

SUMMARY OF 2018 SENATE LEGISLATIVE ACTION

2018-2019 NEW YORK STATE BUDGET

The 2018-19 New York State Budget reflects the Senate Republican Conference's commitment to affordability, opportunity, and security for all New Yorkers. The budget plan stays within the state's self-imposed two-percent spending cap for the eighth consecutive year – fiscal discipline that has already saved New York taxpayers a cumulative total of approximately **\$52 billion**.

The budget delivers on the priorities outlined by the Senate Republicans, including: tax cuts to create jobs; reducing the state's high cost of living; providing record levels of funding for education, the environment, and opioid abuse prevention; and addressing the serious public health and safety challenges facing the all of New York's communities.

HIGHLIGHTS OF THE 2018-2019 BUDGET

AFFORDABILITY

Maintaining Fiscal Discipline

The budget protects taxpayers by adhering to a self-imposed two-percent spending cap for the eighth year in a row. Adhering to the cap was instrumental in helping eliminate a \$4.5 billion deficit that the state expected to face this year. Capping state spending has saved taxpayers nearly \$52 billion on a cumulative basis since the 2010-2011 budget.

Rejecting Tax and Fee Increases

The Senate led the successful fight to reject \$1 billion in onerous tax-and-fee increases proposed by the Governor, and \$20 billion more proposed by the Assembly, including new taxes on internet purchases and new DOT fees. The final budget also protects the continued roll-out of the landmark \$4.2 billion Middle Class Income Tax Cut that took effect in January, and will reduce tax rates on middle-class families and thousands of small businesses by 20 percent over the next several years.

Protecting and Expanding STAR Property Tax Relief

The Senate made it a priority to build upon the highly successful property tax cap that has already saved taxpayers \$37 billion and worked to ensure the Governor's proposed cap on STAR property tax relief benefits was rejected, saving \$49 million. The budget also extends the property tax rebate check program and many homeowners will see their rebate checks double to an average of \$380 this year and \$532 next year.

Protecting Taxpayers from Negative Impacts of Federal Tax Changes

The budget follows the Senate's lead in decoupling the state and federal tax codes to prevent New Yorkers from taking a \$1.5 billion state tax hit as a result of recent federal tax changes. It holds harmless New Yorkers who may have to pay more in state income taxes because of the changes at the federal level, and prevents the state from benefitting from the sudden revenue increase at the expense of taxpayers.

Making Retirement More Affordable and Accessible for Private Sector Employees

The budget creates a program that provides a simpler way for private employees to save up for retirement through voluntary payroll deductions. Many small business owners and job creators in New York currently face costly administrative and financial barriers to providing retirement savings plans to their employees. This program would give employers, on a completely voluntary basis, the opportunity to utilize existing state administrative resources to help workers that choose to participate in the program and contribute to Roth IRAs to help them save for their future.

Protecting New Yorkers from Overpaying for Prescription Drugs

A Senate initiative to protect consumers from unfair prescription drug pricing is included in the budget. The reforms help consumers become better informed about the price of drugs and prohibits two costly practices – gag clauses and clawbacks – used by pharmacy benefit managers (PBMs). Prohibiting these costly practices will help fight the rising cost of prescription drugs for all New Yorkers. This provision ensures that audits conducted by PBMs are fair and follow established industry standards and guidelines. Prior to its enactment in the budget, the Senate led the way and passed a bill earlier this year to accomplish these important changes. [S6940](#), passed both houses, sponsored by Senator Kemp Hannon and Senator James L. Seward

OPPORTUNITY

Keeping \$700 Million in Brownfield, Historic, and Other Business Tax Credits In Place

The final budget prevents the deferment of tax credits including the state’s Historic Tax Credit and Brownfield Cleanup Tax Credit programs so that private investment in under-developed communities is not jeopardized. These credits and all but five of the state’s other business tax credits would have been deferred for multiple years under the Executive Budget proposal, but the Senate fought to save the \$700 million in credits so that they can continue to promote business growth, create jobs, and revitalize communities.

Growing NY Strong

Together, the Senate and Assembly succeeded in restoring and adding more than \$13 million beyond what the Executive proposed for agriculture programs, totaling \$54.4 million. This year’s total funding is an increase of over \$3 million from last year. Dozens of programs – investments in cutting-edge agricultural research, support for the next generation of family farmers, environmental stewardship, and protections for plant, animal, and public health – will be funded, with significant increases including:

- **\$1.5 million**, for a total of \$1.9 million, for the Farm Viability Institute to help New York’s farmers become more profitable and to improve the long-term economic viability and sustainability of farms, the food system, and the communities which they serve;
- **\$1 million**, for a total of \$9.28 million, for Agri Business Child Development Program, to provide quality early childhood education and social services to farm workers and other eligible families;
- **\$1 million**, for a total of \$5.43 million, for Cornell Diagnostic Lab;
- **\$1.1 million** for Taste New York, including \$550,000 for the New York Wine and Culinary Center;
- **\$750,000** for Farm-to-School programs;
- **\$544,000**, for a total of \$750,000, for the Apple Growers Association;
- **\$500,000** for the Farm-to-Seniors Program;
- **\$300,000** for the North Country Farm-to-School Program;
- **\$225,000** for Maple Producers; and
- **\$138,000** for EBT at Farmers Markets.

In addition, the Senate again secured **\$5 million** to support local county fairs and **\$5 million** for animal shelter improvements.

Preparing Workers for Successful Careers

The budget provides key investments in job training and workforce development initiatives so New Yorkers can enhance their job skills – providing a pathway for new opportunities, financial security, and career success.

Specific highlights include:

- **\$5 million** for the Next Generation Job Linkage Program that assists employers in identifying potential jobs, defining their necessary skills and providing employees with the appropriate training;
- **\$5 million** for the SUNY/CUNY Apprentice Initiative, a targeted training initiative that helps employers refine the skills of new hires and enables more experienced employees the chance to upgrade their skills;
- **\$4 million** for the Workforce Development Institute (WDI), a highly successful not-for-profit that works with businesses and the AFL-CIO to provide focused training for workers and for workforce transition support to help stop the outsourcing of jobs to other states. An additional \$3 million is also provided for WDI's Manufacturing Initiative;
- **\$3.6 million** for Business and Community College Partnerships that support innovative, specifically-tailored workforce training programs coordinated between individual businesses and community colleges; and
- Increased support for Early College High Schools to help prepare students for college-level coursework that promotes future academic performance and enables students to get their high school diplomas while also earning free associate degrees for high-skilled jobs or taking other college credit-bearing courses.

Increasing Education Funding to Help Children Succeed

The final education budget includes record support for schools – \$26 billion, including an increase of \$1 billion over last year. This four-percent increase continues the Senate's commitment to funding education at a rate higher than the growth of the rest of the budget. Other highlights include:

- Nearly doubling the Governor's Foundation Aid proposal with \$281 million in additional funding, for a total increase of **\$619 million** in 2018-19;
- Fully funding expense base aids at **\$240 million**;
- Increasing funding for charter schools;
- Increasing funding for STEM programs in non-public schools by \$10 million for a total of **\$15 million**;
- Continuing **\$15 million** in security grants for non-public schools;
- Restoring a **\$7 million** cut in the Executive Budget for non-public school immunization funding;
- Creating the "No Student Goes Hungry" program to provide students of all ages, backgrounds, and financial situations access to healthy, locally-sourced meals to address child hunger. It includes an expansion of the Farm-to-School Program to utilize locally-grown, quality meals, which will support local agriculture and an improved learning experience for children.

Preparing Students for Bright Futures Through Higher Education

The final budget provides **\$7.6 billion** to support higher education in New York. Other highlights include:

- Providing **\$1 billion** in funding for tuition assistance and financial aid this year;
- Restoring **\$35 million** for Bundy Aid;
- Increasing base aid funding for community colleges by **\$18 million** - \$12 million for SUNY and \$6 million for CUNY - to help prevent tuition hikes;
- Including **\$200 million** for educational opportunity programs and the Collegiate Science and Technology Entry Program (CSTEP), among others;
- Restoring **\$200 million** in Executive Budget cuts to SUNY and CUNY's capital programs;
- Providing **\$2 million** for child care centers at community colleges to help working parents succeed in school; and
- Supporting New York's Bravest, firefighters would be allowed to take up to one CUNY course that pertains to their line of work for free, similar to what police officers are currently offered.

Promoting Economic Growth Through Infrastructure Investments

To ensure New York has the infrastructure in place to attract and expand businesses, the Senate has secured **\$122 million** in new capital funds to support investments in transportation, environmental mitigation, aviation, and other economic development-related infrastructure projects throughout the state.

Providing Safe, Reliable Transportation

To help localities repair and rehabilitate local roads and bridges, the enacted budget provides an additional **\$65 million** in one-time Consolidated Local Streets and Highway Program (CHIPS) funding for extreme winter recovery, for a total of \$503 million.

The budget also supports the Metropolitan Transportation Authority with a **\$334 million** – a seven percent - increase in funding over last year for a total of more than \$4.8 billion in operating assistance. This includes \$254 million to fully fund the state’s half of this year’s \$418 million obligation towards the \$836 million Subway Action Plan, with New York City responsible for contributing the remaining half.

There is an additional \$20 million in non-MTA transit capital in the budget, for a total of **\$104.5 million** for 2018-19, and a two-percent increase in state operating assistance to all non-MTA systems, for a total of **\$530 million**.

SECURITY

Providing Record Support for Heroin and Opioid Abuse Prevention and Treatment

The Senate secured a major increase in funding to combat the opioid epidemic for a new record investment of **\$247 million** – \$20 million above the 2018-19 Executive Budget proposal, and \$37 million above 2017-18.

Among the highlights are:

- **\$10.6 million** to support services including more residential treatment beds, a new Recovery and Community Outreach Center, and an Adolescent Clubhouse program to provide peer support activities and events that help maintain a sober and substance-free lifestyle;
- **\$3.8 million** for the development and implementation of substance use disorder treatment in local jails; and
- **\$1.5 million** for the creation of an Independent Substance Use Disorder and Mental Health Ombudsman to assist individuals in receiving appropriate health insurance coverage.

In addition to record funding, the budget includes a Senate-driven initiative to help prevent and address an increase in the number of babies born addicted to opioids. The budget creates a new program and provides **\$1 million** to further educate and assist health care providers in caring for expectant mothers and new parents with substance use disorders and help ensure they receive appropriate care, with an additional **\$350,000** provided for infant recovery centers.

It also prohibits prior authorization for outpatient substance abuse treatment to ensure people are able to get the help they need immediately. The budget also makes the state’s certified peer recovery program permanent, where those in recovery utilize their expertise and experiences to promote the success of others battling substance abuse.

To help increase the tools available to law enforcement to get dangerous drugs off the streets, the budget adds two new derivatives of fentanyl and several new hallucinogenic drugs, synthetic cannabinoids, and cannabimimetic agents to the state’s controlled substances schedule.

Preventing Sexual Harassment in the Workplace

The Senate Majority has taken a leadership role to create safer workplaces free of sexual harassment and abuse, including passing comprehensive legislation. As a result of the Senate's strong advocacy on this issue, the final budget measure:

- Prohibits secret settlements unless the victim requests confidentiality;
- Prohibits mandatory arbitration for sexual harassment complaints;
- Protects non-employees in the workplace;
- Creates a uniform sexual harassment policy and training for businesses as well as state and local governments;
- Requires all state contractors to submit an affirmation that they have a sexual harassment policy and that they have trained all of their employees; and
- Protects taxpayer funds from being used for individual sexual harassment judgments.

Helping Survivors of Rape and Sexual Assault

New requirements ensure that untested rape kits are now stored for 20 years -- an increase from the current 30-day requirement. This will address serious concerns about the current lack of long-term storage for untested rape kits and will increase the ability of rape and sexual assault survivors to have the time they need to pursue and get justice. The state will develop a plan to identify a location that will house untested forensic rape kits for 20 years and develop a system for those kits to be tracked by survivors. In addition, rape survivors will never have to pay any costs, including insurance co-pays, for a rape examination or hospital visit.

An additional \$147,000 was added by the Legislature to support Rape Crisis Centers, for a total of nearly **\$11 million**. These measures build upon recent laws championed by the Senate over the last few years to provide funding and make sure New York State is testing all rape kits sent to law enforcement, no matter how old, and including DNA evidence in the national CODIS database so matches can be made and criminals brought to justice.

The budget includes **\$300,000** for a Senate initiative that establishes a Sexual Assault Forensic Examiner (SAFE) telehealth pilot program to ensure providers are able to properly conduct sexual assault examinations at facilities that do not have a designated SAFE program. The provider would be linked by telehealth to a SAFE-certified professional to help care for the victim and make sure evidence is properly collected and preserved.

Preventing "Sextortion"

The budget includes a measure to help prevent sex-related crimes and protect victims from extortion by creating new penalties for the act of sexual coercion – also known as "sextortion." Anyone threatening a victim's health, safety, business, career, financial condition, reputation, or personal relationship in exchange for sexual acts will face new felony-level charges.

Combatting Gang Violence

The final budget provides **\$500,000** to local law enforcement to support youth outreach programs that help prevent MS-13 or other gang violence in Nassau and Suffolk counties. An additional **\$5.4 million** was secured by the Senate in the budget for other local law enforcement initiatives including equipment and technology enhancement, and anti-drug, anti-violence, crime control and prevention programs.

IMPROVING PUBLIC HEALTH AND NEW YORKERS' QUALITY OF LIFE

Building Healthier Communities

The budget includes **\$525 million** – an increase of \$100 million over the Executive Budget proposal – for the Health Care Facility Transformation Program to boost a new third round of awards and help ensure long-term

sustainability for facilities and providers they adjust to the changing dynamics of health care in New York. In addition, the budget provides extensive supports for a variety of important public health initiatives including:

- **\$27 million** for Nutritional Information for Women, Infants and Children;
- **\$27 million** for Alzheimer’s and other dementia-related programs;
- **\$21 million** for cancer services;
- **\$16 million** for maternal and child health programs;
- **\$13 million** for chronic disease prevention (including diabetes, asthma, and hypertension);
- **\$11.2 million** for the Doctors Across New York Program;
- **\$8.5 million** in additional funding for the Spinal Cord Injury Research Board;
- **\$5 million** for crucial women’s health initiatives;
- **\$2.5 million** to support organ donation;
- **\$1 million** for children and recovering mothers;
- **\$283,000** for the Adelphi Breast Cancer Support Program; and
- **\$227,000** for the Maternity and Early Childhood Foundation.

Investing in Women’s Health

The Senate Majority successfully advocated for more than **\$4.5 million** in new state funding to enhance women’s access to quality medical care. The budget restores a \$475,000 add from the Senate last year and includes the additional commitment for a total of **\$5 million** that will be used to support initiatives like breast cancer prevention, education, and support, and prenatal and postpartum services, among others.

Preventing Lyme Disease

The Senate’s Task Force on Lyme and Tick-Borne Diseases was once again instrumental in securing a record amount of funding to support education and prevention efforts. The budget includes a total of **\$1 million** to support the Task Force’s recommendations.

Protecting the Environment and Critical Water Resources

The Senate continues its longstanding support for the Environmental Protection Fund at a record **\$300 million**. It continues the implementation of last year’s historic \$2.5 billion Clean Water Infrastructure Act and supports important initiatives to protect drinking water quality and environmental health, including:

- **\$65 million** to combat harmful algal blooms in Upstate New York waterbodies;
- **\$1.5 million** for the Center for Clean Water to help address 1,4-Dioxane – an increase of \$500,000 to support additional lab testing equipment;
- **\$250,000** for the Adirondacks Lake Survey Corporation;
- **\$200,000** Long Island Commission for Aquifer Protection;
- **\$200,000** to the Town of Geneva for a Seneca Lake Watershed Manager;
- **\$150,000** for the Chautauqua Lake Association; and
- **\$125,000** for water quality monitoring in Manhasset Bay, Hempstead Harbor, Oyster Bay Harbor, and Cold Spring Harbor.

The Senate also secured **\$900,000** in new funding in the 2018-19 budget for public health improvement initiatives to reduce the damaging effects of childhood lead poisoning. It includes \$775,000 in investments strengthening partnerships with code enforcement agencies in Buffalo, Utica, Syracuse, Newburgh, and Binghamton to prevent lead exposure. It will also support the Maternity and Early Childhood Foundation’s “Lead Safe Babies” initiative to provide training to visiting nurses in order to identify lead hazards and promote lead awareness to mothers with newborns.

Assisting Lake Ontario Communities

The Senate succeeded in providing **\$40 million** in new budget funding to assist owners of residences still needing repairs to property impacted by last year's historic flooding of Lake Ontario, St. Lawrence River, and their connected waterways.

Bolstering Libraries

The budget continues the Senate's longstanding support for libraries and the community resources they provide by securing \$5 million in operations funding above the Executive Budget and \$10 million in additional capital funding for a total capital increase of **\$20 million**.

Supporting New York's Seniors

The budget reaffirms the Senate's strong commitment to a wide array of programs and initiatives that serve New York's senior community so that they can continue leading healthy, secure, and fulfilling lives, including funding for the following:

- **\$50 million** for the Expanded In-home Services for the Elderly Program;
- **\$31 million** for Community Services for the Elderly Program;
- **\$27 million** for the Wellness in Nutrition Program;
- **\$27 million** for Alzheimer's and other dementia related programs;
- **\$250,000** for Older Adults Technology Services;
- **\$172,000** for the New York Foundation for Seniors Home Sharing and Respite; and
- **\$132,000** for the Senior Action Council Hotline.

In addition to these funds, the Senate remains committed to protecting New York's seniors by including **\$1.4 million** to support elder abuse prevention initiatives, and this year's budget provides funding for a three-hour extension of Adult Protective Services Call Center hours as an additional resource to report suspected cases of elder abuse. The budget also makes the Residential Emergency Services to Offer Home Repairs to the Elderly (RESTORE) program permanent, and continues **\$1.4 million** for this initiative that assists low-income, elderly homeowners eliminate unsafe conditions in their home.

This year's budget also fully funds New York's vital Elderly Pharmaceutical Insurance Coverage (EPIC) program at **\$132.6 million** to help cover seniors' prescription drug needs. It also fully funds the state's Enhanced STAR school tax relief program for seniors, totaling **\$865 million**.

Helping Our State's Veterans

The Senate Republican Conference's support for the heroic men and women in our nation's military is unwavering. The 2018-19 State Budget reflects this commitment by including:

- **\$645,000** in additional funding to expand the Joseph P. Dwyer Veteran Services Peer-to-Peer Program to an additional seven counties. Total funding for this successful program, which is based on veterans helping veterans, is now \$3.7 million and reaches 23 counties;
- **\$500,000** for the NYS Defenders Association Veterans Defense Program;
- **\$250,000** in additional funding for the Veterans Outreach Center in Monroe County, for a total of \$500,000;
- **\$450,000** for the Veteran's Mental Health Training Initiative;
- **\$220,000** to expand the Veterans Defense Program to Long Island;
- **\$200,000** for Legal Services of the Hudson Valley Veterans and Military Families Advocacy Project;
- **\$200,000** for Warrior Salute;
- **\$100,000** for the Veterans Justice Project;
- **\$100,000** for the SAGE Veterans Project;
- **\$50,000** for the Vietnam Veterans of America New York State Council;

- **\$200,000** for Helmets-to-Hardhats;
- **\$25,000** for the Veterans Miracle Center; and
- **\$125,000** for Veterans of Foreign Wars NYS Chapter Field Service Operations.

The budget also expands the eligibility criteria for veterans to participate in the state's Home for Heroes program, which helps remove barriers to accessible and affordable housing for veterans with disabilities.

Table of Contents by Issue Area

Tax and Mandate Relief	Page 10
Economic Development, Job Creation, and Regulatory Reform	16
Aging	22
Agriculture.....	24
Children and Families	26
Consumer Protection	30
Crime and Public Safety	33
Education	44
Higher Education	48
Energy and Environmental Conservation	50
Ethics and Government Reform	55
Health and Mental Hygiene	58
Transportation	71
Storm and Recovery Response.....	75
Measures to Recognize and Help Veterans	77
Measures to Protect and Support Women in New York	82
Measures to Protect New York’s First Responders and Corrections Personnel	86
Animal Advocacy	89

TAX AND MANDATE RELIEF

The Senate Majority's Affordability Agenda is the first part of the three-pronged "[Blueprint for a Stronger New York](#)" that focuses on Senate initiatives to help more families and seniors afford to stay and thrive in their communities. The agenda is designed to reduce the excessively high taxes and other factors that make it difficult to live, raise a family, own a home, or retire in New York. The measures advanced would result in billions of dollars in savings annually for taxpayers in the form of new and expanded property tax cuts – including the state assuming local Medicaid costs; eliminating costly energy taxes; creating new tax cuts for seniors to prevent them from moving to another state; requiring a supermajority vote when taxes are increased by state and local governments; and preventing unfunded mandates from being passed on to the taxpayer.

2018-19 State Budget Tax and Mandate Relief Highlights:

Rejecting Tax and Fee Increases

The Senate led the successful fight to reject \$1 billion in onerous tax-and-fee increases proposed by the Governor and \$20 billion more proposed by the Assembly, including new taxes on internet purchases and new DOT fees. The final budget also protects the continued roll-out of the landmark **\$4.2 billion** Middle Class Income Tax Cut that began taking effect in January and will reduce tax rates on middle class families and thousands of small businesses by 20 percent over the next several years.

