



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan's Votes for the Week of March 3, 2025

JIM RANNEY March 5, 2025

| ISSUE: **NYS SENATE**



The following bills were approved in the NYS Senate. Senator Gallivan's vote is noted.

S270 COSPONSOR This bill would allow municipalities to alienate certain parklands without receiving authorization from the Legislature for the purpose of renewable energy generating projects. This bill would exempt solar energy projects that are under two megawatts of generating capacity to be installed in the airspace of a vehicle parking lot without the usual authorization of the Legislature. AYE

S279 Adds Moodna Creek in Orange County to the definition of inland waterways for waterfront revitalization. AYE

S925 Increases the maximum penalty for violating the Real Property Action and Proceedings law regarding inspecting, securing, and maintaining vacant and abandoned residential real properties from \$500 to \$650 per day, per property. AYE (According to NYSAC, this bill would make information on vacant and abandoned properties more readily available to be shared among local governments and the public and increase penalties for failure to properly maintain such properties.)

S464 Purpose of this legislation is to protect freedom of speech and creative expression in New York State. Ensures that criminal defendants are tried based upon evidence of criminal conduct, not the provocative nature of their artistic works and tastes. Limits what the proffering party is allowed to introduce into evidence. NAY (Impacts the admissibility of creative expressions to prove essential facts beyond just the commission of the crime.)

S641 Enacts the "home utility weatherization jobs act"; requires each gas corporation, electric corporation, or combination gas or electric corporation to submit to the public service commission for review and approval a pilot weatherization program plan. AYE

S2157 Requires that municipal housing authorities report budget and capital information on state funded activities annually to the Authorities Budget Office. AYE

S593 This bill would provide agricultural assessment to beginner and established farms by creating temporary carve outs. AYE

S11 This bill requires every manufacturer or entity that created or advertised performing non-invasive prenatal screenings to include a written notice about the use of such test for screening purposes. Defines "non-invasive prenatal screening" to mean any non-invasive

prenatal screening or cell free DNA screening use to ascertain whether a fetus is at risk for certain chromosomal abnormalities. AYE

S353 Codifies the title of “Medicaid Director” within the statute and requires such position to be appointed by the Governor and approved by the Senate, similar to the appointment of the Commissioner of the Department of Health. AYE (Given the importance of this position, it is vital that the legislature has a role in the appointment process for this individual.)

S115 This bill would increase access to resources for culturally diverse arts and culture organizations that advocate for diversity, equity and inclusion, racial and social justice, and cultural preservation. NAY

S654 This bill exempts public schools from being designated as early voting polling sites. The bill authorizes county BOEs to designate buildings owned by an entity receiving more than \$1 million in annual state grant funding as early voting polling sites unless the owner can demonstrate that such use is significantly incompatible with the primary function of the entity. NAY (Should be local decision. Imposition on businesses. Voting should be public.)

S1104 Enacts the consumer litigation funding act to promote consumer protections related to consumer litigation funding transactions; provides for contract requirements, including that the contract contain a no penalty provision for the prepayment of the funded amount prior to the settlement of his or her case; makes related provisions. AYE

S83 Relates to establishing the crime of larceny by adding cyber extortion to the definition, which shall mean when a person intends to obtain property from another person or entity located in the state of New York through the use of certain malicious software. AYE

S3693 This legislation adds more modern definitions to computer offenses in the penal law, including adding a definition for computer system, government computer system, public

safety infrastructure computer system, computer contaminant, electronic mail and profile, among others. AYE

S4188 Establishes the crime of misappropriation of payroll funds when a person knows that funds are designated for use as employee payroll funds or as payment of payroll taxes, and intentionally prevents the funds from being used for their designated purpose. AYE

S2497 This bill establishes an exception to the hearsay rule for civil cases to allow evidence that a party alleging discrimination reported such discrimination or facts giving rise to an inference of discrimination to another person to be admitted into evidence to support the allegation that discrimination occurred. AYE

S4611 Provides grounds for attachment; relates to procedures where employees may hold shareholders of non-publicly traded corporations personally liable for wage theft; relates to rights for victims of wage theft to hold the ten members with the largest ownership interests in a company personally liable for wage theft; relates to penalties for certain wage violations. NAY (Increase costs. Too heavy handed toward business.)

