transfer up to \$22 million to SUNY for bondable equipment costs, which in turn would be re-paid to the General Fund.
- Section 6 of this bill would authorize the Comptroller, at the request of the Director of DoB and upon consultation with the SUNY Chancellor, to transfer up to \$16 million to the General Fund for debt service costs related to capital project costs for the NY-SUNY 2020 Challenge Grant program at the University at Buffalo.
- Section 7 of this bill would authorize the Comptroller, at the request of the Director of DoB and upon consultation with the SUNY Chancellor, to transfer up to \$6.5 million to the General Fund for debt service costs related to capital project costs for the NY-SUNY 2020 Challenge Grant program at the University at Albany.
- Section 8 of this bill would authorize the SUNY Chancellor to transfer the estimated tuition revenue balances from the State University Collection Fund to the State University Fund, State University General Revenue Offset Account.
- Section 9 of this bill would authorize the Comptroller, at the request of the Director of DoB, to transfer up to \$1.2 billion from the General Fund to the State University Income Fund, State University General Revenue Offset Account.
- Section 10 of this bill would authorize the Comptroller to transfer up to \$62.3 million from the General Fund to the State University Income Fund, State University General Revenue Offset Account during the period of July 1, 2022 through June 30, 2023 to support Tuition Assistance Program payments.
- Section 11 of this bill would authorize the Comptroller to transfer up to \$20 million from the General Fund to the State University Income Fund, State University General Revenue Offset Account during the period of July 1, 2023 through June 30, 2024.
- Section 12 of this bill would authorize the Comptroller to transfer up to \$55 million from the State University Income Fund, State University Hospitals Income Reimbursable and Long Island Veterans' Home accounts, to the State University Capital Projects Fund.
- Section 13 of this bill would authorize the Comptroller, after consultation with the SUNY Chancellor, to transfer monies in the first instance from the State University Collection fund to the State University Income Fund, State University Hospitals Income Reimbursable Account, in the event that insufficient funds are available to permit the full transfer of moneys authorized for transfer from the State University Income Fund, Income Reimbursable Account to the General Fund for SUNY Hospitals' debt service.

- Section 14 of this bill would authorize the Comptroller, at the direction of the Director of DoB and the SUNY Chancellor, to transfer up to \$100 million between the State University Dormitory Income Fund and the State University Residence Hall Rehabilitation Fund.
- Section 15 of this bill would authorize the Comptroller, at the request of the Director of DoB, to transfer up to \$700 million from the unencumbered balance of any Special Revenue Fund or Account, Agency Fund or Account, Internal Services Fund or Account, or Enterprise Fund or Account, or any combination thereof (excluding Federal funds, or any fund in which the eligibility for Federal benefits would be impacted), to the General Fund.
- Section 16 of this bill would authorize the Comptroller, at the request of the Director of DoB, to transfer up to \$100 million from any non-general fund or account, or combination thereof (excluding funds in which the eligibility for Federal benefits would be impacted), to the Technology Financing Account, the Miscellaneous Capital Projects Fund, the Federal Capital Projects Account, the Information Technology Capital Financing Account, or the centralized technology services account for the consolidation of costs related to technology services.
- Section 17 of this bill would authorize the Comptroller, at the request of the Director of DoB, to transfer up to \$400 million from any non-general fund or account, or combination thereof (excluding funds in which the eligibility for Federal benefits would be impacted), to the General Fund as reimbursement for costs related to technology services.
- Section 18 of this bill would authorize the transfer of up to \$20 million from the New York State Power Authority to the State Treasury to credit of the General Fund, after April 1, 2023.
- Section 19 of this bill would authorize the transfer of up to \$913 thousand from the New York State Energy Research and Development Authority to the credit of the General Fund, on or before March 31, 2024.
- Section 20 of this bill would authorize the transfer of up to \$5 million from the New York State Energy Research and Development Authority to the credit of the Environmental Protection Fund, on or before March 31, 2024.
- Section 21 of this bill would amend State Finance Law (SFL) §97-rrr to allow the State Comptroller to deposit up to \$1.7 billion into the School Tax Relief Fund.
- Section 22 of this bill would authorize the Comptroller, at the request of the Director of DoB, to transfer designated special revenue fund balances to the capital projects fund for the purpose of reimbursement to that fund for expenses related to the maintenance and preservation of State assets.