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Making Retirement More Affordable and Accessible for Private Sector Employees

The budget creates a program that provides a simpler way for private employees to save up for retirement through voluntary payroll deductions. Many small business owners and job creators in New York currently face costly administrative and financial barriers to providing retirement savings plans to their employees. This program would give employers, on a completely voluntary basis, the opportunity to utilize existing state administrative resources to help workers that choose to participate in the program and contribute to Roth IRAs to help them save for their future.

Tax and mandate relief legislation includes:

Reducing Tax Burdens for Homeowners affected by Hurricane Sandy

The Senate passed a bill that extends the tax exemption for residential property owners in municipalities affected by Superstorm Sandy by two years to 2020. Five years after one of the most deadly and costly hurricanes on record struck, many New York homeowners continue to do extensive repairs and reconstruction so that they can remain in or return to their homes. This legislation would extend the tax exemption that provides a graduated tax increase over an eight-year period to eligible Superstorm Sandy victims in an effort to help communities recover. [S7339](#), passed both houses, sponsored by Senator Phil Boyle

Preventing Unintended Tax Increases on Not-for-profits

The Senate passed a bill that corrects an unintended new tax on not-for-profits. A recent change made in the Federal Internal Revenue Code provides for an unrelated business tax (UBIT) on any amount a not-for-profit employer has paid for commuter benefits such as mass transit or parking fees. Current state law imposes a state tax of 9 percent on UBIT whenever federal law does. As a result, without this important legislation, New York will automatically impose an additional 9 percent tax on all not-for-profits which would divert millions of

dollars away from the not-for-profit sector each year. This bill excludes payments for transportation costs from taxation to ensure that not-for-profits can continue to perform their mission and serve New Yorkers across the state. [S8831](#), passed both houses, sponsored by Senator Michael Ranzenhofer

Continuing to Help Local Governments Save Money

The Senate passed a bill that eliminates the expiration of a law that currently allows local governments to save on costs by utilizing existing federal, state and local government agency contracts for the purchase of goods and services. The current law is expected to sunset on July 31, 2019. This bill eliminates the sunset date and allows local governments to plan long-term for future purchases with the opportunity of saving local taxpayers money. [S2947A](#), passed both houses, sponsored by Senator Betty Little

New York State's Property Tax Cap

The property tax cap was enacted in 2011 due to Senate Republican efforts to reduce New Yorkers' tax burden. The cap limits the annual growth of property taxes levied by local governments and school districts to two percent or the rate of inflation, whichever is less.

Since 2012, the vast majority of all school districts and municipalities have kept tax levy increases at or below the cap, leading to significant property tax savings for residents and businesses. Taxpayers have saved **\$37 billion** over the last eight years of its implementation, and will save over **\$67 billion** cumulatively over the first 10 years.

Last year, the Senate successfully sought and the Legislature enacted an extension to the tax cap for another five years. The Senate's 2017-18 budget resolution and a bill passed this year took it one step further by proposing to make it permanent to bring further certainty to taxpayers and businesses. [S1207](#), sponsored by Senate Majority Leader John J. Flanagan

Taxpayers throughout New York have been able to see the benefits of the property tax cap – except in New York City where a cap is not in place.

Protecting Taxpayers from Federal Tax Changes

The Senate passed a bill that protects hardworking taxpayers from a new \$1.5 billion state income tax burden created by the recently adopted federal tax overhaul. The measure works to hold harmless New Yorkers who may have to pay more in state income taxes because of the changes at the federal level and prevents the state from benefitting from the sudden revenue increase at the expense of taxpayers. After this bill passed the Senate, the Executive incorporated this bill into the Executive Budget and the Senate made sure it was included in the enacted budget. [S6974A](#), sponsored by Senator Simcha Felder

Protecting Health Insurance Consumers from a New State Tax

The Senate passed a bill designed to protect health insurance consumers from a new proposed state tax that prevents anticipated savings from the federal tax reforms from going back to customers. The legislation ensures that the \$140 million estimated windfall to health insurers from federal corporate tax rate would result in lower health care costs for taxpayers, instead of an Executive proposal that diverts the savings back to the state. [S7587A](#), sponsored by Senators Kemp Hannon and James L. Seward

Decoupling New York's Financial Institutions From Potential Tax Increases

The Senate passed a bill that prevents an unintended state corporate tax increase on financial institutions as a result of the loss of Federal Deposit Insurance Corporation (FDIC) premium deductions. This bill maintains the state tax treatment of FDIC premiums by allowing New York taxpayers to continue to deduct the premiums. [S9029](#), sponsored by Senator Elaine Phillips

Protecting New York's Businesses From Potential Tax Increases

The Senate passed a bill that prevents an unintentional tax increase on the financial services industry – one of New York's largest industries. Under the new federal tax law, a change was made in an effort to repatriate foreign held intangible assets such as patents, copyrights, and trademarks. However, a technical change led to other types of intangible income such as financial transactions to be included in this new section of the Internal Revenue Code, which was no longer exempt from state taxation. This bill preserves the state's treatment of controlled foreign corporation (CFC) income that has been in place for decades. [S8991A](#), sponsored by Senator John Flanagan

Decoupling Partnerships From Potential Tax Increases

The Senate passed a bill that prevents an unintentional tax increase on partnerships. Under the new federal tax law, changes were made to tax earnings of foreign companies that are owned, either directly or indirectly, by U.S. taxpayers. The creation of a transition tax to repatriate those funds has a negative impact on partners, especially in large accounting firms, because it would subject their share of the partnership to state taxation prior to receiving the income. This bill decouples partnerships from the federal transition tax and preserves the state's treatment of partnerships by ensuring that income will not be subject to state taxation until it is received by the partner. [S9052](#), sponsored by Senator John Flanagan

Protecting Businesses from Losing Business Interest Deductions

The Senate passed a bill that prevents an unintended new tax of businesses as a result of the loss of deductions of business interest expenses. Under the new federal tax law, deductions were capped at 30 percent of business interest expenses in exchange for a five year period where businesses could expense capital investments. While New York is already decoupled from federal bonus depreciation, this legislation ensures that New York's businesses are not subject to a higher state tax liability as a result of the interest deduction cap. [S9030A](#), sponsored by Senator Tom O'Mara

Creating STAR for Small Businesses

The Senate passed a bill that allows real property owned by a small business (100 or less employees) to be eligible for the STAR property tax savings program, saving \$275 million. [S1116A](#), sponsored by Senator Fred Akshar

Saving Hundreds of Millions in Taxes for Small Businesses and Farms

The Senate passed a bill that creates significant new tax savings for small businesses and small farms by expanding the existing Personal Income Tax exemption and reducing the Corporate Franchise Tax business income tax rate from 6.5 percent to 2.5 percent over a two-year period. The bill would save a total of \$495 million when fully implemented. [2120A](#), sponsored by Senator Tom O'Mara

Expanding the Minimum Wage Reimbursement Tax Credit

The Senate passed a bill that helps businesses which promote the success of student employees. The minimum wage reimbursement tax credit provides eligible employers with a credit for employing students at the minimum wage rate. Currently, the tax credit is designed to incentivize employers to hire and train student-employees who may be new to the labor market. Unfortunately, the way the credit is presently structured, employers who give hard-working student-employees even a modest hourly raise are no longer eligible to receive credit for those student-employees. This bill would correct this disincentive to provide student-employees with a modest raise by allowing credit for wages that are not in excess of the applicable minimum wage plus fifty cents. [S6793A](#), sponsored by Senator Martin Golden

Providing \$280 Million in New Energy Tax Relief

The Senate passed a measure that saves business and resident ratepayers by phasing in a new elimination of the two-percent Gross Receipts Tax on utility bills. [S8407](#), sponsored by Senator Joseph Griffo, eliminates the base

underlying 18-A assessment tax and shifts the cost of the Public Service Commission to the General Fund. Together, they will result in needed reductions in consumers' utility bills and provide a total savings of \$280 million. [S8399](#), also sponsored by Senator Joseph Griffo

Cutting Local Medicaid Contributions to Give Direct Property Tax Relief

The Senate passed two bills that would require the state to assume the local share of Medicaid payments. Legislation includes:

- [S8411](#), sponsored by Senator Catharine Young, reduces the local Medicaid contribution by 20 percent per year over five years for all counties outside of New York City. The counties must then enact dollar-for-dollar reductions in property taxes, resulting in direct taxpayer savings of up to \$451 million in the first year alone, and \$2.3 billion when fully effective.
- [S8412](#), sponsored by Senator Catharine Young, reduces counties' contributions by 10 percent per year over 10 years and again requires that \$2.3 billion in cumulative savings to be returned dollar-for-dollar back to property taxpayers. In New York City, the contribution would also be reduced by up to \$2.3 billion and returned to taxpayers in the form of a dollar-for-dollar reduction in the personal income tax. In addition, the city would be required to enact a two-percent property tax cap similar to what is already in effect in the rest of the state, and which has already saved taxpayers \$37 billion to date.

Expanding STAR Property Tax Relief

The Senate passed a bill that provides additional property tax relief for all STAR-eligible New Yorkers by increasing the amount of the property tax relief credit by 25 percent. This bill expands an already successful program first created by Senate Republicans that is helping to reduce the property tax burden and helps mitigate tax savings that could be lost as a result of the recent federal State and Local Tax deductions. The increase would take effect in the 2019 tax year and save an expected \$331 million by 2020, \$1.6 billion annually thereafter. [S8398](#), sponsored by Senator Elaine Phillips

Extending the Enhanced STAR Exemption

The Senate passed legislation to allow for the continuation of the STAR exemption for individuals upon the loss of a spouse who previously qualified for the program, provided that the surviving spouse is physically disabled as certified by a New York state-licensed physician. Surviving spouses who meet the specifications outlined above will be entitled to receive the benefits of the STAR exemption, helping to alleviate the financial burdens remaining after the loss of their significant other. [S2613](#), sponsored by Senator Betty Little

Eliminating Property Taxes for Seniors to Keep Them in New York

The Senate passed a bill that creates a school tax rate for seniors that phases in a yearly 10-percent reduction of school taxes, based on age of the eligible senior, starting at age 70 to reduce the burden that older New Yorkers face when paying the school tax portions of their real property tax bills. By reducing the financial burden of home ownership for seniors, this bill may make it more affordable for a larger number of seniors to stay in New York State instead of relocating to states with less burdensome real property tax rates. The bill would save \$274 million by 2022 and \$556 million by 2023. [S8406](#), sponsored by Senator Kenneth LaValle

Increasing Retirement Exemptions to Make Living in New York More Affordable

The Senate passed a bill that helps more seniors save money and choose to stay in New York during their retirement by increasing the private pension and retirement income exclusion from \$20,000 to \$40,000 for single taxpayers and to \$80,000 for married taxpayers, over three years. This would be the first increase to the exempt amount for private pensions and retirement since 1981 and will save retirees approximately \$275 million. [S414A](#), sponsored by Senator Felder

Requiring a Supermajority for New Tax Hikes

The Senate passed two measures that require a two-thirds vote from each house of the state legislature to increase, impose, or extend taxes, a two-thirds vote from local legislative bodies to increase, impose, or extend local taxes, and a two-thirds vote from local legislative bodies requesting an increase, imposition, or extension of taxes by the state legislature. The first bill holds elected officials more accountable to the state's taxpayers, both at state and local levels of government, by requiring a supermajority. A second bill accomplishes the supermajority requirement for state and local tax laws by proposing a constitutional amendment. [S8401](#) and [S8402](#), sponsored by Senator Sue Serino

Making Education More Affordable with 529 Plan Changes

The Senate passed a bill that makes New York's tax law consistent with changes to 529 plan tuition eligibility that recently took effect on the federal level. The federal Tax Cuts and Jobs Act enacted last year expanded the use of 529 plans to include tuition expenses for attendance at elementary or secondary schools, but existing tax law in New York may not allow such expenses to be eligible. This bill enables 529 plan distributions used to pay for elementary or secondary school tuition expenses after January 1, 2018, to have the same tax benefits as distributions used for attending an eligible institution of higher education. [S7783](#), sponsored by Senator Martin Golden

Providing Overtaxed New York City Homeowners with Relief

The Senate passed a bill to help provide much needed tax relief for millions of overburdened New York City property owners. The bill gives New York City government the authority to provide a rebate of a portion of the real property taxes for owners of occupied family residences that house up to six families, and including condos and co-ops. [S4136C](#), sponsored by Senator Andrew Lanza

Giving Tax Relief to Working Parents

The Senate passed legislation to help make it more affordable for working families paying for child and dependent care. The bill reflects the rising expenses faced by families paying for quality care for children and dependents and save them millions of dollars by increasing the maximum amount of costs eligible for the state's child and dependent care tax credit. [S7815](#), sponsored by Senator Michael Ranzenhofer

Easing Burdens on Municipalities through Permitting Revisions

The Senate passed a bill that would ease mandates on local municipalities by eliminating the requirement that local agencies must file numerous "hauling permits" every year for each vehicle and trailer in their fleet. Through this measure, the annual requirement would be eliminated, municipalities would only need to obtain "hauling permits" one time, and those permits would be valid until the municipality removes the vehicle from operation. [S2904A](#), passed by both houses, sponsored by Senator Patty Ritchie

Preventing Unfunded Mandates and Local Tax Increases

The Senate passed a concurrent resolution to reduce property taxes by prohibiting many of the unfunded mandates that place a hardship on local governments. The bill would prevent state government from passing a financial burden of new mandates to local governments without financial assistance, preventing them from being forced to decide between taking resources from already strained local programs and redirecting those funds to the latest unfunded mandate, or turning to already over-burdened taxpayers for additional support. [S8400](#), passed both houses, sponsored by Senator Chris Jacobs

Enacting an Unfunded Mandate Review Act

The Senate passed a measure that establishes the Unfunded Mandate Review Act to protect local governments from mandated policies that they must pay for, and in turn protects taxpayers from increasing tax levies. The bill requires the Comptroller to provide the fiscal impact notes upon request of a committee for any bill including an unfunded mandate, conduct a continuing mandate study of unfunded mandates upon any local government, and prepare comparative costs of proposed regulations. [S5828](#), sponsored by Senator Chris Jacobs

Promoting Mandate Relief the Regulatory Processes

The Senate passed a bill that promotes mandate relief and flexibility in tailoring regulatory requirements to the specific needs and capabilities of local governments. The bill restores recently expired provisions that streamlined the process for submitting petitions to request approval of an alternate method to meet a regulatory mandate. [S5791](#), sponsored by Senator Chris Jacobs

Preventing New Mandates After a School Budget Has Passed

The Senate approved a measure preventing any state mandates creating a new cost for a school district from being imposed after the adoption of that fiscal year's school budget. While the state legislature has been particularly sensitive to school districts' concerns regarding the imposition of unfunded state mandates in recent years, the federal government and the state Education Department continue to impose new fiscal requirements on public schools without regard to their ability to plan for the fiscal implications. Without adequate funding and time to plan for unforeseen costs, some school districts have had to reduce programs, services, and personnel to contend with new unfunded mandates, rather than adjust and plan for any new costs. [S1020](#), sponsored by Senator Rich Funke

ECONOMIC DEVELOPMENT, JOB CREATION, AND REGULATORY REFORMS

The Senate Republican Majority’s Jobs and Opportunity Agenda is the second part of the three-pronged “[Blueprint for a Stronger New York](#)” that focuses on making the state less costly and more attractive for hardworking New Yorkers. The broad-based agenda is designed to help the state become more competitive, improve job creation, and make the state more business-friendly. The Senate plan will save small businesses more than \$1.1 billion in taxes, cut red tape, reduce regulatory burdens, invest in workforce development, and strengthen New York’s economic development programs.

2018-19 State Budget Economic Development and Job Creation Highlights:

Job Training and Workforce Development

The budget provides key investments in job training and workforce development initiatives so New Yorkers can enhance their job skills – providing a pathway for new opportunities, financial security, and career success.

Specific highlights include:

- **\$5 million** for the Next Generation Job Linkage Program that assists employers in identifying potential jobs, defining their necessary skills, and providing employees with the appropriate training;
- **\$5 million** for the SUNY/CUNY Apprentice Initiative, a targeted training initiative that helps employers refine the skills of new hires and enables more experienced employees the chance to upgrade their skills;
- **\$4 million** for the Workforce Development Institute (WDI), a highly successful not-for-profit that works with businesses and the AFL-CIO to provide focused training for workers and for workforce transition support to help stop the outsourcing of jobs to other states. An additional **\$3 million** is also provided for WDI’s Manufacturing Initiative;
- **\$3.6 million** for Business and Community College Partnerships that support innovative, specifically-tailored workforce training programs coordinated between individual businesses and community colleges; and
- Increased support for Early College High Schools to help prepare students for college-level coursework that promotes future academic performance and enables students to get their high school diplomas while also earning free associate degrees for high-skilled jobs or taking other college credit-bearing courses.

The Budget also promotes economic growth through infrastructure investment. To ensure New York has the infrastructure in place to attract and expand businesses, the Senate has secured **\$122 million** in new capital funds to support investments in transportation, environmental mitigation, aviation, and other economic development-related infrastructure projects throughout the state.

Economic development and job creation legislation includes:

Making it Easier for Minority Veteran Business Owners to Qualify for MWBE

The Senate passed a bill that creates a process for minority veterans to become recognized as a certified minority- or women-owned business enterprise (MWBE). This bill alleviates some of the burdens veterans looking to qualify for MWBE programs face by allowing veterans to use their DD214 form, issued by the U.S. Department of Defense upon retirement, separation, or discharge from active duty, as proof of race, ethnicity, or other personal information required for enrollment in the program. [S7891](#), passed both houses, sponsored by Senator Betty Little

Allowing Non-Certified Minority- and Women-owned Businesses to Compete for Contracts

The Senate passed a bill that provides a pathway for successful minority- or women-owned businesses that are not eligible to become certified as MWBEs due to exceeding the state’s small business or personal net worth thresholds. It creates an additional certification classification and separate directory listing for these types of

MWBEs and includes new outreach and operations requirements to increase workforce diversity. This bill addresses certain areas of the state – particularly in the North Country – where there are low numbers of MWBEs and encourages large MWBEs to support and partner with smaller MWBEs to increase capacity, skill level, and abilities. [S8870A](#), passed both houses, sponsored by Senator Patty Ritchie

Enabling MWBE Certification for the State’s Indian Tribes

The Senate passed a bill ensuring that state is able to certify certain business entities owned by an Indian nation or tribe for participation in the Minority- and Women-Owned Business Enterprise program. Many Indian Nation and tribes use wholly-owned corporate entities as a means of developing their local economies. Unlike a privately owned company, all of the profits of a Nation or tribally-owned entity go back into the tribal corporation and/or the Indian Nation or tribe's general budget, to be used for education, health care, infrastructure and transportation, among other things. Tribally-owned businesses support the economic empowerment, growth and health and well-being of a historically disadvantaged people. [S858](#), passed both houses, sponsored by Senator Catharine Young

Decoupling New York’s Financial Institutions From Potential Tax Increases

The Senate passed a bill that prevents an unintended state corporate tax increase on financial institutions as a result of the loss of Federal Deposit Insurance Corporation (FDIC) premium deductions. This bill maintains the state tax treatment of FDIC premiums by allowing New York taxpayers to continue to deduct the premiums. [S9029](#), sponsored by Senator Elaine Phillips

Protecting New York’s Businesses From Potential Tax Increases

The Senate passed a bill that prevents an unintentional tax increase on the financial services industry – one of New York’s largest industries. Under the new federal tax law, a change was made in an effort to repatriate foreign held intangible assets such as patents, copyrights, and trademarks. However, a technical change led to other types of intangible income such as financial transactions to be included in this new section of the Internal Revenue Code, which was no long exempt from state taxation. This bill preserves the state’s treatment of controlled foreign corporation (CFC) income that has been in place for decades. [S8991A](#), sponsored by Senator John Flanagan

Decoupling Partnerships From Potential Tax Increases

The Senate passed a bill that prevents an unintentional tax increase on partnerships. Under the new federal tax law, changes were made to tax earnings of foreign companies that are owned, either directly or indirectly, by U.S. taxpayers. The creation of a transition tax to repatriate those funds has a negative impact on partners, especially in large accounting firms, because it would subject their share of the partnership to state taxation prior to receiving the income. This bill decouples partnerships from the federal transition tax and preserves the state’s treatment of partnerships by ensuring that income will not be subject to state taxation until it is received by the partner. [S9052](#), sponsored by Senator John Flanagan

Protecting Businesses from Losing Business Interest Deductions

The Senate passed a bill that prevents an unintended new tax of businesses as a result of the loss of deductions of business interest expenses. Under the new federal tax law, deductions were capped at 30 percent of business interest expenses in exchange for a five-year period where businesses could expense capital investments. While New York is already decoupled from federal bonus depreciation, this legislation ensures that New York’s businesses are not subject to a higher state tax liability as a result of the interest deduction cap. [S9030A](#), sponsored by Senator Tom O’Mara

Recognizing Student Effort in the Workforce

The Senate passed legislation that gives high school students the opportunity to earn academic credit towards graduation for outside work experience. The legislation recognizes the value of practical experiences high

school students may get from jobs, and helps encourage youth for the workforce. [S2104A](#), sponsored by Senator Simcha Felder

Attracting Talented Educators Who Prepare the Next Generation

The Senate passed a bill that increases access to career and tech programs at BOCES. The bill would increase the current salary cap for BOCES CTE instructors from \$30,000 to \$50,000 phased-in over five years to attract and retain qualified and skilled teachers. [S1469A](#), sponsored by Senator Patty Ritchie