S4999 This bill amends the exceptions to the general rule that a husband or wife are deemed the surviving spouse (whether or not the deceased spouse had a will), for purposes of various sections of the Estates, Powers, and Trusts Law(EPTL). AYE

S1678 Authorizes the board of trustees of the village of East Syracuse to permit that the office of village justice and/or associate justice may be held by a non-resident who lives in the town of Dewitt. AYE

S4483 This bill would amend the Village Law to correct the conflict between the village law and the election law and require vacancies to be filled in accordance with the political calendar set forth in the election law. Whenever a village election occurs during a general

election, a village vacancy shall be filled in accordance with public officers law. AYE

S2708 Relates to advancing grid enhancement technologies; allows the department of public service to approve requests from distribution companies to develop grid enhancement technologies; requires distribution companies to submit a compliance filing report every 5 years. AYE

S5101 This bill provides that early voting for any special election held on April 29, 2025 shall begin on April 21, 2025 and end on April 27, 2025. AYE

S172 Relates to increasing short-term disability benefits. AYE

S372 Establishes the "no severance ultimatums act", which prevents employers from giving coercive ultimatums to employees or former employees relating to such employee's severance from employment. NOTE - Collective bargaining agreements are excluded. NAY (Imposition on business.)

S1235A DORMITORY AUTHORITY DEPARTMENTAL - increases statutory bond ceiling in the medical care facilities finance agency act (MCFFA) from \$18.2 billion to \$20 billion. AYE

S1514 Empowers the commissioner of labor to issue stop-work orders against employers for misclassification of employees as independent contractors or for providing false, incomplete, or misleading information to an insurance company on the number of employees of such employer. AYE

S2236 This bill would amend the Labor Law to expand the definition of wages in the context of wage theft to include payment of wages to include compensation that is not payable solely at the employer's discretion, such as bonuses. requires certain notices; expands enforcement provisions. AYE

S4515 Adds 'domestic workers' as required recipients of paid sick leave. NAY

S5442 OSC DEPARTMENTAL - Would provide the Comptroller with additional flexibility to redeem or refund voter approved General Obligation bonds. NOTE - Under current law, the Comptroller can only redeem or refund General Obligation debt at not more than three percent above par value (the stated value of a bond). AYE

S1553 Provides that credits for excess electricity generated by customer-generators subject to net energy metering by an electric corporation or the Long Island power authority may be carried over indefinitely and used against any charges imposed by an electric corporation or the Long Island power authority when the customer-generator uses more electricity than such customer generates; provides for the accounting of credits once every 5 years and the electric corporation or Long Island power authority shall reimburse the customer-generator for the accumulated credits. AYE

S317 Requires anti-bias training for every medical student, medical resident and physician assistant student in the state, and requires the department of health to make an annual report on the implementation and effectiveness of such training. NAY (Duplicative of current practice.)

S1376 Encourages farmers' markets in state parks by posting related information, identifying opportunities and coordinating with other state agencies. AYE

S200 Provides for the revocation of a person's driver's license who has been convicted of operating a vessel while under the influence of alcohol or drugs. Also makes a BWI (Boating While Intoxicated) offense eligible for application of a conditional license. AYE

S258 Enacts "Bryan Johnson's law"; includes prior convictions of operation of a vessel while under the influence of alcohol or drugs as prior convictions of driving while intoxicated. AYE

S3272 Establishes the YMCA distinctive license plate; creates the YMCA foundation fund.

AYE

S122 Establishes air quality standards for lead in ambient air, soil-lead hazard standards for lead-contaminated soil, and dust-lead hazard standards and dust-lead clearance levels for floors and windows and window troughs. AYE

S1261A Allows for no fault separation where the relationship between the spouses has broken down irretrievably for a period of at least six months; requires that issues of support and custody or visitation have been resolved. AYE

S73 Relates to rechargeable battery recycling; adds a battery used as the principal electric power source for an electric scooter or bicycle with electric assist to the definition of "rechargeable battery"; provides that a battery manufacturer may not sell, offer for sale, or distribute rechargeable batteries in the state unless the battery manufacturer is implementing or participating under an approved plan; allows a city with a population of one million or more to enforce through its own agencies. AYE

S5183 Amends the Election Law to include conspicuous language below the affirmation statement that says "IMPORTANT TO ABSENTEE VOTER: YOU MUST SIGN THE AFFIRMATION ON THIS ENVELOPE." AYE

S489 This bill amends the public health law to require that the office of addiction services and supports, in consultation with the department of health, shall develop or utilize existing education materials to be provided to general hospitals to disseminate to individuals with a documented substance use disorder or who appear to have or be at risk for a substance use disorder during discharge planning. AYE

S1812 Provides for the certification of entities seeking to provide in-home based substance use disorder treatment services. AYE