- Section 23 amends §60 of Part FFF of Chap. 56 of the laws of 2022 to make permanent authorization for the governor to transfer to the general fund, to a capital projects fund, or to a fund established to account for revenues from the federal government if the Legislature does not affirmatively approve or deny such transfer within 10 days of notification.
- Section 24 amends subdivision 5 of MIL §183 to specify the armory rental account as the receiving fund of the transfer of all moneys paid as rent and to cover expenses of heating and lighting.
- Section 25 would amend SFL § 92-cc to increase the maximum allowable deposit and fund balance of the rainy day reserve fund.
- Section 26 would continue the authorization to use any balance remaining in the debt service appropriation for Mental Hygiene facilities to make rebates necessary to protect the tax-exempt status of the bonds.
- Section 27 of this bill would increase the bond cap for financing correctional facilities from \$9.503 billion to \$9.866 billion.
- Section 28 of this bill would increase the bond cap for financing state police capital projects from \$426.1 million to \$538.1 million.
- Section 29 of this bill would increase the bond cap for financing environmental infrastructure projects from \$8.171 billion to \$9.308 billion.
- Section 30 of this bill would increase the bond cap for financing homeland security and training facilities from \$383.5 million to \$476.5 million and increase the bond cap for financing improvements to State office buildings and other facilities from \$1.605 billion to \$1.710 billion.
- Section 31 of this bill would increase the bond cap for financing SUNY educational facilities from \$16.612 billion to \$17.938 billion.
- Section 32 of this bill would increase the bond cap for City University of New York senior and community colleges from \$10.255 billion to \$10.871 billion.
- Section 33 of this bill would increase the bond cap for financing SUNY community colleges from \$1.123 billion to \$1.227 billion.
- Section 34 of this bill would increase the bond cap for financing youth facilities from \$962.7 million to \$1.015 billion and permit bond proceeds to be deposited into the capital projects fund to reimburse spending.

- Section 35 of this bill would increase the bond cap for financing mental health services facilities improvement from \$10.943 billion to \$12.409 billion.
- Section 36 of this bill would increase the bond cap for financing public protection facilities in the Division of Military and Naval Affairs from \$197.0 million to \$247.0 million.
- Section 37 of this bill would increase the bond cap for financing the acquisition of equipment from \$393.0 million to \$493.0 million.
- Section 38 of this bill would increase the bond cap for financing local highway projects from \$13.054 billion to \$13.847 billion.
- Section 39 of this bill would increase the bond cap for financing library facilities from \$333.0 million to \$347.0 million.
- Section 40 of this bill would increase the bond cap for financing economic development projects from \$14.968 billion to \$16.973 billion.
- Section 41 of this bill would increase the bond cap for financing transportation initiatives from \$10.148 billion to \$12.308 billion.
- Section 42 of this bill would increase the bond cap for financing housing programs from \$13.083 billion to \$13.701 billion.
- Section 43 of this bill would increase the bond cap for financing private special education from \$301.7 million to \$321.8 million.
- Section 44 of this bill would increase the bond cap for financing the Office of Information Technology Services from \$1.153 billion to \$1.289 billion.
- Sections 45 of this bill would increase the bond cap for financing dedicated highway bridge and trust projects from \$19.777 billion to \$20.649 billion.
- Sections 46 of this bill would increase the bond cap for financing Health Care capital grants from \$4.653 billion to \$5.153 billion.
- Section 47 of this bill would increase the bond cap for Food Lab from \$40.830 million to \$40.945 million.
- Section 48 would amend section § 54-b to Chapter 174 of the laws of 1968 to extend the period to issue notes to temporarily finance the budgetary needs of the state to March 31, 2024.

- Section 49 would amend section §55-b to Chapter 174 of the laws of 1968 to extend the authority of the dormitory authority of the state of New York and the urban development corporation to establish one or more lines of credit facilities to March 31, 2024.
- Section 50 would increase the State's contribution to the Gateway project from \$2.35 billion to \$2.85 billion.
- Section 51 of this bill would update the transfer authorization from the SUNY and CUNY respective special revenue accounts to the general fund to reimburse the State for debt service on refinanced NYPA projects.
- Section 52 of this bill would increase the authorization to allow the State to refinance NYPA energy project loans of State agencies from \$200 million to \$475 million.
- Section 53 would extend the authorization for MTA projects to be amortized up to 50 years to March 31, 2024.
- Section 54 of this bill would continue to allow the State to set-aside debt service paid for in the General Debt Service Fund. This provision was originally enacted in 2011.

All of the sections of this bill would become permanent upon enactment except for sections one through eight, sections thirteen through twenty, twenty-two and twenty-three, which are subject to expiration on March 31, 2024 and sections nine through twelve, which are subject to expiration on June 30, 2024.

Budget Implications:

Enactment of this bill is necessary to implement the 2023-24 Executive Budget, including the transfer of funds budgeted in the financial plan and the provision of temporary loans from the State Treasury for cash flow purposes. This bill is also necessary to reimburse projected Capital Projects Fund spending with the proceeds of bonds sold by public authorities, to ensure the continued borrowing necessary for certain State-supported debt issuances to implement the budget, and to permit the State to carry out basic administrative functions.

Effective Date:

This bill takes effect April 1, 2023.

The provisions of this act shall take effect immediately, provided, however, that the applicable effective date of each part of this act shall be as specifically set forth in the last section of such part.