Giving Job Opportunities to Those Who Served our Country

The Senate acted on a bill that establishes the Veteran Career Assistance Program in collaboration with the Division of Veterans Affairs, as well as SUNY and CUNY. Similar to the assistance currently provided to SUNY and CUNY students, this program would assist veterans using their military experiences and skills to build a civilian resume and gain access to employment placement services. [S938](#), sponsored by Senator Thomas Croci

Encouraging Statewide Participation in Apprenticeships

The Senate acted on a measure that directs the Commissioner of Education to develop guidelines for use by high school guidance counselors in facilitating student awareness and interest in apprenticeships, pre-apprenticeships, and career and technical education opportunities. This would particularly apply to the hardworking men and women looking to gain footing in the building, construction, manufacturing, and maritime trades where positions all across the state are often left unfulfilled. [S2124B](#), sponsored by Senator Chris Jacobs

Establishing the “Retrain and Employ Unemployed Persons Program”

The Senate passed a bill that directs SUNY and CUNY community colleges to work with local businesses and industry to develop work force training programs that target the unemployed and provide the skills necessary for individuals to obtain jobs in their communities. This bill also provides funding for the initial creation of this program by providing \$500,000 in grants to start and additional incentive funding to those community colleges that successfully place trained individuals in jobs. [S2232A](#), sponsored by Senator Kenneth LaValle

Establishing a Small Business Liaison Position in State Agencies

The Senate acted on a bill that fosters communication and cooperation by designating an existing state agency employee as a small business liaison responsible for providing businesses with a reliable contact. The liaison will give important regulatory information, hear the businesses concerns and advocate on behalf of the business within the agency. It expands on the New York State Workers’ Compensation Board’s successful implementation of an “Advocate for Business” that connects New York State business owners to help understanding the complex workers' compensation system. [S6706](#), sponsored by Senator Fred Akshar

Updating State MWBE Contract Requirements

The Senate passed a bill that helps better reflect the number of certified Minority- and Women-owned Business Enterprise (MWBE) businesses in each region of the state. Across the state, businesses are required to contract services from MWBEs at 30 percent of their total business service. In many areas of the state, MWBEs are severely under-represented, making it difficult for existing business owners to be awarded a state contract. This bill amends the current law so contracting agencies would only be required to contract with the number of MWBEs correlating to the percentage of MWBEs in that industry in the economic development region where the contract is to be performed. [S1126A](#), sponsored by Senator Fred Akshar

Expanding Opportunity for Small Minority- and Women-owned Businesses

The Senate passed a bill that authorizes the Dormitory Authority of the State of New York (DASNY) to establish of a four-year pilot program to expand contracting opportunities for small minority-owned and

women-owned business enterprises (MWBE). This bill expands on existing legislation by creating targeted, competitive procurement opportunities to further improve the success of small MWBEs that contract with DASNY, and fosters the development of alternative sources of reliable contractors and subcontractors ready to perform larger jobs and responsibilities through mentoring programs. [S7960](#), sponsored by Senator Michael Ranzenhofer

Making New York More Manufacturer-Friendly

The Senate passed legislation that extends the corporate franchise zero percent tax rate to all manufacturers located in the state. When zero percent corporate franchise tax rate was first introduced in 2014 it only applied to manufacturers organized as C corporations, about 25 percent of all manufacturers. This left the remaining manufacturers to pay the higher rate and put them at a competitive disadvantage with manufacturers in states with no income tax. New York is currently ranked as the 49th state in manufacturer-friendliness, but this new legislation could boost it to one of the top-ranked states in the nation and attract new manufacturers to invest in the state's workforce. According to a recent study by the Beacon Hill Institute, an extension of the zero percent tax rate to all manufacturers, regardless of structure, would result in an increase in private sector jobs as well as a boost in economic activity and local tax collection to offset the loss of revenue to the state. [S7561A](#), sponsored by Senator Tom O'Mara

Encouraging Business to Hire Addicts in Recovery

The Senate passed a bill that would create a state tax credit for businesses that hire addicts in recovery. The proposed tax credit would only be available if the employed person is in recovery with an Office of Alcoholism and Substance Abuse Services (OASAS) approved rehabilitation center. The person would need to be employed full-time for at least 180 days or 400 hours before the credit could be claimed. The amount of tax credit the employer could claim would be 35 percent of the first \$6,000 in wages that the qualified employee is paid in their first year of employment. The employer would be able to receive a federal work opportunity tax credit for a second year of wages paid. That would again be based on 35 percent of the first \$6,000 in wages. [S7384](#), sponsored by Senator Betty Little

Authorizing Small Business Savings Accounts to Help in Emergencies

The Senate passed a bill that helps create or retain jobs during times of hardship by allowing small businesses to contribute to a tax-deferred savings account. Contributions to the account can be withdrawn tax-free during times of specified economic hardship, for the purpose of job retention or creation, or times where the Governor deems it a natural disaster to warrant assistance from the federal government. [S3557](#), sponsored by Senator Phil Boyle

Establishing the "GrowNY" Pilot Program

The Senate passed a bill that establishes the GrowNY pilot program, an economic gardening pilot program within the state Department of Economic Development to stimulate investment in the state economy by providing technical assistance for expanding businesses in the state. Economic gardening is a long-term entrepreneurial strategy designed to generate new jobs from the existing base of businesses in the community. [S3392A](#), sponsored by Senator Patrick M. Gallivan

Incentives for the Digital Gaming Industry

The Senate passed legislation to provide meaningful incentives for the State's gaming industry. Gaming is the world's fastest growing industry, and New York is one of the globe's leading centers for training game designers, but we fall woefully behind when it comes to creating games and jobs connected to the industry. [S3159A](#) and [S5887A](#), both sponsored by Senator Martin Golden

Regulatory reform legislation includes:

Reducing Regulatory Fines on Small Businesses

The Senate passed a bill that gives first-time offenders of state small business regulations a reprieve from paying fines to help foster a productive relationship between the state and business owners. The measure would prevent the state from fining a small business for a first violation of regulations, unless the agency determines that the violation directly affects public health or safety. The agency then would provide literature or an in-person meeting to inform such small business of its regulations to improve compliance. [S4120B](#), passed both houses, sponsored by Senator Fred Akshar

Giving More Time to Provide Input on Proposed Regulations

The Senate passed a bill that amends the State Administrative Procedure Act to increase the revised rule public comment period from 30 days to 45 days. This will give businesses, other interested parties and the public more time to review substantial changes to regulations that are proposed by state agencies and provide input when necessary. [S6916](#), passed both houses, sponsored by Senator Chris Jacobs

Creating a Task Force to Study Cryptocurrency Regulation

The Senate passed a bill that establishes the “Digital Currency Task Force” to study how to regulate cryptocurrencies in New York State. Cryptocurrency, such as Bitcoin, is a digital currency which uses encryption techniques, such as block chain, to regulate the generation of units of the currency and verify the transfer of funds, independently of a central bank. A growing number of merchants now accept cryptocurrency as a form of payment and cryptocurrency ATMs are popping up across the state. This legislation creates a task force to determine how to regulate cryptocurrencies in order to prevent money laundering and protect consumers. [S9013](#), passed both houses, sponsored by Senator Elaine Phillips

Providing Time for Businesses to Raise Concerns with New Regulations

The Senate passed a measure that allows the Administrative Regulations Review Commission to examine an issue and vote on a 90-day delay prior to the adoption of proposed administrative rules. This will help when businesses raise concerns about possible rulemaking inconsistencies with statutory authority or legislative intent, or when requirements could potentially burden taxpayers or local governments. [S6095](#), sponsored by Senator Chris Jacobs

Examining the Overall Effectiveness of the State Administrative Procedure Act

The Senate passed a bill that creates a task force charged with examining, evaluating, and making recommendations about the efficiency of the rulemaking process in the State Administrative Procedures Act. Since 1975, this act has been amended numerous times but has never undergone a comprehensive review of its overall effectiveness. The Task Force would help ensure consistent, uniform rules are established and whether the existing statutory process results in rules, regulations, and licenses that are overly burdensome on regulated entities. [S2133](#), sponsored by Senator Patrick M. Gallivan

Creating New Authority to Contest Overly Burdensome Rules

The Senate acted on a measure that allows the state Administrative Regulation Review Commission (ARRC) to file a formal objection to proposed rules when they are burdensome and harmful to businesses, local governments, or other regulated parties. This bill seeks to encourage agencies to consider changing rules to accommodate the concerns raised by ARRC with the goal of having the agencies reconsider the rule. [S5982A](#), sponsored by Senator Chris Jacobs

Supporting Businesses in Enhancing Environmental Compliance

The Senate passed a bill that provides financial assistance to small businesses for the purpose of pollution prevention, control and compliance. By increasing access to capital for small businesses seeking to pursue

pollution prevention improvements, even when compliance is not an immediate issue, both the business and the state's environment will benefit from the enhanced environmental performance. [S2999A](#), sponsored by Senator Kenneth LaValle

Strengthening Procedures for Negotiated Rule Making

The Senate passed a measure that promotes greater involvement of small businesses in the rulemaking process and make it more open and fair. The bill requires negotiated rulemaking to provide additional opportunities for small business and the public to directly participate in the development of proposed agency regulations. Negotiated rulemaking allows small business owners and representatives of all significant interests who would be affected by a regulation to meet and develop as broad a consensus as possible on terms of a rulemaking proposal. [S4590A](#), sponsored by Senator Chris Jacobs

Prevent Regulatory Steamrolling

The Senate passed a bill that would curtail state agency overuse of the emergency regulation process to ensure it is only used in true emergency situations when necessary to protect public health and safety. By amending the State Administrative Procedure Act's emergency rulemaking provisions, it constricts the timeframe an agency can promulgate a single regulation as an emergency, and the circumstances surrounding the need for emergency rulemaking action by a state agency. [S5912C](#), sponsored by Senator Chris Jacobs

AGING

2018-19 State Budget Aging Highlights:

Supporting Our Seniors

The budget reaffirms the Senate's strong commitment to a wide array of programs and initiatives that serve New York's senior community so that they can continue leading healthy, secure, and fulfilling lives. It includes funding for the following:

- **\$50 million** for the Expanded In-home Services for the Elderly Program;
- **\$31 million** for Community Services for the Elderly Program;
- **\$27 million** for the Wellness in Nutrition Program;
- **\$27 million** for Alzheimer's and other dementia related programs;
- **\$250,000** for Older Adults Technology Services;
- **\$172,000** for the New York Foundation for Seniors Home Sharing and Respite; and
- **\$132,000** for the Senior Action Council Hotline.

In addition to these funds, the Senate remains committed to protecting New York's seniors by including **\$1.4 million** to support elder abuse prevention initiatives. This year's budget also provides funding for a three-hour extension of Adult Protective Services Call Center hours as an additional resource to report suspected cases of elder abuse.

The budget also makes the Residential Emergency Services to Offer Home Repairs to the Elderly (RESTORE) program permanent, and continues funding **\$1.4 million** for this initiative that will help low-income, elderly homeowners eliminate unsafe conditions in their home.

This year's budget also fully funds New York's vital Elderly Pharmaceutical Insurance Coverage (EPIC) program at **\$132.6 million** to help cover seniors' prescription drug needs. It also fully funds the state's Enhanced STAR school tax relief program for seniors, totaling **\$865 million**.

Aging and affordable housing legislation includes:

Allowing Surviving Spouses to Appoint an Executor

The Senate passed a bill that allows a surviving spouse wishing to exercise his or her right of election to serve notice upon the nominated executor at their home address. [S6137](#), passed both houses, sponsored by Senator John Bonacic

Assisting Seniors and Disabled Individuals in DRIE/SCRIE Forms

The Senate passed a bill that assists individuals' complete necessary forms for the Senior Citizen and Disabled Rent Increase Exemption programs. By offering these community-oriented programs, this bill ensures that individuals eligible for tax abatement face no additional hurdles in completing necessary forms. [S4555](#), passed both houses, sponsored by Senator Martin Golden

Expanding Awareness of the DRIE/SCRIE programs

The Senate has passed a bill that creates an outreach program aimed at elderly and disabled individuals who otherwise qualify for the Senior Citizen and Disabled Rent Increase Exemption programs but who are not currently using these programs. Additionally, this bill will streamline the application and renewal process. [S4567](#), passed both houses, sponsored by Senator Martin Golden

Eliminating Property Taxes for Seniors to Keep Them in New York

The Senate passed a bill that creates a senior school tax rate that phases in a yearly 10 percent reduction of school taxes, based on age of the eligible senior, starting at age 70 to reduce the burden that seniors face when paying the school tax portions of their real property tax bills. By reducing the financial burden of home ownership for seniors, this bill may make it more affordable for a larger number of seniors to stay in New York State instead of relocating to states with less burdensome real property tax rates. The bill would save \$274 million by 2022 and \$556 million by 2023. [S8406](#), sponsored by Senator Kenneth LaValle

Preventing Companies from Defrauding Retirees

The Senate passed a bill to amend the retirement and social security law and the banking law, in relation to pension assignments. Pension advances, or financial transactions that allow a company to give retirees a lump sum of their pension in return for future pension payments, have increasingly been proven to be risky and predatory in nature. This measure would prohibit schemes and devices regularly used by companies, including deposits in joint accounts or authorizations through a power of attorney, to avoid assignment provisions of public pension benefits. [S6431A](#), sponsored by Senator Sue Serino

AGRICULTURE

2018-19 State Budget Agriculture Highlights:

The Senate succeeded in restoring and adding more than **\$13 million** beyond the Executive's proposal for agriculture programs, totaling \$54.4 million. This year's total funding is an increase of over \$3 million from last year. Dozens of programs, investments in cutting-edge agricultural research, support for the next generation of family farmers, environmental stewardship, and protections for plant, animal, and public health – will be funded, with significant increases including:

- **\$1.5 million** (for a total of **\$1.9 million**) for the Farm Viability Institute to help New York's farmers become more profitable and to improve the long-term economic viability and sustainability of farms, the food system, and the communities which they serve;
- **\$1 million** (for a total of **\$9.28 million**) for Agri Business Child Development Program, to provide quality early childhood education and social services to farm workers and other eligible families;
- **\$1 million** (for a total of **\$5.43 million**) for Cornell Diagnostic Lab;
- **\$1.1 million** for Taste New York, including \$550,000 for the New York Wine and Culinary Center;
- **\$750,000** for Farm-to-School programs;
- **\$544,000** (for a total of **\$750,000**) for the Apple Growers Association;
- **\$500,000** for the Farm-to-Seniors Program;
- **\$300,000** for the North Country Farm-to-School Program;
- **\$225,000** for Maple Producers; and
- **\$138,000** for EBT at Farmers Markets.

In addition, the Senate again secured **\$5 million** to support local county fairs and **\$5 million** for animal shelter improvements.

Agriculture legislation includes:

Protecting the Future of Family Farming

The Senate passed a bill that enhances the existing Department of Agriculture and Markets Farmland Protection Implementation Grant Program. This legislation strengthens the program to better protect farmland, improve the chances of farmer-to-farmer property transactions, and keep active farmland in use. [S8362A](#), passed both houses, sponsored by Senator Patty Ritchie

Protecting Pollinators and Farmers

The Senate passed a measure that makes it state policy to encourage pollinator-friendly landscapes on solar farm sites. According to the State Pollinator Taskforce, New York is home to more than 450 pollinator species currently under threat from habitat loss and fragmentation, colony collapse disorder, parasites, exposure to toxins, and other stressors. Many of the state's leading agricultural crops rely heavily on pollination, and although many solar site owners claim that they are eco-friendly, this legislation would help ensure that statewide guidelines be developed by the state Department of Agriculture and Markets include short-term and long-term minimum standards for biodiversity and land management practices. The bill would also promote greater pollinator protection without restricting farming practices for farms who do not make public claims regarding pollinator benefits. [S6339A](#), passed both houses, sponsored by Senator Patty Ritchie

Authorizing the Production of Beer and Cider Ice Cream

The Senate passed a measure that authorizes the sale of beer and hard cider ice cream. Similar to previous legislation authorizing the production of wine ice cream, this bill would limit the percentage of alcohol in ice cream to no more than five percent of alcohol by volume, prohibit the sale to persons under 21 years of age, and

require a label that the product contains alcohol. This measure will help New York dairy farmers, craft beer and cider producers, and food retailers and restaurants meet the growing demand by consumers for these new and innovative dairy products. [S8830](#), passed both houses, sponsored by Senator James L. Seward

Authorizing the Production of Mead and Braggot

The Senate passed a bill that creates a mead producers' license and a farm meadery license to allow for the sale of alcoholic beverages such as mead and braggot. Despite being some of the oldest alcoholic beverages, mead (also known as honey wine) and braggot (a form of mead made with honey and barley malt) represent a relatively new and growing segment of New York's craft beverage industry. This legislation would allow existing wineries and breweries to produce both mead and braggot. Similar to legislation for retailing of hard cider, a product of 8.5 percent alcohol by volume can be designated as a wine, and sold in a wine and liquor store, or designated as a mead, and sold in both wine and liquor store and grocery stores. [S8560A](#), passed both houses, sponsored by Senator Terrence Murphy

Establishing the "GrowNY" Pilot Program

The Senate passed a bill that establishes the GrowNY pilot program, an economic gardening pilot program within the state Department of Economic Development to stimulate investment in the state economy by providing technical assistance for expanding businesses in the state. Economic gardening is a long-term entrepreneurial strategy designed to generate new jobs from the existing base of businesses in the community. [S3392A](#), sponsored by Senator Patrick M. Gallivan

Doubling the Existing Farm Workforce Retention Credit

The Senate passed a bill that helps farmers meet consumer demands with a strong and steady workforce. The bill would increase the farm workforce retention credit enacted in last year's budget to \$600 per eligible employee this year, and \$1,200 per farm employee when fully effective, saving farmers an estimated \$60 million when fully implemented. [S2905A](#), sponsored by Senator Patty Ritchie

Helping Farmers Invest in Facilities and Buy Equipment

The Senate passed a bill that provides a tax credit for dairy farmers to encourage investment in facilities and equipment that will allow them to take advantage of a growing demand for "value-added" dairy products, like flavored drinks, yogurts, and other products that can satisfy existing, wide demand, such as in growing ethnic minority communities within the state. [S7851](#), sponsored by Senator Patty Ritchie

Lessening the Burden on Small Farm Goods Transportation

The Senate passed a bill that creates a 10-percent discount on state thruway tolls for trucks transporting food produced by farms. The legislation would help farmers struggling with rising costs by allowing single unit trucks or other larger vehicles to transport food and other produce to grocery stores and dinner tables across the state at a lower cost. [S890](#), sponsored by Senator George A. Amedore, Jr.

Giving Farmers Access to IDAs

The Senate passed a bill that authorizes industrial development agencies (IDAs) to provide technical and financial assistance to agricultural producers that grow, harvest, or produce agricultural products in New York. Expanding the authorization of already existing IDAs, which under current law can only issue loans and provide technical support to manufacturers, processors, and warehouseers of agricultural products – helps these agencies promote job growth in industries that rural areas of the state already have specialized in, such as fruit cultivation, raising of beef and other animals, and other agricultural pursuits. [S2388](#), sponsored by Senator William J. Larkin, Jr.

CHILDREN AND FAMILIES

2018-19 State Budget Children and Family Highlights:

The Senate secured **\$900,000** in new funding in the 2018-19 budget for public health improvement initiatives to reduce the damaging effects of childhood lead poisoning. It includes \$775,000 in investments strengthening partnerships with code enforcement agencies in Buffalo, Utica, Syracuse, Newburgh, and Binghamton to prevent lead exposure. It will also support the Maternity and Early Childhood Foundation's "Lead Safe Babies" initiative to provide training to visiting nurses in order to identify lead hazards and promote lead awareness to mothers with newborns.

Children and families legislation includes:

Establishing Guidelines for Early Identification of Autism

The Senate passed a bill that establishes screening tools and guidelines for autism spectrum disorders (ASD) in children three years of age and younger. Currently, there is no standardized screening approach for the early identification of autism. Screening is a way to detect a disorder, such as autism, before the onset of symptoms. Early treatment of autism can have a significantly positive impact on the health and well-being of children and their families. [S8955](#), passed both houses, sponsored by Senator Robert Ort

Empowering Nurses to Ensure the Greatest Quality of Care for Newborns

The Senate passed a bill that allows hospitals to establish non-patient specific orders for the care of healthy newborns by an attending registered nurse. Under current law, registered nurses (RNs) are authorized to administer certain treatments and tests, including immunizations and HIV tests to patients without a patient-specific order from a physician for each individual. Since the law does not explicitly include standing orders for the care of healthy newborns, some authorities interpret hospital standing orders for newborn care to be prohibited. This bill maintains the authority of the attending practitioner, the hospital, and Health Department regulations, while also protecting the role and scope of practice of RNs. [S8774](#), passed both houses, sponsored by Senator Kemp Hannon

Ensuring Insurance Coverage for Enteral Formula

The Senate passed a bill that clarifies the original intent of Hannah's Law to ensure that individuals suffering from severe protein allergic conditions have access to proper nourishment. Individuals who suffer from these conditions such as food protein-induced enterocolitis syndrome experience life-threatening symptoms and the inability to properly digest and turn food into energy. Patients affected by these disorders, who are most often infants and young children, must receive nourishment from enteral or amino acid-based formulas in order to maintain proper nutrition and health. Without enteral formula, patients can be subject to debilitating gastrointestinal symptoms, drastic weight loss, developmental delays, mental retardation, and death. This legislation clarifies that both administration orally and through a feeding tube should be covered by a physician's written orders of medical necessity without the previously required "failure to thrive status." [S8924](#), passed both houses, sponsored by Senator James L. Seward

Establishing the Maternal Mortality Review Board

The Senate passed a bill that establishes the Maternal Mortality Review Board for the purposes of reviewing maternal mortality and morbidity. The Board would assess the cause of death and factors leading to death and preventability for each maternal death reviewed, and develop strategies for reducing the risk of maternal mortality. New York currently ranks 30th out of 50 states in its maternal death rate. The issue is compounded by significant racial and ethnic disparities, with black women nearly four times more likely to die during pregnancy and childbirth compared to white women. [S8907](#), sponsored by Senator Kemp Hannon

Safeguarding Infants and Toddlers from the Dangers of Second- and Third-Hand Smoke

The Senate passed a bill that prohibits smoking at all times in areas that provide child care services, specifically daycares, in order to protect children from the harmful effects of second- and third-hand smoke. Under current law, operators and residents of home-based daycare centers are permitted to smoke in these centers outside their hours of operation. Studies on the effects of third-hand smoke – defined as residual contamination from cigarette smoke toxicants that can linger on surfaces – have shown evidence of the same harmful effects associated with first- and second-hand smoking. This bill would help protect infants and toddlers against carcinogens and other health risks by closing this dangerous loophole to include home-based daycare centers.

[S7522](#), passed both houses, sponsored by Senator Kemp Hannon

Improving the AMBER Alert system

The Senate passed legislation that creates a temporary commission that will have three months to evaluate the current activation criteria of the AMBER Alert, its notification procedures once activated, and the partners and methods used to disseminate information. Once the study is completed, the commission must provide a report and a recommendation for the legislature and governor to completely accept or reject. [S9004](#), passed both houses, sponsored by Senator Phil Boyle

Stopping the Sexual Exploitation of Children and Women

The Senate passed two pieces of legislation aimed at protecting children and preventing sexual exploitation.

- [S5988B](#), passed both houses, sponsored by Senator Andrew Lanza, creates a critically needed criminal charge of sex trafficking of a child – eliminating the need to prove force, fraud, or coercion where a child under 18 engages in commercial sex.
- [S7836](#), passed both houses, sponsored by Senator Andrew Lanza, helps expand the availability of the Human Trafficking Intervention Court (HTIC) Initiative to reach more victims in more communities. The Courts were created to provide alternatives to incarceration for people arrested on prostitution charges, since many of the defendants were also victims of human trafficking. Currently, however, four of the six HTIC courts outside of New York City lack jurisdiction to see cases that originate outside of the local criminal courts where they are physically situated. This bill expands that jurisdiction so that more victims would be eligible to receive the crucial services that are appropriate for their individual situations, including counseling, job training, education, housing, and medical treatment, among others.

Enacting Lulu and Leo’s Law to Protect Children from Fraudulent Child Care Providers

The Senate passed a bill that establishes a Class A misdemeanor for a caregiver to make a false written statement that misrepresents their background for employment. It also criminalizes providing false written statements about someone else’s qualifications as a caregiver. The bill known “Lulu and Leo’s Law” comes in response to the brutal murder of [Lulu and Leo Krim](#) by their nanny, Joselyn Ortega. The children’s parents, who had paid and trusted Ortega to care for their children, relied on fabrications of Ortega’s past childcare experiences when she in fact had no experience at all. [S9070A](#), passed both houses, sponsored by Senator Andrew Lanza

Protecting Domestic Violence Victims

The Senate passed a bill that ensures that domestic violence offenders do not have access to firearms. The measure codifies state laws to federal regulations and requires that individuals convicted of misdemeanor domestic violence offenses surrender all firearms. [S8121](#), Chapter 60, sponsored by Senator Elaine Phillips

Preventing Child Abuse in Educational Settings

The Senate passed a bill that expands the types of educational settings required to report child abuse and increases the professions required to receive training to identify and report abuse. Under current education law, private schools are not included in requirements to report child abuse in an educational setting, potentially

putting students attending private schools at a greater risk. This new bill requires allegations of abuse at private schools, as well as charter schools, state-supported and state-operated schools, Special Act School Districts, and boards of cooperative educational services (BOCES), be reported directly to law enforcement. [S7372B](#), passed both houses, sponsored by Senator Patrick Gallivan

Establishing a Taskforce to Study Child Abuse and Neglect Prevention

The Senate passed a measure to establish a temporary state taskforce to examine, evaluate, and make recommendations concerning child abuse and neglect prevention efforts in the state with the goal of preventing child removals, lowering foster care placements, and increasing family reunification. [S7285](#), Chapter 12, sponsored by Senator Martin Golden

Codifying the Family Court CASA Program to Help Best Serve Children

The Senate passed legislation to establish the Court Appointed Special Advocates program (CASA) in statute and codify existing Office of Court Administration (OCA) rules pertaining to CASA. The program was established by OCA in 1991 under the Task Force on Permanency Planning to promote and support trained community volunteer advocacy programs. All CASA programs strive to achieve the same goal: to ensure that every abused and neglected child be placed in a safe, permanent home while taking into consideration each of their emotional, educational and physical needs. Passing this legislation makes clear the Legislature's support for the program, provides a consistent interpretation of CASA's role within the Family Court and strengthens CASA's standing in its important work on behalf of abused and neglected children in the State's foster care system. [S2059A](#), passed both houses, sponsored by Senator John Bonacic

Prohibiting the Sale of E-Cigarettes to Minors

The Senate passed a bill that prohibits the distribution or sale of electronic cigarettes to minors, by any person engaged in the business of selling or distributing electronic cigarettes for commercial purposes, or by any agent and or employee. [S1223](#), Chapter 4, sponsored by Senator Fred Akshar

Establishing the "Gifts to Food Banks" Fund

The Senate passed a bill that allows taxpayers to donate to regional food banks when filing their income taxes through a tax check-off. This legislation would establish the "Gifts to Food Banks Fund" to financially assist regional food banks in providing food and nutritious supplement to many New York families and individuals in need. [S8938](#), passed both houses, sponsored by Senator Rich Funke

Enacting "Kayleigh Mae's Law"

The Senate passed a bill to help protect young children who may be at risk of exposure to dangerous drugs in their households. The measure would require hair follicle testing of an infant or toddler under the age of three when a parent or guardian responsible for the child is arrested on a drug charge. The legislation, known as Kayleigh Mae's Law, is named after a [13-month-old child](#) in Washington County who died in 2015 after being given heroin and cocaine for 10 months after birth. For children who are not yet old enough to speak, the hair follicle test would give a new tool for child protective investigations to help determine if a child's health is at risk from illegal drug exposure. [S137](#), sponsored by Senator Betty Little

Prohibiting Children from Purchasing or Possessing Products Containing Kratom

The Senate passed a bill that prohibits any individual under the age of eighteen from purchasing or possessing any products containing Kratom. Kratom (*Mitragyna speciose*) is a tropical tree in the coffee family originating in Southeast Asia where it has been used as an herbal drug. Despite the medical potential, there are serious concerns and unknowns with Kratom and as it is further researched, it must be regulated. [S6924](#), sponsored by Senator Pamela Helming

Creating Jacobe’s Law to Stop Student Bullying

The Senate passed a bill to help ensure that schools notify parents when a child is being threatened by a bully. Under Jacobe’s Law, school employees charged with receiving reports of harassment, bullying or discrimination must make a reasonable and good faith effort to contact the parents or guardians of the students involved in an incident of bullying or harassment. [S1355B](#), sponsored by Senator Jim Tedisco

Protecting Children From Emotional Damage Caused By Animal Fighting

The Senate passed a bill that criminalizes the act of knowingly causing a minor to attend a place where the exhibition of animal fighting is being conducted in order to protect the emotional development of the child. A growing body of research indicates that cruelty to animals done in the presence of children can damage their emotional development. Such children are more likely to become abusive, anti-social, less empathetic, and desensitized to abhorrent social behavior. [S1432](#), sponsored by Senator Patty Ritchie

Protecting Children from Being Left in Cars Unattended

The Senate passed a bill that would prohibit children under the age of eight from being left in cars without supervision. The bill would help keep young children safe from life-threatening conditions that can occur in cars during warmer and cooler weather conditions. Between 1994 and 2016, over [800 children have died](#) of heat stroke from being left in cars. [S5631](#), sponsored by Senator John DeFrancisco

Protecting Children on Ski Slopes

The Senate passed a bill to help prevent children from dangerous head injuries while participating in winter sports. The legislation requires skiers and snowboarders under 14 years of age to wear a protective helmet while riding the slopes at ski areas in New York. [S1376](#), sponsored by Senator Betty Little

CONSUMER PROTECTION

Consumer protection budget highlights:

Protecting New Yorkers from Overpaying for Prescription Drugs

The Senate passed an initiative to protect consumers from unfair prescription drug pricing that was included in the budget. The reforms help consumers become better informed about the price of drugs and prohibits two costly practices – gag clauses and clawbacks – used by pharmacy benefit managers (PBMs). Prohibiting these costly practices will help fight the rising cost of prescription drugs for all New Yorkers. This provision ensures that audits conducted by PBMs are fair and follow established industry standards and guidelines. Prior to its enactment in the budget, the Senate led the way and passed a bill earlier this year to accomplish these important changes. [S6940](#), passed both houses, sponsored by Senator Kemp Hannon and Senator James L. Seward

Consumer protection legislation includes:

Protecting the Rights of Car Renters

The Senate passed a bill that helps protect customers of rental car companies by updating laws enacted in 2002 while also providing certainty to the industry by making the changes permanent. The legislation would add additional tiers of pricing for optional vehicle protection; provide additional consumer protections, such as, better educating consumers about optional “collision damage waivers”; clarify inconsistent, confusing, and ambiguous language contained throughout; and extend the combined provisions of the 2002 laws for five years. These changes to the law would achieve the multi-faceted solution to the problem by enhancing the nation’s strongest consumer protections. [S8389B](#), passed both houses, sponsored by Senator Chris Jacobs

Prohibiting Automobile Lenders from Remotely Disabling a Car

The Senate passed a bill that would prevent automobile lenders from remotely turning off an automobile’s engine in order to repossess the automobile without first providing the debtor with written notice of the lender’s intent to remotely disable the automobile. [S2484](#), passed both houses, sponsored by Senator Martin Golden

Ensuring Transparency for Energy Companies

The Senate passed a bill that requires combination gas and electric corporations, the New York Power Authority, and the Long Island Power Authority to provide an annual transparency statement to customers. The statement details certain charges on a gross basis which are included in each customer’s delivery service portion of their utility bill. [S6335C](#), passed both houses, sponsored by Senator Joseph Griffo

Improving Fairness at the Box Office and Stopping Ticket Bait-and-Switch

The Senate passed a bill that cracks down on ticket resellers who have distorted the market with misinformation and gouged consumers with excessive prices and fees. The legislation passed includes crucial reforms to the system and creates a fairer and more transparent marketplace that allows New Yorkers better access to event tickets including requiring operators or their agents and ticket resellers to disclose in a clear and conspicuous manner all fees and surcharges associated with the purchase of tickets; providing that any ticket reseller who knowingly uses bots or other ticket purchasing software, or owns or controls ticket purchasing software may lose their license and be barred from licensure as a ticket reseller for up to three years; among other things. [S8501B](#), passed both houses, sponsored by Senator Terrence Murphy

Promoting Transparency in Charitable Solicitations

The Senate passed a bill that helps protect consumers from fraudulent solicitation on behalf of a charitable organization. Every year, New Yorkers receive millions of solicitations for donations to different charities with little information about where the money directly goes. The state has created [CharitiesNYS.com](#) to provide consumers with information about how much of each donated dollar benefits the needy and how much goes

toward overhead costs. This bill requires that fundraisers advise potential donors of the existence of CharitiesNYS.com as well as a phone number for the Charities Bureau of the Attorney General's office so that individuals can make an informed decision before donating. [S3780B](#), passed both houses, sponsored by Senator Michael Ranzenhofer

Creating a Task Force to Study Cryptocurrency Regulation

The Senate passed a bill that establishes the "Digital Currency Task Force" to study how to regulate cryptocurrencies in New York State. Cryptocurrency, such as Bitcoin, is a digital currency which uses encryption techniques, such as block chain, to regulate the generation of units of the currency and verify the transfer of funds, independently of a central bank. A growing number of merchants now accept cryptocurrency as a form of payment and cryptocurrency ATMs are popping up across the state. This legislation creates a task force to determine how to regulate cryptocurrencies in order to prevent money laundering and protect consumers. [S9013](#), passed both houses, sponsored by Senator Elaine Phillips

Making the MTA More Affordable for Riders

The Senate passed a bill that requires the Metropolitan Transportation Authority (MTA) to automatically apply two free transfers to each paid fare or rate and be valid for two hours from the time the fare is purchased. Unfortunately, due to recent cutbacks in services and the outright elimination of various bus and subway lines, some riders now must purchase two fares to make their daily commute. This bill would ensure that no commuter or rider financially suffers due to cutbacks in service. [S7862](#), passed both houses, sponsored by Senator Martin Golden

Enacting the Toll Payers' Protection Act

The Senate passed a bill that establishes a clear and fair notification process to prevent unnecessary and excessive toll fees. It improves the process for notifying drivers about tolls and fines incurred, ensures that fines are fair, and prevents motor vehicle registration suspensions due to alleged unpaid cashless toll fees. [S8946](#), passed both houses, sponsored by Senator Andrew Lanza

Allowing Lottery Winners to Remain Anonymous

The Senate passed a bill that authorizes the nondisclosure of personal identifying information of New York State lottery winners with a written request from the holder of the winning ticket. This will help prevent scams or other criminal activity from targeting winners. [S219](#), passed both houses, sponsored by Senator Kathy Marchione

Banning Stand-Alone Mausoleums to Protect Municipalities

The Senate passed a bill that would ban the creation of new stand-alone mausoleums. Mausoleums have proven to be successful for many cemeteries when they are part of a larger financial plan and presented as an additional burial option for cemeteries. They have also been successful by helping cemeteries extend their ability to offer burial services by utilizing burial space otherwise unavailable for in-ground burial. However they have proven to be unsuccessful when a cemetery is created solely for the purpose of construction of a stand-alone mausoleum or columbarium. This model exposes local governments and other entities to financial hardship if a facility is subsequently abandoned. The legislation amends the state's not-for-profit corporation law and religious corporations law to effectively ban construction of stand-alone mausoleums. [S2606B](#), passed both houses, Senator Betty Little

Protecting Consumers from Credit Company Security Breaches

The Senate passed legislation to protect consumers from financial security breaches that continue to happen to millions of New Yorkers. The measure makes it easier for consumers to protect their credit information by prohibiting all consumer credit reporting agencies from charging a fee for the placement, lift, or temporary removal of a security freeze. [S6886D](#), sponsored by Senator Rich Funke

Protecting Private Information upon Foreclosure

This Senate passed a bill to protect private information of mortgagors from disclosure pursuant to FOIL. Mortgagees are required to notify disclose certain information to the Department of Housing Preservation and Development at several points throughout the foreclosure process. This bill protects the individual but allows housing counseling agencies and other involved NYC agencies to access the information. [S1617](#), sponsored by Senator Martin Golden

Preventing New Yorkers From Supporting Boycotts Against U.S. Allies

The Senate passed a bill that expands existing state law by prohibiting state contracting with, or state investment in businesses or individuals that promote or engage in activities to boycott, sanction, or divest in Israel and other American allied nations. The state would use publicly available information to develop a reference list of companies, organizations, or other entities that have engaged in or promoted boycotts of American allies. New Jersey, Alabama, Arizona, Colorado, Florida, Georgia, Illinois, Iowa, Michigan, Ohio, Pennsylvania, and South Carolina have adopted similar laws to ensure that their taxpayers are not paying to support these entities. [S2492A](#), sponsored by Senator Elaine Phillips

CRIME AND PUBLIC SAFETY

2018-19 State Budget Crime and Public Safety Highlights:

The Senate secured nearly **\$4.5 million** in the 2018-19 budget to provide grants for crucial public protection measures across the state. It includes:

- **\$300,000** for local criminal justice programs;
- **\$1,609,000** for grants that prevent domestic violence or aid victims of domestic violence;
- **\$1,150,000** for civil or criminal domestic violence legal services or veterans legal service grants;
- **\$2,971,000** for law enforcement, anti-drug, anti-violence, crime control and prevention programs; and
- **\$1,400,000** in emergency services agencies for equipment and technology enhancements.

Supporting Domestic Violence Victims

Additionally, this year, lawmakers allocated **\$8.3 million** in funding to provide support, protection and services to domestic violence survivors.

Combating Gang Violence

The final budget provides \$500,000 to local law enforcement to support youth outreach programs that help prevent MS-13 or other gang violence in Nassau and Suffolk counties. An additional **\$5.4 million** was secured by the Senate in the budget for other local law enforcement initiatives including equipment and technology enhancement, and anti-drug, anti-violence, crime control and prevention programs.

KEEPING OUR SCHOOLS AND CHILDREN SAFE

The Senate passed a package of critical school safety measures as a part of the Majority's Security Agenda, the final part of the three-pronged "[Blueprint for a Stronger New York](#)." The bills increase the ability of schools to hire qualified security personnel, create new state funding mechanisms for infrastructure investments that improve school safety, increase access to school-based mental health services, expand state actions and intelligence coordination to protect schools against attack, strengthen penalties for crimes on school grounds, and takes steps to prevent gang activity and recruitment.

Proposals to make our schools safer:

Creating a New Mental Health Services Coordinator Aid Program and Grants

The Senate passed a bill that establishes a mental health services program coordinator for the state to reimburse school districts outside the city of New York. Schools would be eligible for \$50,000 in state funding for the hiring of a mental health services coordinator. The coordinator is defined in the bill as a mental health services professional, with qualifications determined by regulation by the commissioner of education, whose role and responsibility shall be to work with students, faculty, and other mental health and health care professionals to identify, report and address mental health issues in any public or non-public school that could pose a risk to public safety. [S7805](#), sponsored by Senator Thomas Croci

Improving Access to Mental Health Resources in Schools

The Senate passed a bill that requires the state Department of Education to investigate and report on the number of full and part-time school counselors, school social workers and school psychologists in each school, the ratio of students to the number of school counselors, the ratio of students to the number of school social workers, the ratio of students to the number of school psychologists in each school, and when such staff is working in more than one school. Upon completion of the report, the state must propose how to increase the number of school counselors, school social workers, and school psychologists to meet the nationally accepted ratios, taking into

consideration the specific needs of individual school districts and the region in which such school district is located. [S7838](#), sponsored by Senator Patty Ritchie

Creating a School Resource Officers Education Aid Program and Grant Availability

The Senate passed two new bills that define the term “school resource officer” to include a retired police officer, retired deputy sheriff, or retired state trooper, or an active duty police officer, deputy sheriff, or state trooper. School districts throughout the state except New York City would be authorized to receive state funding to hire a school resource officer or contract with the state, a county, city, town, or village for their services. The officers would be charged with providing improved public safety and/or security on school grounds and be authorized to carry and possess firearms during the course of their duties if licensed to do so. [S7811A](#) and [S7810A](#), sponsored by Senator Patrick M. Gallivan

Placing Police Officers in New York City Schools

The Senate passed a measure that improves upon the current placement of unarmed resource officers in New York City schools to provide necessary and potentially life-saving security for children, teachers, and administrators. A New York City police officer would be required to be present at public and private schools during instructional hours and for at least one hour before and after school is in session. [S6798A](#), sponsored by Senator Simcha Felder

Defining Peace Officer Status for School Resource Officers

The Senate approved a bill that provides retired police officers with peace officer status when they are employed by a school district as a school resource officer. [S1144A](#), sponsored by Senator Patrick M. Gallivan

More Flexibility to Hire School Resource Officers

The Senate passed legislation that expands a school district’s ability to hire qualified security personnel by allowing prospective school resource officers to earn up to \$50,000 per year without their retirement benefits being reduced or suspended. [S7791](#) sponsored by Senator Patrick M. Gallivan

Improving Security Hardware

The Senate approved a measure that provides state education aid to school districts acquire safety technology and improve security of their facilities. [S7790](#), sponsored by Senator Thomas Croci

Improving the Smart School Bond Act Allocation Process

The Senate passed a bill that requires the Smart Schools Review Board to meet monthly and approve plans submitted by schools, provide updates on pending applications, and notify schools within seven days of a plan being rejected or modifications being sought,. It also requires the state Department of Education, Division of Budget, and State University of New York to develop a process to notify districts of the status of their applications, respond to district status inquires within seven days, and for the Board to pay for approved projects within 30 days. [S7846](#), sponsored by Senator Elaine Phillips

Defining School Shootings as Terrorism and Improving Intelligence to Prevent Attacks

The Senate passed a bill that enables individuals to be charged with committing an act of terrorism if they knowingly and unlawfully discharge a firearm within 1,000 feet of a school, a place of worship, a mass gathering of 25 or more people, or in a business of one or more employees and protects such sites under counter terrorism laws. The bill also codifies the operations of the New York State Intelligence Center and makes it responsible for the collection, integration, receipt, processing, evaluation, analysis, fusing, dissemination, sharing, and maintenance of intelligence information to aid in detecting, preventing, investigating and responding to acts of terrorism, including school shootings. The Center would cooperate with the state Division of Homeland Security among other state, local, and federal government agencies, as well as - for the first time –

include schools and the state department of education as part of that collaboration. The bill also requires the establishment of a new Buffalo office to the current fusion centers in Albany and New York City and increases the information-sharing and analysis capabilities of the state. [S7813A](#), sponsored by Senator Terrence Murphy

Increasing Active Shooter Drills

The Senate approved legislation that helps schools better prepare in the event of a school violence incident by requiring that two of the four annual “Lock-Down Drills” conducted by schools be held as “active shooter drills.” Schools can then request School Safety Improvement Teams to provide recommendations on how to conduct lock-down and active shooter drills. [S7845](#), sponsored by Senator Simcha Felder

Upgrading School Safety Improvement Teams

The Senate passed a measure that expands the membership of existing required school safety improvement teams to include representatives of the state Division of Homeland Security, State Police, Department of Criminal Justice Services, Office of General Services and Education Department. It provides for a 120-day response timeline for such teams; provides for on-site examinations of the teams at the request of the school district, BOCES, nonpublic school, or county vocational and educational board; and allows for the provision of state education aid for the performance of school safety upgrades recommended by a team examination. [S7832](#), sponsored by Senator Thomas Croci

Protecting School Communities From Violent Threats

The Senate passed a measure that expands the existing laws in place to prevent school bomb threats so that other types of threats can be prosecuted as well. Under current law, an individual who threatens a fire, explosion, or release of a hazardous substance on school grounds is guilty of a class D felony of falsely reporting an incident in the first degree. This measure would also make it a felony for someone to issue a threat of intentional acts or a continued course of action of serious physical harm to 10 or more people on school grounds. [S2521](#), sponsored by Senator Patrick M. Gallivan

Enacting “Suzanne’s Law” to Prevent School Assaults and Abductions

The Senate passed a bill, known as Suzanne’s Law, that increases the penalties for assault or abductions that take place on school grounds, including nursery schools, and college campuses. Similar to Drug-Free School Zones, the bill would create “Assault- and Abduction-Free School Zones” in which sentences for certain crimes would be one category higher than existing law specifies if it is committed against a person on school grounds. [S2881](#), sponsored by Senator Jim Tedisco

Creating Guardians for Schools License Plate

The Senate approved legislation to create a “Guardians for Schools” license plate to give New Yorkers the ability to take part in a statewide effort to keep children safe from violence. The plate would raise money to help pay for school resource officers, security training, mental health counseling, security cameras, and other school building modifications to improve school safety. The bill would create a dedicated fund solely for school safety, supported by the fees paid when motorists choose to purchase a Guardians for Schools license plate from the state Department of Motor Vehicles. [S7847](#), sponsored by Senator Jim Tedisco

Criminal Street Gang Enforcement and Prevention Act

The Senate passed a bill to fight the deadly criminal behavior of gangs throughout New York with better prosecutorial powers against gang violence and proactive community outreach to stop gang recruitment. The legislation legally defines criminal street gangs in New York’s penal statutes, giving prosecutors more options when charging offenders. Classifying and identifying this type of criminal activity will also help law enforcement better track gangs. Penalties are increased and new felonies are created for individuals who benefit from gang activity, participate in gang activity, and recruit youth or adults to participate in gang activities. In addition, schools would consult with the state Division Criminal Justice Services to implement a model

curriculum focused on gang violence prevention. This will help educators interact in a positive manner with children and their parents to assist in developing positive values, self-esteem, knowledge, and skills that can lead to productive, gang-free, and drug-free lives. [S2410A](#), sponsored by Senator Martin Golden

Preventing Gang Involvement in Schools

The Senate passed a bill that creates new “Gang-Free School Zones” and establishes a Class D felony charge for gang members who seek to recruit new members on school grounds. Gang activity in and around schools puts students and staff at risk. [S6211](#), sponsored by Senator Andrew Lanza

FIXING NEW YORK’S BROKEN PAROLE SYSTEM

The Senate passed a package of public safety initiatives to prevent violent criminals from being released back into communities and give victims and law enforcement a bigger voice in the parole and sentencing processes. The bills increase penalties for some of the worst crimes and repeat offenders, prevent revictimization of victims and their families and give them a greater voice in the parole process, enhance protections for those who work in the justice system, and protect society by preventing the most dangerous convicted murderers from becoming eligible for early release, among other measures.

Proposals to reform New York’s parole system:

Strengthening Penalties for First Degree Murder of a First Responder

The Senate passed a bill that requires a sentence of life imprisonment without parole for murder in the first degree involving the killing of a first responder. This stronger punishment is reflective of the seriousness of the crime committed and will prevent family members of the victims from having to relive the nightmare during repeated parole hearings. [S7976](#), sponsored by Senator Terrence Murphy

Prohibiting Conditional Release for Manslaughter in the First Degree

The Senate passed a bill that denies conditional release for any individual that is convicted of manslaughter in the first degree. Currently, a person found guilty of first-degree manslaughter is eligible for conditional release after serving six-sevenths of a determinate sentence of the first eligible date of discretionary parole. The bill is in response to the recent release of Christopher Thomas, who received 10 consecutive prison terms or what could have been a total of 250 years in prison but his sentence was capped at the current State maximum of 50 years. He became eligible for release after less than 33 years of his maximum sentence. [S8228](#), sponsored by Senator Martin Golden

Requiring Violent Felons to Serve Maximum Terms If They Pose a Threat

The Senate acted on a bill that authorizes the State Parole Board to require a violent felony offender to serve his or her maximum term if release would pose an imminent threat to society. This legislation would help protect innocent citizens from the danger of violent offenders being placed back onto the streets just because the offenders served a majority of their sentence with “good behavior.” [S2730](#), sponsored by Senator Joseph Griffo

Authorizing Life Imprisonment Without Parole for Persistent Violent Offenders

The Senate passed a bill that authorizes the imposition of life imprisonment without parole for persistent violent felony offenders. The category of criminal defendants defined under law as persistent violent felony offenders is comprised of those who have been convicted on at least two previous and separate occasions of violent felony offenses such as kidnapping, first degree rape, arson, among others. [S4036](#), sponsored by Senator Jim Tedisco

Requiring a Sentence of Life Imprisonment Without Parole for Murder in the First Degree

The Senate passed a bill that provides that the sentence for murder in the first degree shall be life imprisonment without parole. The bolstering of this sentencing provision is meant to deter brutal and senseless acts, in hopes of saving lives. [S7370](#), sponsored by Senator Betty Little

Prohibiting Sex Offenders from Serving Intermittent Sentences

The Senate acted on a measure that prohibits convicted sex offenders from serving sporadic prison sentences. Under current state law, intermittent imprisonment is usually reserved for those only convicted of misdemeanors or lower level felonies – this bill would correct that by barring sex offenders from being out on the streets for parts of their punishment, such as only being imprisoned on weekdays or weekends. [S1211](#), sponsored by Senator Robert Ort

Allowing Victim Families to Make Statements to Parole Board

The Senate passed a bill that provides for family members of a crime victim and interested parties to make statements to members of the State Parole Board, which would include all three panelists instead of the one currently required under law. Giving family members the opportunity to speak before the parole board will make the process open and more fair to a victim's family and all other parties. [S6200A](#), sponsored by Senator Andrew Lanza

Requiring State Parole Board to Consider Written and Oral Statements

The Senate passed a bill that requires the State Parole Board to consider statements made to the board by a third party when considering a discretionary release on parole and to keep all statements made to the parole board confidential and only available to the parole board. This provides a meaningful opportunity for individuals whose lives have been impacted by a serious crime to explain the impact the crime has had on their lives, whether that be through written comments or oral testimony. [S7531B](#), sponsored by Senator Patty Ritchie

Enacting “Lorraine’s Law”

The Senate passed a bill that enacts “Lorraine’s Law,” which would extend the waiting period between parole hearings from 24 to 60 months in cases where the inmate applying for parole was sentenced for a violent crime. Named in memory of Lorraine Miranda, who was murdered by her fiancé in 1988, this legislation reduces the amount of times family and friends of a violent crime victim has to relive a tragedy. In the case of Lorraine, her killer was sentenced to 15 years-to-life in prison, became eligible for parole in 2003, and has already been up for and denied parole seven times. [S2997A](#), sponsored by Senator Kenneth LaValle

Enacting “Cesar’s Law”

The Senate passed a measure that enacts “Cesar’s Law,” which would require the retaking of parolees who abscond from the supervision of the State Parole Board. The legislation is named for Cesar Sanchez, a 20-year-old man who was shot and killed outside the Berry Houses complex on Staten Island in 2014 by a parolee who was delinquent in reporting to his parole officer. This legislation would require that local law enforcement be notified when a person is delinquent in reporting to their parole officer, and that such law enforcement agency apprehend the absconder to protect the public from being harmed by the felons. [S2819](#), sponsored by Senator Andrew Lanza

Protecting Judges, Court Officers from Harassment

The Senate passed a bill that would expand protections to judges, court officers, and other personnel of judicial facilities by creating stiffer penalties for criminal defendants accused of aggravated harassment. This new legislation will act as a deterrent to keep inmates and criminal defendants from acting inappropriately when interacting with the courts and court personnel. [S5399A](#), sponsored by Senator Martin Golden

Supporting Officers Injured in the Line of Duty

The Senate acted on a measure that requires the state to pay for the salary, wages, medical and hospital expenses of parole revocation specialist title series, revenue crime specialist title series or investigative officer title series who are injured in the performance of his or her duties, or fall ill as a result of their duties. This bill is meant to provide assurances for public servants who experience a very high risk of work-related injury. [S6348](#), sponsored by Senator Joseph Robach

Increasing Penalties for Violence Against Police Officers

The Senate passed two bills that increase penalties for certain violent offenses involving police or peace officers. Legislation includes:

- [S232](#), sponsored by Senator Martin Golden, addresses the risks repeat violent felons pose to the public by authorizing a sentence of life without parole when a criminal commits an aggravated assault on a police or peace officer and has previously been convicted of two violent felonies that are classified as Class B or greater.
- [S2566](#), sponsored by Senator Pamela Helming, criminalizes the act of inciting violence against police officers. In recent years, there has been an increase in violent crimes committed against police officers and this measure would help prevent individuals from deliberately inciting violence that targets law enforcement.

Keeping Repeat Felony Offenders Behind Bars

The Senate passed a bill that prohibits repeat felony offenders from being awarded judicial diversion programs. This legislation is in response to the murder of Officer Randolph Holder by a five-time repeat drug offender who had an active warrant for failing to participate in a court-ordered treatment. Going a step further, this bill requires the consent of the prosecutor to ensure an individual does not pose a risk to public safety. [S27](#), sponsored by Senator Martin Golden

Prohibiting Conditional Release for Violent Murderers

The Senate passed a bill that prohibits individuals convicted of first-degree manslaughter from being eligible for conditional release. This legislation comes in response to the Palm Sunday Massacre and the release of Christopher Thomas who violently killed eight children and two mothers. [S8228](#), sponsored by Senator Martin Golden

Other crime and public safety legislation includes:

Establishing the State Commission on Prosecutorial Conduct

The Senate and Assembly passed a bill to establish the State Commission on Prosecutorial Conduct to provide for the independent review of complaints of prosecutorial misconduct. It would serve as a disciplinary entity designated to review complaints of prosecutorial misconduct in New York State, to enforce the obligation of prosecutors to observe acceptable standards of conduct, and to establish reasonable accountability for the conduct of prosecutors during the performance of their functions, powers and duties as prosecutors. This legislation is modeled after the legislation that established the State Commission on Judicial Conduct. [S2412D](#), passed both houses, sponsored by Senator John DeFrancisco

Protecting Domestic Violence Victims

The Senate passed a bill that ensures that domestic violence offenders do not have access to firearms. The measure codifies state laws to federal regulations and requires that individuals convicted of misdemeanor domestic violence offenses surrender all firearms. [S8121](#), Chapter 60, sponsored by Senator Elaine Phillips

Protecting Victims of Sexual Abuse

The Senate passed a bill that ensures that victim and witness statements made to authorities regarding sexual abuse remain private and are not subject to disclosure to the general public through the Freedom of Information Law (FOIL). Victims of sexual abuse, as well as witnesses, are often reluctant to disclose abuse because they fear, among other things, embarrassment and retaliation for reporting it to the authorities. Making their reports publicly available and viewable by the media, sexual predators and cyberbullies would potentially deter them from reporting abuse. [S6420](#), sponsored by Senator Elaine Phillips

Protecting School Students from Sexual Abuse

The Senate passed legislation providing that an elementary or secondary student shall not have the capacity to consent to sexual conduct with a school employee. The bill defines a school employee and states that they will be charged if sexual conduct occurs with a student at the same school. [S2582](#), sponsored by Senator Betty Little.

Prohibiting Sex Offenders from Living Near Their Victim

The Senate passed a measure that prohibits sex offenders from residing within 1500 feet of the residence of their victim. This bill would help protect victims and their families from having to bear the burden or costs of moving because their offender moved back into their neighborhood, and prevent victims from having to tolerate the emotional distress caused by coming into contact with their abuser. [S968](#), sponsored by Senator Terrence Murphy

Prohibiting Sex Offenders from Working Near Schools or Day Care Centers

The Senate passed a measure that restricts Level 3 sex offenders from working within 500 feet of any school or day care facility. Under New York law, Level 3 sex offenders are classified as the most dangerous of all sex offenders, and with a high risk of recidivism. This bill would add greater protection for New York children by placing them a safe distance away from the highest level offenders. [S5348](#), sponsored by Senator Terrence Murphy

Improving Public Information about Sexual Predators

The Senate passed a bill that allows law enforcement to disseminate information about a Level 2 sex offender's employment address to vulnerable populations. Currently, Level 2 offenders' employment addresses are included in the online Sex Offender Registry, but law enforcement is only allowed to notify schools and other vulnerable populations of the offender's residence. [S249](#), sponsored by Senator Robert Ort

Requiring Electronic Monitoring of Dangerous Sex Offenders

The Senate passed a bill that requires Level 3 sex offenders who have been convicted of violent crimes against children to wear an electronic monitoring device for life. The bill would also require the cost of the monitoring device to be absorbed by the sexual offender – not the state or local municipality. [S296](#), sponsored by Senator Joseph Robach

Improving the Monitoring of Registered Sex Offenders

The Senate passed a bill that creates a definition of residence under the Sex Offender Registry Act. It would be defined as any place of abode, domicile, or inhabitation where a convicted sex offender spends or intends to spend more than two days a week – closing a longstanding loophole that allows sex offenders to move around without being properly tracked. [S399](#), sponsored by Senator Robert Ort

Improving Access to Information on the Sex Offender Registry

The Senate passed a bill that expands access to information about all registered sex offenders available on the DCJS website to expand the utility of the registry and enhance the safety of New York's most vulnerable citizens. [S962](#), sponsored by Senator Rich Funke

Requiring Sex Offenders to Register New Addresses

The Senate passed a bill that requires sex offenders to register a change of address and internet accounts no later than three days after the change. The legislation also requires local law enforcement to submit all changes of address and internet access provider forms to the registry. [S1006A](#), sponsored by Senator Joseph Robach

Protecting College Students from Sex Offenders

The Senate passed a bill that prohibits Level 3 sex offenders from living in college housing. College students on campus generally live in very close quarters on their own for the first time. This measure takes into account that their safety could be compromised when sharing a living space with people they do not know anything about. [S1009](#), sponsored by Senator Joseph Robach

Prohibiting Sex Offenders from Working With Children

The Senate passed a bill that requires employers, organizations, and government entities to complete a background check against the state's Sex Offender Registry for all prospective employees and volunteers if their jobs include substantial contact with children. By updating existing law, sex offenders would be prohibited from working or volunteering with children in child care, recreational, entertainment, and other similar settings. [S1635](#), sponsored by Senator Martin Golden

Increasing Community Awareness of Sex Offender Placements

The Senate passed a bill that requires the state to notify government officials and school leaders when sex offenders are transferred from a state facility to a community program or residence in their municipality. Notification must take place no later than 10 calendar days prior to the transfer. [S2132](#), sponsored by Senator Patrick M. Gallivan

Prohibiting Sex Offenders from Unsupervised Access to Residential Properties

The Senate passed a bill that closes a dangerous loophole that allows convicted sex offenders to be employed in positions that give them unsupervised access to residential properties – positions that include the roles of property managers and building supervisors. This legislation would close the loophole by specifically prohibiting an individual who is a convicted sex offender from working or volunteering in a position where they would have that access. [S2170](#), sponsored by Senator Sue Serino

Deterring People Who Harbor Sex Offenders

The Senate passed a bill that creates a Class A misdemeanor for any person who knowingly harbors, houses or employs a defaulting sex offender and who fails to contact law enforcement regarding the offender. [S2595](#), sponsored by Senator Michael Ranzenhofer

Prohibiting Convicted Sex Offenders from Driving for Uber, Lyft

The Senate passed a bill that prohibits convicted sex offenders from operating automobiles participating in mobile application-based transportation networks (such as Uber and Lyft), or from being employed by such transportation networks. [S2600](#), sponsored by Senator Andrew Lanza

Requiring Sex Offenders to Appear Before Law Enforcement Each Year

The Senate passed a bill that requires Level 2 sex offenders to appear in person at a law enforcement agency every year. This measure would help law enforcement confirm that the offender is located at the address previously given and that their appearance has not significantly changed. [S2638](#), sponsored by Senator Andrew Lanza

Increasing Penalties for Sex Offender Who Fail to Follow Prohibitions

The Senate passed a bill that increases penalties for the failure of a sex offender to register or follow the standards of the Sex Offender Registration Act, work on an ice cream truck, mobile food service establishment, or pushcart to a Class D felony. [S3030A](#), sponsored by Senator Pamela Helming

Prohibiting Treatment of Sex Offenders in the Vicinity of Children’s Healthcare Center

The Senate passed a bill that prohibits registered sex offenders from receiving treatment from any facility operated by the state providing non-emergency outpatient or inpatient psychiatric treatment that is operated in the same building as a state-operated children’s psychiatric center. [S4593A](#), sponsored by Senator Robert Ort

Protecting Children from Sexual Offenders from Other States

The Senate passed a bill that provides that information on a sex offender from another state who has not been assigned a risk level in New York may be disclosed as if he or she was a Level 1 or 2 sex offender. [S6548](#), sponsored by Senator Terrence Murphy

Verifying Sex Offender Registration and Residency

The Senate passed a bill that requires all sex offenders to verify their residence and registration with the state Division of Criminal Justice Services on a biannual basis. Under current law, Level 3 sex offenders must verify their registration every 90 days, but Level 1 and 2 offenders are only checked on once a year with a verification form on their anniversary of registration. This bill would not only increase the amount of times that all sex offenders have to verify their registration, but would also send the verification forms to each offender on a different random date. [S2173](#), sponsored by Senator Sue Serino

Establishing the Sex Offender Public Awareness Program

The Senate passed a bill that establishes the Sex Offender Public Awareness Program to help enrich outreach in schools, community groups, and clergy on the important issue of sex offenders being released back into society. The public awareness program would be operated at the local level, and would require the board of the potential program to make annual reports to the Governor and the Legislature on its work. [S1014](#), sponsored by Senator Joseph Robach

Extending Duration of Sex Offender Registration Requirements

The Senate passed a bill that extends the duration of the registration requirement for Level 1 sex offenders who were 21 or older at the time of their offense from 20 to 30 years. The bill would also allow local governments to adopt laws placing reasonable restrictions on where a sex offender is permitted to live in their community – a response to a recent New York State Court of Appeals decision that overturned all local residency restrictions pertaining to where a registered sex offender can live. [S5201](#), sponsored by Senator Thomas Croci

Prohibiting Sex Offenders from Living Close to Schools, Playgrounds, Parks

The Senate passed a bill that prohibits any sex offender from residing within a quarter mile of any school, playground, park, or building in which child care is provided, in an effort to protect New York children and other citizens who spend significant amounts of time at these safe havens. [S248](#), sponsored by Senator Robert Ort

Prohibiting Sex Offenders from Living in Community Residences

The Senate passed a measure that prohibits registered sex offenders from residing in community residences in an effort to protect those with mental disabilities. Under current law, registered sex offenders are permitted to reside in facilities operated by or subject to licensure by the Office of Mental Health or the Office for People with Developmental Disabilities. This bill would put a stop to that by protecting New York’s most vulnerable individuals by keeping them separate from those who have committed sex crimes. [S3027](#), sponsored by Senator Michael Ranzenhofer

Prohibiting Sex Offenders on Parole from Entering Libraries

The Senate passed a measure that prohibits sex offenders released on parole or sentenced to probation from entering public, association, or free libraries. The bill would help protect children and families from worrying about their safety when entering a place of learning and community activities. [S6189](#), sponsored by Senator Andrew Lanza

Protecting Children in State Care from Abuse

The Senate passed a bill that ensures that young children are not being cared for by felons with a history of serious crimes including sexual abuse of children. This legislation requires the Office of Child and Family Services (OCFS) to deny the license or employment application if a background check reveals any felony convictions in New York State or any other jurisdiction for a sex offense, a crime against a child, a crime involving violence, or if a conviction for a felony drug-related offense occurred within the past five years. [S33](#), sponsored by Senator Martin Golden

Prohibiting Alleged Abusers from Operating a Child Care Facility

The Senate passed a bill that requires the Office of Children and Family Services (OCFS) to determine and then notify the appropriate local child protective services if a subject of an allegation of child abuse or maltreatment is the operator of a licensed or registered childcare facility or any similar facility that received funding under the block grant for childcare. The notification will take place at the time OCFS transmits the report of suspected child abuse and will also include any person, if named as the subject of a report, who is a known sex offender or has previously been the subject of an indicated report of abuse or neglect. [S1981](#), sponsored by Senator Patrick M. Gallivan

Focusing on Cybercrimes and Identity Theft

The Senate passed a bill that updates the penal code and gives guidance and new powers to regulatory agencies to deal with the increasing seriousness of the activities of cyber-criminals. This includes dealing with the use of skimmer devices, system-wide cyber sabotage and terror campaigns, larceny of digital property, corruption of digital services, possession of stolen property, and new guidance on the use of warrants to obtain digital records. [S2406A](#), sponsored by Senator Martin Golden

Prohibiting Sanctuary Cities From Circumventing Federal Authority

The Senate passed a bill that prevents local governments from harboring detained criminals by enacting policies of non-cooperation with federal detention or other requests. The measure requires the state to compile a list of the local governments that have adopted laws or policies that interferes with the enforcement of any federal detention requests for individuals who are already arrested, with certain exceptions aimed at protecting victims of a crime, witnesses to a crime, children attending school, and persons utilizing the services of a municipal hospital. If the policies are not changed or if new policies are adopted, the municipality would lose state funding. [S3698](#), sponsored by Senator Thomas Croci

Protecting New Yorkers From Terrorist Activity

The Senate passed two measures to protect New Yorkers from terrorist and criminal activities. The legislation strengthens the state's existing laws dealing with cyberterrorism, terrorist recruitment, financial support for terrorist activities, and threats rooted in terrorism that are made against police officers. Legislation includes:

- [S953](#), sponsored by Senator Thomas Croci, creates a new crime for when a person intends to cause widespread financial harm or commits a larceny offense against more than 10 people using a computer or related technology. It also prohibits the use of cyberterrorism to cause mass injury or damage, or to intimidate, coerce, or influence a civilian population or government; and
- [S956](#), sponsored by Senator Thomas Croci, increases criminal penalties for soliciting or providing support for an act of terrorism. One of the biggest sources of funding for terrorist organizations is

through money laundering and credit card fraud and this measure would help deter and penalize those who financially support terrorism.

EDUCATION

2018-19 State Budget Education Highlights:

The enacted education budget includes a record level of school aid funding of approximately **\$26 billion**, an increase of **\$1 billion** over last year. This **4 percent** increase continues the Senate’s commitment to funding education at a rate higher than the growth of the rest of the budget. Other highlights include:

- Nearly doubling the Governor’s Foundation Aid proposal with **\$281 million** in additional funding, for a total increase of **\$619 million** in 2018-19;
- Fully funding expense base aids at **\$240 million**;
- Increasing funding for charter schools;
- Increasing funding for STEM programs in non-public schools by **\$10 million** for a total of **\$15 million**;
- Continuing **\$15 million** in security grants for non-public schools;
- Restoring a **\$7 million** cut in the Executive Budget for non-public school immunization funding;
- Creating the “No Student Goes Hungry” program to provide students of all ages, backgrounds, and financial situations access to healthy, locally-sourced meals to address child hunger. It includes an expansion of the Farm-to-School Program to utilize locally-grown, quality meals, which will support local agriculture and an improved learning experience for children.

The budget continues the Senate’s longstanding support for libraries and the community resources they provide by securing **\$5 million** in operations funding above the Executive Budget and **\$10 million** in additional capital funding for a total capital increase of **\$20 million**.

Education legislation includes:

Helping Teachers and Students Succeed in the Classroom

The Senate passed an education reform bill that achieves a complete repeal of annual professional performance reviews (APPR) connected to student test scores, accelerates the timeframe on tenure to allow good teachers to remain in the classroom, gives students another tool to fight discrimination and bullying, and reconfigures the distribution of the state’s charter school openings to meet ongoing demand to provide more students with a first-class education. The bill’s key provision addresses concerns raised by teachers, the “Opt-Out” movement, and others since the beginning of the standardized testing mandate. It takes a comprehensive approach to decoupling the APPR from standardized tests by requiring performance evaluations to be determined on the local level through collective bargaining – not test scores.

The legislation also rewards qualified teachers and administrators by helping them achieve tenure quicker, reducing the probationary period for all positions by one year; addresses concerns expressed by educators and administrators about other education reform proposals’ potential to increase student testing and instead requires performance reviews to be based on collective bargaining agreements; makes permanent the provision preventing standardized test scores from being recorded on a students’ permanent record; combats bullying and discrimination in public schools by allowing public school students to bring cases of discrimination to the state’s Division of Human Rights; modifies school equivalency requirements for school curriculum reviews; and expands the regional charter school cap and allows more charter schools to be opened in New York City, where at least 79,000 children are on wait lists for the opportunity to attend charter schools, among other provisions. [S8992](#), sponsored by Senator John J. Flanagan

Establishing a Museum Education Grant Program

The Senate passed a bill that directs the Department of Education to establish and implement a museum education grant program. This legislation creates a grant program for museums, historical societies, zoos,

botanical gardens, among others, to conduct curriculum-based educational programs for elementary and secondary school students and increases access to museums and educational institutions for low-income urban, suburban, and rural communities. New York State is home to many of the leading art, history, and science institutions, but school districts statewide have cut back on transportation costs to bring children to their local and regional museums. This bill will allow more students and adult learners to visit museums at no additional cost to local school districts and provides a much needed boost to these institutions. [S1676A](#), passed both houses, sponsored by Senator Betty Little

Reimbursing State Funding to Districts in a Timely Manner

The Senate passed a bill that would eliminate the year-long delay in state school aid payments to school districts outside New York City that get reimbursed for charter expenses. Currently, school districts do not get reimbursed for charter school tuition until the following school year. This bill would speed up those payments and give school districts more flexibility to handle operating costs. [S6551C](#), passed both houses, sponsored by Senator Chris Jacobs

Strengthening Libraries Statewide

The Senate passed a bill that provides for substantial fiscal savings through the establishment of a statewide centralized system for the delivery of books, including electronic books (e-books) and other non-print library materials. [S6424A](#), passed both houses, sponsored by Senator Patty Ritchie

Sharing Cost for New School Crossing Guards

The Senate passed legislation that would authorize the option of school districts contributing toward the cost of new crossing guards. Currently, municipalities cover the cost of salaries and compensation for all crossing guards. This legislation would give school districts the option to contribute toward the cost of hiring additional crossing guards to help ensure the safety of children walking to and from schools. [S367B](#), passed both houses, sponsored by Senator Betty Little

Requiring Drug and Alcohol Testing for School Bus Drivers

The Senate passed a bill requiring random drug and alcohol testing for all school bus drivers. The measure also increases the amount of time a bus driver can consume alcohol before going on duty and operating a school bus from six hours to eight hours. In recent years there have been a number of incidents of school bus drivers driving while intoxicated with children onboard. Current legislation requires only 10 percent of bus drivers to submit to random drug and alcohol testing. This bill will expand that requirement for all drivers, and requires the Department of Motor Vehicles be notified if a driver fails a test and permanently disqualifies a driver from operating a school bus in the future. [S2587E](#), passed both houses, sponsored by Senator Carl Marcellino

Improving Student and Pedestrian Safety with #Stop4Students Bill

The Senate introduced #Stop4Students legislation to protect schoolchildren and other pedestrians at all hours of the day by requiring New York City's Department of Transportation to install stop signs and red lights at the intersections of over 1,000 school zones. Speed cameras would remain in effect for six months and revenues collected by the city from summonses would be dedicated to installing stop signs and red lights at every single school intersection in the City. Rigorous enforcement and increased fines and penalties for violating school zone speeding would get repeat reckless drivers off the road, while modifying the behavior of first-time offenders. [S9123](#), sponsored by Senator Andrew Lanza, and co-sponsored Senators Martin Golden and Simcha Felder

Increasing Penalties for Multiple Convictions of Passing a Stopped School Bus

The Senate passed a bill that would provide for a 60-day suspension of an individual's drivers' license when the holder is convicted two or more times of passing a stopped school bus within a period of 10 years. This bill

makes the penalties for multiple convictions of passing a stopped school bus similar to the stiff penalties of multiple convictions of speeding in a construction zone. [S1064A](#), sponsored by Senator John Bonacic

Ensuring Safety of Students on School Buses

The Senate passed a bill that helps improve the development of school bus safety and security and better protects millions of students and personnel who ride the bus to school in New York every day. The bill would help enhance safety standards on school buses by improving the coordination of policies and procedures within the school district, and put those policies and procedures on par with similar measures already in place for school buildings. [S8234](#), sponsored by Senator Carl Marcellino

Enacting the School Bus Camera Safety Act

The Senate passed a bill that authorizes the installation and use of cameras, also known as “stop arm cameras,” on school buses to detect and record vehicles illegally passing or overtaking a bus. Recent studies have estimated that more than 50,000 drivers throughout New York on a single school day illegally pass stopped school buses. Under current law, a ticket can be issued only by a police officer who witnesses the violation. This legislation will allow law enforcement to use footage from stop arm cameras to issue a \$250 fine in order to strengthen enforcement and lessen the number of violators that continue to comprise the safety of children. [S518B](#), sponsored by Senator Catharine Young

Increasing Penalties for Multiple Convictions of Passing a Stopped School Bus

The Senate passed a bill that would provide for a 60-day suspension of an individual’s drivers’ license when the holder is convicted two or more times of passing a stopped school bus within a period of 10 years. This bill makes the penalties for multiple convictions of passing a stopped school bus similar to the stiff penalties of multiple convictions of speeding in a construction zone. [S1064A](#), sponsored by Senator John Bonacic

Protecting Children in School Zones

The Senate passed a bill that creates safer school traffic control zones to protect children and families. The measure doubles the fine for speeding infractions in school safety zones to prevent that dangerous and reckless behavior. [S6212A](#), sponsored by Senator Andrew Lanza

Ensuring Safety of Students on School Buses

The Senate passed a bill that helps improve the development of school bus safety and security and better protect millions of students and personnel who ride the bus to school in New York every day. The bill would help enhance safety standards on school buses by improving the coordination of policies and procedures within the school district, and put those policies and procedures on par with similar measures already in place for school buildings. [S8234](#), sponsored by Senator Carl Marcellino

Increasing Penalties for Certain Vehicles Passing a Stopped School Buses

The Senate passed a bill that increases the fine and modifies the penalties for passing a stopped school bus by certain vehicles including but not limited to buses, vehicles with 15 or more passengers, and vehicles weighing more than 26,000 pounds. By subjecting drivers that illegally pass a stopped school bus while driving a large vehicle to higher penalties, unsafe behavior can be curbed. [S5897A](#), sponsored by Senator Patty Ritchie

Toughening Fines and Criminal Penalties for Passing a Stopped School Bus

The Senate passed legislation that increases monetary penalties for passing a school bus and requires that a person who injures someone while passing a school bus be charged with aggravated vehicular assault. If a person is killed in the incident, the driver would be charged with criminally negligent homicide. [S1023](#), sponsored by Senator Rich Funke

Creating Safer Schools

The Senate passed a bill that creates new “Gang Free School Zones” and establishes a class D felony charge for gang members who seek to recruit new members on school grounds. Gang activity in and around schools puts students and staff at risk. [S6211](#), sponsored by Senator Andrew Lanza

Making Education More Affordable

The Senate passed a bill that makes New York’s tax law consistent with changes to 529 plan tuition eligibility that recently took effect on the federal level. The federal Tax Cuts and Jobs Act enacted last year expanded the use of 529 plans to include tuition expenses for attendance at elementary or secondary schools, but existing tax law in New York may not allow such expenses to be eligible. This bill enables 529 plan distributions used to pay for elementary or secondary school tuition expenses after January 1, 2018, to have the same tax benefits as distributions used for attending an eligible institution of higher education. [S7783](#), sponsored by Senator Martin Golden

Expanding Access to Education for Adult Learners

The Senate passed legislation that would enable public libraries to obtain Employment Preparation Education (EPE) funding. This would help libraries provide high school equivalency programs and employment training services that help adults get jobs. By allowing public libraries to apply for and obtain EPE funds, this bill would make these programs more widely available and help adults advance their education and attain critical skills. [S3021](#), sponsored by Senator Patty Ritchie

Ensuring New York’s Children Are Taught about the Holocaust

The Senate passed a measure that requires the State Education Department to review specific school districts’ teaching guidelines and compliance with existing state law that requires them to offer age-appropriate instruction on the Holocaust. The bill would also authorize the State Education Commissioner to develop any regulations necessary to ensure school districts are providing such instruction so that future generations of New Yorkers will never forget the millions of innocent Jews and other persecuted groups that were murdered in the genocide. [S5530](#), sponsored by Senator Elaine Phillips

HIGHER EDUCATION

2018-19 State Budget Higher Education Highlights:

The final budget provides **\$7.6 billion** to support students and higher education in New York, including record-high levels of more than **\$1 billion** in funding for tuition assistance and financial aid this year. Other highlights include:

- Restores **\$35 million** for Bundy Aid;
- Increases base aid funding for community colleges by **\$18 million**, including \$12 million for SUNY and \$6 million for CUNY, to prevent tuition hikes;
- Provides **\$200 million** for educational opportunity programs and the Collegiate Science and Technology Entry Program (CSTEP), among others;
- Restores **\$200 million** in Executive Budget cuts to SUNY and CUNY's capital programs;
- Helps working parents succeed in school by restoring **\$2 million** for child care centers at community colleges; and
- Supports New York's Bravest by allowing firefighters to take up to one CUNY course that pertains to their line of work for free, similar to what police officers are currently offered.

Higher Education legislation includes:

Cracking Down on Hazing

The Senate passed a bill that prohibits organizations from requiring activities that create risk of injury during initiation or affiliation ceremonies. If implemented, this legislation bolsters existing hazing prohibitions and provides the necessary safety measures to deter harmful behavior and help ensure that all of the students attending New York State institutions are protected from the substantial risks caused by hazing. [S2755](#), passed both houses, sponsored by Senator Kenneth LaValle

Reducing the Cost of Textbooks for Students

The Senate passed a bill that reduces the cost of textbooks by promoting pricing transparency and alternatives to conventional textbooks, such as e-books. This new legislation helps reduce the cost of textbooks by requiring that colleges and universities adopt policies that allow the use of innovative pricing techniques and payment options for textbooks and other supplemental materials. Innovative pricing models allow an institution to negotiate with a publisher for a lower price than market value for access to digital instructional materials, which typically cost substantially less than the print versions. Students would have the option to pay for these materials as part of their tuition and fees, which can be covered by loans, grants, and scholarships. [S6608](#), passed both houses, sponsored by Senator Pamela Helming

Requiring Five-Year Capital Plans for SUNY and CUNY

The Senate passed a bill to support five-year capital plans for SUNY and CUNY that were last enacted in 2008. The legislation incorporates capital planning for SUNY and CUNY into the overall capital plan submitted to the Legislature and would require the Governor to submit five-year capital plans as part of the Executive Budget. This requirement ensures that the facilities at the state's public higher education institutions receive the capital funding necessary to meet their annual critical maintenance needs. [S7236](#), passed both houses, sponsored by Senator Kenneth LaValle

Providing for Funding Increases at SUNY Health Science Centers

The Senate passed legislation that clarifies that SUNY's health science centers are intended to be part of the state's "maintenance of effort" provision regarding the NY SUNY 2020 legislation in 2011, so that at a

minimum, the institutions will receive prior year levels of funding from the state budget. [S7259A](#), passed both houses, sponsored by Senator Kenneth LaValle

Expanding the STEM Incentive Scholarship Program

The Senate passed a bill that expands the STEM Incentive Scholarship Program to students who attend private colleges and universities in New York. Previously, the scholarship program was only available to students who attended public institutions. The legislature also included in the final enacted budget \$4 million for new cohorts of students attending private colleges over the next four years. [S7506B](#), Chapter 56

ENERGY AND ENVIRONMENTAL CONSERVATION

2018-19 State Budget Energy and Environmental Conservation Highlights:

The Senate continues its longstanding support for the Environmental Protection Fund at a record \$300 million. It continues the implementation of last year's historic \$2.5 billion Clean Water Infrastructure Act and supports important initiatives to protect drinking water quality and environmental health, including:

- **\$65 million** to combat harmful algal blooms in Upstate New York waterbodies
- **\$1.5 million** for the Center for Clean Water to help address 1,4-Dioxane – an increase of \$500,000 to support additional lab testing equipment;
- **\$250,000** for the Adirondacks Lake Survey Corporation;
- **\$200,000** Long Island Commission for Aquifer Protection;
- **\$200,000** to the Town of Geneva for a Seneca Lake Watershed Manager;
- **\$150,000** for the Chautauqua Lake Association; and
- **\$125,000** for water quality monitoring in Manhasset Bay, Hempstead Harbor, Oyster Bay Harbor, and Cold Spring Harbor.

The Senate also secured a commitment from the Executive to make funds available beginning in 2018 from the Clean Water Infrastructure Act of 2017 through the Environmental Facilities Corporation for grants to public water systems to address emerging contaminants while the Department of Health completes rulemaking establishing maximum contaminant levels for PFOA, PFOS and 1,4-dioxane. The Enacted Budget also included the Voluntary Public Water System Consolidation study to evaluate the feasibility of the joining of public water systems in order to improve water quality in a cost-efficient manner.

Additionally, the Senate secured **\$900,000** in new funding in the 2018-19 budget for public health improvement initiatives to reduce the damaging effects of childhood lead poisoning. It includes \$775,000 in investments strengthening partnerships with code enforcement agencies in Buffalo, Utica, Syracuse, Newburgh, and Binghamton to prevent lead exposure. It will also support the Maternity and Early Childhood Foundation's "Lead Safe Babies" initiative to provide training to visiting nurses in order to identify lead hazards and promote lead awareness to mothers with newborns.

Energy and environmental conservation legislation includes:

Fixing Contaminated Infrastructure to Improve Access to Clean Drinking Water

The Senate passed a bill that adds the construction of public water mains and connections to the list of projects eligible for Water Quality Improvement funding so that water supplies that have been contaminated by toxic chemicals or hazardous substances can be fixed to protect public health. This would enable municipalities to access \$79 million currently available from the Environmental Protection Fund for projects for clean drinking water, and builds upon Senate's leading role in securing the largest single investment in clean water in New York's history – \$2.5 billion – that was included in the 2017-18 budget. [S7853A](#), passed both houses, sponsored by Senator Kenneth LaValle

Monitoring Impact of Mining on Groundwater Supplies

The Senate passed a bill that authorizes the enactment or enforcement of local laws or ordinances requiring the monitoring of groundwater impacts resulting from mining or the reclamation of mines within counties with a population of one million or more which draw their primary source of drinking water for the majority of county residents from a designated sole aquifer. Routine groundwater sampling and monitoring can help determine what, if any, groundwater resources may be impacted from these types of operations and provide an early

warning system for any current or future groundwater contamination. [S4812](#), passed both houses, sponsored by Senator Kenneth LaValle

Reducing Nitrogen in Long Island’s Water Supplies Through Upgraded Septic Systems

The Senate passed a bill that authorizes towns to establish the Peconic Bay Region Septic System Replacement Loan program to maximize opportunities for qualified property owners so that they could make any necessary septic system upgrades. The legislation would help protect residents and keep their drinking water safe by establishing a septic rebate program to incentivize local property owners to voluntarily upgrade standard sanitary systems to a Suffolk County Department of Health-approved Low-Nitrogen Sanitary System. [S8254](#), passed both houses, sponsored by Senator Kenneth LaValle

Providing Information on Water Contaminants to the Public

The Senate passed a bill that directs the Department of Health to post on its website information relating to emerging contaminant notifications levels. This bill makes these educational materials easily accessible to the public and public water systems. [S6655](#), passed both houses, sponsored by Senator Kemp Hannon

Enacting the “Drug Take Back Act”

The Senate passed a bill that establishes a unified statewide drug take-back program that will save government and taxpayer money and reduce medication misuse. In addition, the program would protect New York State’s water supplies by preventing drugs from being improperly disposed of by flushing or other means that result in contamination of water bodies and negatively impact aquatic life. The Drug Take Back Act holds pharmaceutical manufacturers responsible for all costs of the take-back program, ranging from public education and awareness to drug collection, transport, and destruction. Chain pharmacies and mail-order pharmacies will be required to provide consumers with collection options including drop boxes and prepaid mail-back envelopes. The measure also ensures communities in rural and underserved areas as well as cities have access to ongoing collection services so that all persons have reasonable access to locations to dispose of their drugs and prevent over-saturation in higher populated areas. [S9100](#), passed both houses, sponsored by Senator Kemp Hannon and Senator Tom O’Mara

Protecting Groundwater and Drinking Water Quality

The Senate passed a bill that allows the board of supervisors of each county to establish, consolidate, or extend watershed protection improvements for protecting and restoring groundwater, surface water, and drinking water quality. Contaminants from stormwater runoff and ineffective sanitary septic systems can cause excessive algae growth, close bathing beaches and shellfishing areas, harm aquatic life and contaminate drinking water. This legislation would expand the power of the board of supervisors of each county to establish watershed protection improvement districts, which would provide a dedicated, sustainable local funding source with equitable shared costs to: install and maintain stormwater treatment; drainage and infiltration projects; septic system upgrades; alternative septic systems; conservation landscaping; stormwater collection devices; and natural shorelines and shoreline buffers. [S3002](#), sponsored by Senator Kenneth LaValle

Preventing Harmful Algal Blooms

The Senate passed a bill that creates a mechanism for the state to study, respond to, and mitigate harmful algal blooms and hypoxia which have become a pervasive problem across the state. This legislation is pivotal because the state does not have a specific program or inter-agency approach to this emerging threat to water supplies and recreational water use. In 2015, the DOH documented an estimated 35 harmful algal bloom (HAB)-associated illnesses in 16 New York counties, all associated with exposure during recreational activities like swimming and boating. In 2016, drinking water for more than 40,000 people in Cayuga County was impacted when HAB-related toxins were detected in drinking water for the first time. In 2017, more than 100 beaches were closed for at least part of the summer due to HABs, and Skaneateles Lake - the source of

unfiltered drinking water for several communities including the City of Syracuse - was threatened by algal blooms for the first time. [S7752](#), sponsored by Senator Terrence Murphy

Establishing the Safe Water Infrastructure Action Program

The Senate passed a bill that implements a companion program to the existing Consolidated Local Street and Highway Improvement Program (CHIPS), called the Safe Water Infrastructure Action Program (SWAP), which offers assistance to local governments for drinking water, sanitary sewer and storm water infrastructure. This fund would be in addition to \$2.5 billion secured from the Clean Water Infrastructure Act of 2017. [S3292](#), sponsored by Senator Jim Tedisco

Requiring an Alternative Water Supply Study in the Town of Petersburg

The Senate passed a bill that directs Department of Health (DOH) to conduct an assessment of alternatives to eliminate or reduce perfluorooctanoic Acid (PFOA) in the municipal water supply in Petersburg, Rensselaer County. In November 2016, the New York State Department of Environmental Conservation (DEC) announced it had secured an initial legal agreement to hold Taconic Plastics responsible for PFOA contamination in the Petersburg area. Specifically, DEC called on Taconic to investigate the feasibility of an alternative water supply as part of its Remedial Investigation Work Plan. However, the consent order itself does not contain language for studying the feasibility of an alternative water supply. Requiring a study about the feasibility of an alternative water supply is crucial so the Town of Petersburg has as much information as possible to make informed decisions on its water quality. [S8408](#), co-sponsored by Senators Kemp Hannon and Tom O'Mara

Protecting the Future of Family Farming

The Senate passed a bill that enhances the existing Department of Agriculture and Markets Farmland Protection Implementation Grant Program. This legislation strengthens the program to better protect farmland, improve the chances of farmer-to-farmer property transactions, and keep active farmland in use. [S8362A](#), passed both houses, sponsored by Senator Patty Ritchie

Protecting Pollinators and Farmers

The Senate passed a measure that makes it state policy to encourage pollinator-friendly landscapes on solar farm sites. According to the State Pollinator Taskforce, New York is home to more than 450 pollinator species currently under threat from habitat loss and fragmentation, colony collapse disorder, parasites, exposure to toxins, and other stressors. Many of the state's leading agricultural crops rely heavily on pollination, and although many solar site owners claim that they are eco-friendly, this legislation would help ensure that statewide guidelines be developed by the state Department of Agriculture and Markets include short-term and long-term minimum standards for biodiversity and land management practices. The bill would also promote greater pollinator protection without restricting farming practices for farms who do not make public claims regarding pollinator benefits. [S6339A](#), passed both houses, sponsored by Senator Patty Ritchie

Incentives for Building Environmentally Sustainable Homes

The Senate passed a bill that requires the New York State Energy and Research Development Authority (NYSERDA) to establish a program to provide incentives to owners for the construction of energy efficient and environmentally sustainable affordable residential homes. This legislation provides for information, technical assistance, and financing to developers, builders, design professionals and other. NYSERDA will also be required to issue a report to the Governor and the Legislature to determine the benefits of providing new financial incentives for the construction of residential green buildings. [S7321](#), passed both houses, sponsored by Senator Joseph Griffo

Improving the State's Electrical Grid to Better Meet Peak Demand

The Senate passed two pieces of legislation that establish the energy storage deployment program and requires the Public Service Commission to develop the policy and goals. Creation of the state's energy storage system

will boost the resilience and reliability of the electric grid and lead to a more efficient and sustainable use of renewable energy resources. [S7318A](#) and [S8602A](#), passed both houses, sponsored by Senator Joseph Griffo

Providing Financial Incentive for New Yorkers to Go Solar

The Senate passed a bill that extends and strengthens an existing incentive program to encourage the installation of solar electric generating systems. This property tax abatement will offset the additional cost associated with solar energy installation in the City of New York. [S8049](#), passed both houses, sponsored by Senator Andrew Lanza

Establishing a Carbon Farming Pilot Program

The Senate passed a bill that establishes a two-year carbon farming pilot program for five farms in Columbia and Dutchess counties. Carbon farming is a method to reduce greenhouse gas emissions and capture and hold carbon in vegetation in soils. New York State has over seven million acres of farmland, which in addition to helping put food on the table, can also mitigate carbon emissions and their impact on climate change through the practice of carbon farming. [S9053](#), passed both houses, sponsored by Senator Sue Serino

Authorizing Tax Exemptions for Energy Systems

The Senate passed a bill that authorizes a tax exemption for the installation of fuel-flexible linear generators. Unlike fuel cells, fuel-flexible linear generators can run on propane instead of natural gas. This measure would continue to embrace emerging clean energy technologies and make this technology available to areas of the state with no access to natural gas. [S7418B](#), passed both houses, sponsored by Senator Joseph Griffo

Improving the Reporting of Natural Gas Leaks by Utility Companies

The Senate passed a bill that requires gas companies to classify all reported natural gas leaks, requires that each gas company report annually to the Department of Public Service the location and classification of each reported leak, the date each such leak was classified and the date each such leak is repaired, requires that the Department of Public Service make such information available upon request to any municipal or state public safety official and to members of the legislature, and lastly requires the Public Service Commission to commence a proceeding to investigate the need for additional winter surveillance of gas pipelines due to extended frost cap conditions. [S4264A](#), passed both houses, sponsored by Senator Joseph Griffo

Allowing Repairs to Damaged Pesticide Storage Containers

The Senate passed a bill that protects the environment by extending a measure that reduces the amount of products, such as fertilizers containing pesticides, that become waste. It allows retailers and distributors to continue making minor repairs to damaged storage containers in accordance with the United States Environmental Protection Agency (EPA) policy. [S7747A](#), passed both houses, sponsored by Senator Tom O'Mara

Encouraging Forestry and Habitat Protection

The Senate passed a bill that would create a state tax credit to encourage forestry stewardship and habitat conservation on private property. Undeveloped privately owned forestlands have many benefits for wildlife and water quality but growing property tax burdens and shifting of the assessment burden onto private lands creates pressure for development. This bill would provide a 25 percent real estate tax credit (school, county, and town taxes) capped at \$10,000 for eligible forest properties that have an approved habitat conservation or forest stewardship plan, or both. A Habitat Conservation and Forestry Stewardship Program would be established within the Department of Environmental Conservation (DEC), which would allow eligible properties to enroll and develop conservation plans for a period of not less than five years. Once enrolled, such properties could apply for the real property tax credit. [S138A](#), sponsored by Senator Betty Little

Helping Campgrounds Remove Disruptive Guests

The Senate passed a bill that would provide privately owned campgrounds a clear legal path to remove disruptive guests. It would authorize a campground owner to remove a person for a number of reasons including: the person is not a registered guest or visitor of the campground; has remained on the campground beyond an agreed-upon departure time and date; creates a disturbance that denies others of their right to quiet enjoyment of the campground; or violates any federal, state or local law. A person remaining on the campground could be guilty of trespass and removed by law enforcement. [S1317A](#), sponsored by Senator Betty Little

Enacting the “Solar Panel Collection Act”

The Senate passed a bill that enacts the “Solar Panel Collection Act” to require manufacturers of solar panels to collect panels when they are taken out of use. As more New Yorkers switch to alternative forms of energy to reduce dependence on fossil fuels, there has been a rise in the use of solar panels. Eventually these panels, which contain various valuable materials and rare metals, will reach the end of their life and become waste. Proper recycling will ensure that these materials and metals can be reused. [S2837B](#), sponsored by Senator Tom O’Mara

Reducing Paper Waste in the Legislature and Other State Agencies

The Senate passed a bill that reduces the number of bills, reports, digests, records and various documents printed by the New York State Legislature and establishes a process to make these documents available electronically through the websites of the Senate, Assembly, and state agencies. [S4149B](#), sponsored by Senator Jim Tedisco

Encouraging the Recycling of Lead-Acid Batteries

The Senate passed a bill that removes a cap on the price of deposits for lead-acid batteries. Current law requires retailers to collect a \$5 deposit as a return incentive to encourage recycling of lead-acid batteries. The removal of a price cap would place New York retailers on equal footing with those in surrounding states. [S2284](#), sponsored by Senator Tom O’Mara

Creating a Paint Stewardship Program

The Senate passed a measure that helps local governments in their efforts to continue reducing the amount of household hazardous waste in communities. The bill would establish an industry-sponsored Paint Stewardship Program to reduce the costly burden faced by local governments when collecting and disposing of post-consumer paint. Saving local governments approximately \$25 million annually, this legislation directs the state Department of Environmental Conservation (DEC) to create a plan for paint manufacturers and sellers to cover the costs of a statewide, not-for-profit Paint Stewardship Program that establishes agreements to collect, transport, reuse, recycle, and/or burn post-consumer paint at appropriately licensed collection sites and facilities using environmentally sound management practices. [S881A](#), sponsored by Senator Tom O’Mara

Defining Integrated Pest Management

The Senate passed a measure to define Integrated Pest Management (IPM) in order to help encourage a reduction in the amount of pesticides used. IPM is a systematic approach to managing pests that utilizes a diversity of management options to minimize health, environmental, and economic risks and impacts. [S524](#), sponsored by Senator Catharine Young

Preventing Environmental Crimes

The Senate approved legislation to deter criminal activity and prevent environmental crimes. This bill would make crimes that result in large-scale environmental damage, either intentionally or recklessly while committing another crime, a class C felony. There are currently no criminal mischief statutes that properly address this type of environmental devastation. [S1007](#), sponsored by Senator Joseph Robach

ETHICS AND GOVERNMENT REFORM

Ethics and government reform legislation includes:

Creating the New York State Procurement Integrity Act

The Senate passed a bill that prevents self-dealing in the government procurement process by enhancing the integrity, transparency, and accountability of the state's procurement process. Historically, the Office of the State Comptroller (OSC) has performed this essential oversight function, but in recent years OSC's ability to do so has been eroded by executive and legislative action. The bill, [S3984A](#), sponsored by Senator John DeFrancisco, called the New York State Procurement Integrity Act, would:

- Restore the state Comptroller's independent oversight (eliminated in 2011 and 2012) of SUNY, CUNY, and OGS centralized contracts;
- Expand the Comptroller's oversight of the procurement process to include contracts in excess of \$1 million awarded by the SUNY Research Foundation; and
- Prohibit state contracting through state-affiliated not-for-profit (NFP) entities unless explicitly authorized in law.

Developing a Searchable Subsidy Database

The Senate passed a bill that requires the creation of a searchable state subsidy and economic development benefits database that would assist New Yorkers and policy makers by helping monitor the use of taxpayer money used to grow our state's economy and create jobs. The database would include the name and location of the participant; the time span of received economic development benefits; the type of benefit received; the total number of employees at all sites of a project; the number of jobs a participant is obligated to retain and create during the project; the amount of economic development benefits received for the current reporting year; and a statement of compliance indicating if any other state agency has reduced, cancelled or recaptured economic development benefits from a participant. [S6613B](#), sponsored by Senator Thomas Croci

State Spending Cap

The Senate passed a bill that permanently caps state spending, codifying the self-imposed spending restraint demonstrated with the past eight state budgets enacted by the Legislature and Governor. Since Republicans regained the majority in the Senate in 2010, eight responsible on-time budgets have held spending at or below two percent. That self-imposed cap ensured the state was spending only what taxpayers can afford, while investing in education, road and bridge repairs, and other initiatives that create new jobs. Ultimately, capping state spending has saved taxpayers nearly **\$52 billion** on a cumulative basis since the 2010-2011 budget – including the elimination of a **\$10 billion** deficit inherited from the previous all-Democrat, all-New York City-led government. [S365](#), sponsored by Senator Joseph Robach

Requiring a Supermajority for New Tax Hikes

The Senate passed two measures that require a two-thirds vote from each house of the state legislature to increase, impose, or extend taxes, a two-thirds vote from local legislative bodies to increase, impose, or extend local taxes, and a two-thirds vote from local legislative bodies requesting an increase, imposition, or extension of taxes by the state legislature. The first bill holds elected officials more accountable to the state's taxpayers, both at the state and the local levels of government, by requiring a supermajority. A second bill accomplishes the supermajority requirement for state and local tax laws by proposing a constitutional amendment. [S8401](#) and [S8402](#), sponsored by Senator Sue Serino

Preventing the Appearance of “Pay-to-Play”

The Senate passed a bill that limits political donations from parties applying for grants, licenses, or doing business with public entities to the public officials or candidates who would approve such grants, licenses, or

contracts. Unfortunately, disclosures of significant donations by people or businesses who have received significant public contracts or licenses gives rise to public suspicion that there may be a relationship between the two occurrences, and thus to public cynicism and distrust of the process of how public bodies make decisions. [S8409](#), sponsored by Senator Michael Ranzenhofer

Prohibiting Certain Political Contributions by Government Appointees

The Senate passed a measure that prohibits appointees who are appointed by the Executive to make political contributions to the Executive or his or her political campaign. The appointees would be prohibited from making political contributions within a year of appointment, during their term, and for a year after the term ends. It also prohibits the appointee from soliciting contributions on behalf of the Executive or the Executive's campaign committee. This prohibition also applies to members in the appointee's household. [S8404](#), sponsored by Senator Michael Ranzenhofer

Requiring Financial Disclosure for Regional Economic Development Council Members

The Senate passed a bill that codifies the existing Regional Economic Development Councils (REDC) and requires appointees to comply with financial disclosure requirements and the code of ethics that all other public officers are currently bound by. [S922B](#), sponsored by Senator Thomas Croci

Reforming START-UP NY

The Senate passed a bill that restores and bolsters reporting requirements for START-UP NY by requiring the preparation of an annual report which would be provided to the Governor and the Legislature. The report would include, but is not limited to, the number of business applicants, number of businesses approved, benefits distributed and received, and the number of net new jobs created per business - including cumulative data that reflects the amount previously recorded and adjusted for net new jobs that have been lost. [S5985A](#), sponsored by Senator Phil Boyle

Prevent Regulatory Steamrolling

The Senate passed a bill that curtails state agency overuse of the emergency regulation process to ensure it is only used in true emergency situations when necessary to protect public health and safety. By amending the State Administrative Procedure Act's emergency rulemaking provisions, it constricts the timeframe an agency can promulgate a single regulation as an emergency, and the circumstances surrounding the need for emergency rulemaking action by a state agency. [S5912C](#), sponsored by Senator Chris Jacobs

Protecting State Investments When Deals Don't Meet Expectations

The Senate passed a bill that ensures that the Public Authorities Control Broad members have sufficient information to make informed decisions prior to a vote approving funding and includes disclosure of a claw-back provisions for instances when a project job creation claim doesn't come through, the state could recoup funding. [S7697A](#), sponsored by Senator John DeFrancisco

Creating an Independent Budget Office

The Senate passed a bill that creates the New York State Independent Budget Office to provide objective, non-partisan analyses of state revenues, expenditures, and management practices to members of the Legislature for any legislation with fiscal impact or at the request of a leader or a committee. Accurate, up-to-date information is a key ingredient for prudent, timely budgetary and policy decisions. At least 23 other states including California, Texas, Florida, Connecticut and Vermont have already established non-partisan budget offices to assist their legislatures. [S2325](#), sponsored by Senator Joseph Griffo

Providing More Stability in State Agency Leadership

The Senate passed legislation that defines the length of time an individual may head a state agency or department in an acting capacity while the Legislature is both in and out of session, and it defines how often a

person may serve in an acting capacity. Currently there is no limit to how long an individual may serve as the acting head of an agency or department. The legislation will provide stability at the executive level of New York's many state agencies, as well as save taxpayer money. [S7781](#), sponsored by Senator Joseph Griffo

Encouraging Local Governments to Go Paperless

The “Digital Home Act” enables local governments to apply for existing competitive grants offered by the New York State Department of State’s Local Government Assistance Program of up to \$10,000 to help reduce paper usage by going digital with their communications and achieving taxpayer savings at the local level. [S2883A](#), sponsored by Senator Jim Tedisco

HEALTH AND MENTAL HYGIENE

2018-19 State Budget Health and Mental Hygiene Highlights:

The budget includes **\$525 million** – an increase of \$100 million over the Executive Budget proposal – for the Health Care Facility Transformation Program to boost a new third round of awards and help ensure long-term sustainability for facilities and providers they adjust to the changing dynamics of health care in New York. In addition, the budget provides extensive supports for a variety of important public health initiatives including:

- **\$27 million** for Nutritional Information for Women, Infants and Children;
- **\$27 million** for Alzheimer’s and other dementia-related programs;
- **\$21 million** for cancer services;
- **\$16 million** for maternal and child health programs;
- **\$13 million** for chronic disease prevention (including diabetes, asthma, and hypertension);
- **\$11.2 million** for the Doctors Across New York Program;
- **\$8.5 million** in additional funding for the Spinal Cord Injury Research Board;
- **\$5 million** for crucial women’s health initiatives;
- **\$2.5 million** to support organ donation;
- **\$1 million** for children and recovering mothers;
- **\$283,000** for the Adelphi Breast Cancer Support Program; and
- **\$227,000** for the Maternity and Early Childhood Foundation.

The Senate’s Task Force on Lyme and Tick-Borne Diseases was once again instrumental in securing a record amount of funding to support education and prevention efforts. The budget includes a total of **\$1 million** to support the Task Force’s recommendations.

The Senate also secured **\$900,000** in new funding in the 2018-19 budget for public health improvement initiatives to reduce the damaging effects of childhood lead poisoning. It includes \$775,000 in investments strengthening partnerships with code enforcement agencies in Buffalo, Utica, Syracuse, Newburgh, and Binghamton to prevent lead exposure. The funding will also support the Maternity and Early Childhood Foundation’s “Lead Safe Babies” initiative to provide training to visiting nurses in order to identify lead hazards and promote lead awareness to mothers with newborns.

Protecting New Yorkers from Overpaying for Prescription Drugs

The Senate also passed an initiative to protect consumers from unfair prescription drug pricing that was included in the budget. The reforms help consumers become better informed about the price of drugs and prohibits two costly practices – gag clauses and clawbacks – used by pharmacy benefit managers (PBMs). Prohibiting these costly practices will help fight the rising cost of prescription drugs for all New Yorkers. This provision ensures that audits conducted by PBMs are fair and follow established industry standards and guidelines. Prior to its enactment in the budget, the Senate led the way and passed a bill earlier this year to accomplish these important changes. [S6940](#), passed both houses, sponsored by Senator Kemp Hannon and Senator James L. Seward

Health legislation includes:

Establishing Guidelines for Early Identification of Autism

The Senate passed a bill that establishes screening tools and guidelines for autism spectrum disorders (ASD) in children three years of age and younger. Currently, there is no standardized screening approach for the early identification of autism. Screening is a way to detect a disorder, such as autism, before the onset of symptoms.

Early treatment of autism can have a significantly positive impact on the health and well-being of children and their families. [S8955](#), passed both houses, sponsored by Senator Robert Ort

Providing Identification Cards for Individuals with Disabilities

The Senate passed legislation that creates a new identification card to help improve communication with people who have developmental disabilities. The bill creates a new optional identification card that can be given to law enforcement or other first responders in an emergency and conveys important details such as potential difficulties with interpersonal communications or physical contact, or an inability to respond verbally, as well as additional contact information. [S2565C](#), passed both houses, sponsored by Senator Pamela Helming

Promoting Early Detection of Prostate Cancer

The Senate passed legislation to eliminate out-of-pocket expenses for prostate cancer screening, helping to save lives through early detection and treatment. Prostate cancer is the third leading cause of cancer-related deaths among men. If detected early, prostate cancer in men can often be treated successfully. The bill prohibits cost-sharing for prostate cancer screenings so that more individuals seek out preventive care and get screened. [S6882A](#), passed both houses, sponsored by Senator Jim Tedisco

Inform State Retirees Before Health Insurance Premium Changes

The Senate passed a bill that requires state retirees to be notified 30 days prior to a proposed premium or substantive change to their health insurance plan. [S8118](#), passed both houses, sponsored by Senator Jim Tedisco

Providing Information about Lymphedema to Patients

The Senate passed a bill that would require physicians to provide an informational packet discussing lymphedema to all patients who have a high risk of developing the disease. Lymphedema is the swelling of one's arms and legs, and is commonly caused by the removal of or damage to lymph nodes as a part of cancer treatment. [S7765B](#), passed both houses, sponsored by Senator Martin Golden

Protecting Teens from Harmful Effects of Indoor Tanning

The Senate passed a bill to protect more children from harmful UV exposure in tanning facilities. Existing law prohibits children under the age of 17 from using tanning facilities and this legislation goes a step further and also prohibits 17-year-olds. The bill retains the exemption for qualified health care providers using tanning in the course of medical treatment. [S5585A](#), passed both houses, sponsored by Senator Phil Boyle

Empowering Nurses to Ensure the Greatest Quality of Care for Newborns

The Senate passed a bill that allows hospitals to establish non-patient specific orders for the care of healthy newborns by an attending registered nurse. Under current law, registered nurses (RNs) are authorized to administer certain treatments and tests, including immunizations and HIV tests to patients without a patient-specific order from a physician for each individual. Since the law does not explicitly include standing orders for the care of healthy newborns, some authorities interpret hospital standing orders for newborn care to be prohibited. This bill maintains the authority of the attending practitioner, the hospital, and Health Department regulations, while also protecting the role and scope of practice of RNs. [S8774](#), passed both houses, sponsored by Senator Kemp Hannon

Educating Parents and Testing for Cytomegalovirus in Newborns

The Senate passed a bill that would encourage testing newborns for Cytomegalovirus (CMV), raise public awareness for families, and help reduce transmission of the harmful CMV illness between toddlers and their parents. CMV is the most common congenital viral infection and the leading non-genetic cause of deafness in children. Although signs and symptoms of CMV are rarely noticeable in a majority of people, its effects can be devastating to babies in utero. Annually, as many as 400 children die from the ailment. This bill would also help educate parents to take simple preventative measures against the virus and potentially screen their newborns

when they show signs of a hearing impairment. [S2816B](#), passed both houses, sponsored by Senator Kemp Hannon

Ensuring Insurance Coverage for Enteral Formula

The Senate passed a bill that clarifies the original intent of Hannah’s Law to ensure that individuals suffering from severe protein allergic conditions have access to proper nourishment. Individuals who suffer from these conditions such as food protein-induced enterocolitis syndrome experience life-threatening symptoms and the inability to properly digest and turn food into energy. Patients affected by these disorders, who are most often infants and young children, must receive nourishment from enteral or amino acid-based formulas in order to maintain proper nutrition and health. Without enteral formula, patients can be subject to debilitating gastrointestinal symptoms, drastic weight loss, developmental delays, mental retardation, and death. This legislation clarifies that both administration orally and through a feeding tube should be covered by a physician’s written orders of medical necessity without the “failure to thrive status.” [S8924](#), passed both houses, sponsored by Senator James L. Seward

Creating a “Sexual Assault Survivor Bill of Rights”

The Senate passed a bill to better inform sexual assault survivors of their various rights to fair and sensitive treatment during the investigation of their crime. The Sexual Assault Survivor Bill of Rights details the right of survivors to consult with and be accompanied by a victim assistance organization during physical exams and interrogations; the right to preventive treatment for HIV; and the right to get notice about the results of their sexual assault evidence kit and the status of their case. [S8977](#), passed both houses, sponsored by Senator Kemp Hannon

Providing Better and More Nurturing Care for Terminally Ill New Yorkers

The Senate passed a bill that allows residents receiving Medicaid benefits through the Assisted Living Program (ALP) and living in assisted living facilities have access to hospice services in their assisted living facilities. Under current State Medicaid policy, terminally ill patients in ALPs are unable to access hospice services. This legislation would remove additional burdens placed on patients and their families at a difficult time and prevent the transfer from their home to a nursing home to receive end-of-life care. [S8353](#), passed both houses, sponsored by Senator Kemp Hannon

Ensuring that Licensed Funeral Directors Can Continue to Practice

The Senate passed a bill that ensures licensed funeral directors whose careers are threatened due to non-renewal of their registrations as of June 30, 2018, will be able to continue practicing funeral directing without interruption unless the State Department Health (DOH) determines, after notice and an agency hearing, that the licensee did indeed commit misconduct with respect to obtaining their license or admission to practice funeral directing. [S8878](#), passed both houses, sponsored by Senator Kenneth LaValle

Allowing Injured Employees to be Eligible for Acupuncture

The Senate passed a bill that authorizes the care and treatment of injured employees by licensed and certified acupuncturists to be covered under workers’ compensation program. Acupuncture provides positive health benefits to patients when traditional treatments have not been successful, and serves as alternative to pharmaceutical medications as form of pain relief and pain management. This law will expand the existing reimbursement for services of licensed physicians and psychologists to include acupuncturists. [S6666](#), passed both houses, sponsored by Senator George A. Amedore, Jr.

Assisting Health Care Professionals and Volunteers in the Fight against Ebola

The Senate passed a bill that extends the right to seek unpaid leave of absences to volunteers who help fight the Ebola virus overseas. Despite being completely eradicated in many parts of the world, the Ebola virus continues to affect various developing nations, including most recently in the Democratic Republic of Congo. Under

current law, this important provision for New York’s healthcare professionals around the world will expire on December 1, 2018 and this bill extends the leave until 2021. [S8757](#), passed both houses, sponsored by Senator Kemp Hannon

Increasing the Availability of Potentially Life-Saving Medications for New Yorkers

The Senate passed a bill that increases treatment options for those seeking compassionate care by allowing the Commissioner of the Department of Health (DOH) to reclassify certain drugs at any time after such drug is reclassified by the Federal Drug Administration (FDA). Under current law, legislative action is required to reclassify drugs in New York. If the FDA were to make their reclassifications when the state legislature is not in session, drugs which would otherwise be available to New York residents would be unavailable until the Legislature reconvenes and takes action. [S8275B](#), passed both houses, sponsored by Senator Chris Jacobs

Increasing Awareness, Prevention, and Education on Sepsis

The Senate passed a bill to clarify the provisions in a new law chaptered last year relating to sepsis and infections. The original bill [S4971A](#), Chapter 347, directed the Department of Education, Department of Health, and other health organizations to establish a sepsis awareness and prevention program to educate students, parents, and school personnel on the life-threatening condition. Sepsis impacts over 1 million Americans each year. The disease itself is not contagious, but pathogens that may cause sepsis can be transmitted directly or indirectly. This bill would help raise awareness of prevention and symptoms related to sepsis in the hopes that future tragedies are avoided. [S7280](#), Chapter 10, sponsored by Senator Carl Marcellino

Increasing Public Awareness and Preventing Discrimination Against Live Organ and Tissue Donation

The Senate passed a bill that enacts the “Living Donor Protection Act of 2018” to ensure New Yorkers receive reliable, accurate information about live organ donation, and also to help guarantee that those who donate are protected against discrimination with regards to insurance and paid family leave benefits. About 1,000 individuals become living tissue and organ donors each year in New York. This legislation would direct the Department of Health Commissioner, in collaboration with entities such as the Transplant Council, to work on public awareness and outreach for living organ donation, and also make clear that no individual who chooses to become a living donor should experience insurance discrimination or loss in paid family leave benefits. [S2496B](#), passed both houses, sponsored by Senator Kemp Hannon

Safeguarding Infants and Toddlers from the Dangers of Second- and Third-Hand Smoke

The Senate passed a bill that prohibits smoking at all times in areas that provide child care services, and specifically daycares, in order to protect children from the harmful effects of second- and third-hand smoke. Under current law, operators and residents of home-based daycare centers are permitted to smoke outside their hours of operation, including inside the daycare centers. Studies on the effects of third-hand smoke – defined as residual contamination from cigarette smoke toxicants that can linger on surfaces – have shown evidence of the same harmful effects associated with first- and second-hand smoking. This bill would help protect infants and toddlers against carcinogens and other health risks by closing this dangerous loophole to include home-based daycare centers. [S7522](#), passed both houses, sponsored by Senator Kemp Hannon

Prohibiting the Sale of E-Cigarettes to Minors

The Senate passed a bill that prohibits the distribution or sale of electronic cigarettes to minors, by any person engaged in the business of selling or distributing electronic cigarettes for commercial purposes, or by any agent and or employee. [S1223](#), Chapter 4, sponsored by Senator Fred Akshar

Protecting Children With Severe Allergies in Day Care Settings

The Senate passed a bill that requires the Commissioner of Health to establish an anaphylactic policy for child care day care centers, nursery schools and pre-kindergarten programs on how to recognize and provide first aid in the case of an emergency when a child is suffering from an extreme or life-threatening allergic reaction. [S8785](#), sponsored by Senator Kemp Hannon

Protecting Children from Lead Poisoning

The Senate passed a bill that protects the health of children by lowering the statutory standard for elevated blood lead levels from 10 mg to 5 mg to reflect current research and the Centers for Disease Control and Prevention (CDC) guidance. This bill also includes CDC guidance on what lead case management actions are to be taken by the state and localities when certain blood lead levels are found. [S9078](#), sponsored by Senator Kemp Hannon

Increasing Public Awareness of Organ and Tissue Donation Among Youth

The Senate passed a measure to allow SUNY, CUNY, and library card applicants to register as an organ donor under an expansion of Lauren’s Law, which changed DMV forms to require applicants to choose “yes” or “skip” the question about becoming a donor. [S5283C](#) sponsored by Senator Chris Jacobs

Establishing the Maternal Mortality Review Board

The Senate passed a bill that establishes the Maternal Mortality Review Board for the purposes of reviewing maternal mortality and morbidity. The Board would assess the cause of death and factors leading to death and preventability for each maternal death reviewed, and develop strategies for reducing the risk of maternal mortality. [S8907](#), sponsored by Senator Kemp Hannon

Allowing Minimum Wage Pass-through for MLTC Providers

The Senate passed a bill that requires any funds appropriated by the State to compensate for labor mandates, including minimum wage increases, for Medicaid funded home and community based long term care to be fully and timely disbursed to home care providers. [S8473A](#), sponsored by Senator Kemp Hannon

Improving Home Care Services

The Senate passed a bill that provides the Commissioner of Health with the authority to grant exemptions from the moratorium on the processing and approval of Licensed Home Care Services Agencies (LHCSAs) applications if, in his or her discretion, an application is consistent with the state’s goals of consolidation and improving care delivery. [S8942](#), sponsored by Senator Kemp Hannon

Expanding ‘Doctors Across New York’ to Dentists

The Senate passes a bill to expand the Doctors Across New York program to include dentists. Access to dental care in underserved areas of the state is a serious public health problem and incorporating dentists into this program will increase access to potentially life-saving dental care for traditionally underserved populations. [S3939](#), sponsored by Senator Catharine Young

Mental hygiene legislation includes:

Prioritizing Community-Based Mental Health Care

The Senate passed a measure that incorporates home care collaboration within the Geriatric Service Demonstration Program to better help individuals age-in-place in their homes and communities, avoid hospitalizations, promote better care transitions from hospital to home, and support quality of health and life for New Yorkers with mental health conditions. Home care agencies are the state's certified, licensed, and expert providers of health care in the home and community. Staff at these agencies, combined with direct care, service management, and telehealth services that the agencies provide would be a logical match with mental health

providers to formulate and maintain a total care and management model for the patients. [S8632](#), passed both houses, sponsored by Senator Robert Ort

Increasing Suicide Prevention Awareness on State College Campuses

The Senate passed a bill that requires the State Office of Mental Health (OMH) to develop educational materials regarding suicide prevention to any New York State university, city university, or community college. Suicide is the second leading cause of death among persons aged 10-24 years old, according to Center of Disease Control and Prevention. This bill addresses a statewide public health issue by helping colleges and universities in New York better educate their students and faculty on signs of depression, as well as suicide prevention and intervention. [S5860A](#), passed both houses, sponsored by Senator Patty Ritchie

Ensuring New Yorkers with Mental Health and Substance Abuse Issues are Given the Care they Deserve

The Senate passed a bill that establishes the Substance Use Disorder Parity Report Act, which would require insurers and health plans to submit certain data to multiple state agencies as a way of measuring compliance with federal and state mental health and substance abuse parity laws. Building upon the landmark enactment of “Timothy’s Law” in 2006, as well as its permanent enactment in 2009, this legislation would help continue to ensure New Yorkers have access to care and treatment for mental illness and substance abuse disorders. Although mental health parity has been the law of the land for years, multiple investigations into and settlements with health insurers has proven a reminder of the challenges that remain in achieving compliance with the law. The measure would require insurers, health plans, and other stakeholders to submit statistics on coverage for mental health and substance abuse services, rate of denials for treatment, and other certain data to the state, which would then issue an annual Mental Health Parity report as part of the annual Consumer Guide. [S1156C](#), passed both houses, sponsored by Senator Robert Ort

Making “Kendra’s Law” Permanent

The Senate passed a bill that enhances public safety, improves the quality of care provided to the mentally ill, and makes Kendra’s Law permanent. The measure is designed to avert serious injury to the mentally ill person or others, but gaps exist in the present system that must be fixed to make it more efficient. The measure would not only make Kendra’s Law permanent, but includes several provisions to improve the current system of AOT, including requiring: follow-up for those who move during the AOT period to ensure that they receive their treatment; an assessment for AOT when mental health patients are released from inpatient treatment or incarceration so that people needing services do not fall through the cracks; counties to notify the state Office of Mental Health (OMH) when an assisted outpatient is missing and thereby unavailable for an evaluation as to whether he or she continues to meet AOT criteria; and the Commissioner of OMH to develop an educational pamphlet on the AOT process of petitioning so that family members have information on how to file a report. [S516B](#), sponsored by Senator Catharine Young

COMBATING HEROIN AND OPIOID ABUSE

The Senate is at the forefront of New York’s efforts to prevent future tragedies and help countless lives rid themselves from the throes of heroin and opioid addiction. Since 2011, laws have been adopted to establish Good Samaritan protections, further expand access to naloxone, create I-STOP, and enhance insurance coverage among others.

In March 2014, the bipartisan New York State Senate Joint Task Force on Heroin and Opioid Addiction was created to examine the alarming rise in use of heroin and opioids that has claimed lives and hurt families across New York State. Following forums held throughout New York State, Task Force members, led by Chair Senator Phil Boyle, secured the enactment of 11 bills signed into law and \$2.25 million in substance abuse funding.

Building on years of success, Senate Task Force Co-Chairs George Amedore, Chris Jacobs, and Fred Akshar continue to hold public meetings and receive input from medical experts, treatment providers, law enforcement, and affected New Yorkers who provide invaluable insights and anecdotal evidence about how legislation can better address this public health crisis. Results include:

2018-19 Enacted Budget Highlights:

The Senate secured a major increase in funding to combat the opioid epidemic for a new record investment of **\$247 million** – \$20 million above the 2018-19 Executive Budget proposal, and \$37 million above 2017-18.

Among the highlights are:

- **\$10.6 million** to support services including more residential treatment beds, a new Recovery and Community Outreach Center, and an Adolescent Clubhouse program to provide peer support activities and events that help maintain a sober and substance-free lifestyle;
- **\$3.8 million** for the development and implementation of substance use disorder treatment in local jails; and
- **\$1.5 million** for the creation of an Independent Substance Use Disorder and Mental Health Ombudsman to assist individuals in receiving appropriate health insurance coverage.

In addition to record funding, the budget includes a Senate-driven initiative to help prevent and address an increase in the number of babies born addicted to opioids. The budget creates a new program and provides **\$1 million** to further educate and assist health care providers in caring for expectant mothers and new parents with substance use disorders and help ensure they receive appropriate care, with an additional \$350,000 provided for infant recovery centers.

It also prohibits prior authorization for outpatient substance abuse treatment to ensure people are able to get the help they need immediately. And the budget makes permanent the state’s certified peer recovery program, where those in recovery utilize their expertise and experiences to promote the success of others battling substance abuse.

To help increase the tools available to law enforcement to get dangerous drugs off the streets, the budget adds two new derivatives of fentanyl and several new hallucinogenic drugs, synthetic cannabinoids, and cannabimimetic agents to the state’s controlled substances schedule.

New Proposals to Combat Heroin and Opioid Abuse:

Enacting the “Drug Take Back Act”

The Senate passed a bill that establishes a unified statewide drug take-back program that will save government and taxpayer money and reduce medication misuse. In addition, the program would protect New York State’s water supplies by preventing drugs from being improperly disposed of by flushing or other means that result in contamination of water bodies and negatively impact aquatic life. The Drug Take Back Act holds pharmaceutical manufacturers responsible for all costs of the take-back program, ranging from public education and awareness to drug collection, transport, and destruction of collected drugs. Chain pharmacies and mail-order pharmacies will be required to provide consumers with collection options including drop boxes and prepaid mail-back envelopes. The measure also ensures communities in rural and underserved areas as well as cities have access to ongoing collection services so that all persons have reasonable access to locations to dispose of their drugs and prevent over-saturation in higher populated areas. [S9100](#), passed both houses, sponsored by Senator Kemp Hannon and Senator Tom O’Mara

Preventing Predatory and Deceptive Substance Abuse Treatment

The Senate passed a bill that makes it a crime to offer to or accept any kickback from an individual or entity that provides substance abuse services in exchange for patient referral and admission. There has been a rise in individuals who aggressively pursue people in need of substance use disorder treatment services and, for a sometimes-extravagant fee, promise admission to treatment programs. For individuals engaging in this predatory behavior, the most desirable patients are those with robust insurance coverage, and out-of-network benefit packages. Patient brokers refer these clients to programs offering the highest rate of “return” to the patient broker, with little or no regard for the patient’s specific needs. This predatory practice capitalizes on, and exploits, families’ fears while putting patients at risk of inappropriate treatment. [S6544B](#), passed both houses, sponsored by Senator Fred Akshar

Allowing Medical Marijuana Use as an Alternative to Opioids

The Senate passed legislation that allows the use of medical marijuana for the treatment of substance use disorder or as an alternative to opioids for the treatment of episodic pain. [S8987A](#), passed both houses, sponsored by Senator George A. Amedore, Jr.

Increasing Awareness of Drug Take-Back Sites

The Senate passed a bill that creates a new state database to increase public awareness of drug take-back programs throughout the state, helping to prevent unused prescriptions and other dangerous drugs from getting into the hands of others while also protecting crucial water supplies. [S6673](#), sponsored by Senator Kemp Hannon

Expanding Access to Funding for State Substance Abuse Services

The Senate passed a bill that authorizes the state Office of Alcoholism and Substance Abuse Services (OASAS) to provide funding to substance use disorder and/or compulsive gambling programs operated by for profit agencies. Current statute states all funds issued by OASAS to provide addiction prevention, treatment and recovery services must be awarded to non-profit providers. For-profit organizations, which provide similar services are unable to apply for state contracts through OASAS and such restrictions limits competition within the RFP process that would ensure state dollars are being used in the most efficient way possible. [S898A](#), sponsored by Senator George A. Amedore, Jr.

Creating a Sober Living Task Force

The Senate passed a bill that creates a sober living task force, which will identify and promote alcohol and drug-free living environments across the state for persons in recovery from a chemical dependency. [S902](#), sponsored by Senator Thomas Croci

Coordination of Prescriptions Following an Overdose

The Senate passed a measure that requires hospital and emergency room physicians to notify a patient's prescriber when a patient is being treated for a controlled substance overdose. The measure enhances the effectiveness of the Prescription Monitoring Program (PMP) Registry when prescribing controlled substances by ensuring that vital medical information is shared among health care practitioners. The bill requires an emergency room or hospital practitioner treating a patient with an opioid overdose to consult the PMP registry and notify the patient's prescriber of the overdose. Without such notification of the overdose, it is very possible that the prescriber/practitioner would not know that the patient had suffered an opioid overdose. [S2639](#), sponsored by Andrew Lanza

Limiting Children’s Opioid Exposure

The Senate passed a bill that addresses the increasing risk of children becoming addicted to opioids and heroin after being prescribed painkillers for medical procedures or illegally sharing extra prescriptions. The bill requires a health practitioner to receive written consent from a minor’s parent or legal guardian in order to

prescribe a medical treatment containing opioids, as well as to discuss the risks of addiction and dangers of overdose associated with the medication. The bill also limits the prescription for a controlled substance containing an opioid to a seven-day duration unless there is a medical emergency that puts the child's health or safety at risk. [S5949](#), sponsored by Senator Fred Akshar

Enacting “Laree’s Law” to Hold Drug Dealers Accountable

The Senate passed a bill that establishes the crime of homicide by sale of an opiate controlled substance. Currently, a person who provides an illicit drug that results in the death of a user can typically only be charged with criminal sale of a controlled substance, allowing those involved in the illicit drug trade to escape prosecution for the deaths caused by their actions. [S2761](#), sponsored by Senator George A. Amedore, Jr.

Creating Drug Free Zones Around Drug or Alcohol Treatment Centers

The Senate passed a measure that criminalizes the sale of a controlled substance on the grounds of a drug or alcohol treatment center, or within 1,000 feet of such facilities. Statistics show that drug dealers often prey on individuals with addictions by sitting in the immediate vicinity of a drug or alcohol treatment center or methadone clinic waiting for people to come out so they can sell them drugs. [S1127](#), sponsored by Senator Fred Akshar

Making it Easier to Prosecute Heroin Dealers

The Senate passed a bill that assists in the prosecution of heroin dealers by creating a presumption that the possession of 50 or more individual packages containing heroin and/or having an aggregate value of \$300 is possession with intent to sell. Currently, dealers can carry large quantities of the drug before triggering a felony charge of possession. [S638](#), sponsored by Senator Phil Boyle

Establishing New Penalties for Heroin Sales

The Senate passed a bill that creates appropriate-level penalties for heroin sales, taking into account the lighter weight of heroin. Heroin weighs less than other drugs and therefore more doses of heroin are needed to trigger various existing criminal offenses. [S880](#), sponsored by Senator Robert Ort

Cracking Down on Black Market Prescription Drugs

The Senate passed a bill that establishes the offense of fraudulent prescription, dispensing, and procurement of non-controlled substance prescription medications and devices, and establish the offense of unlawful possession of non-controlled substance prescription medications and devices. The gaps in existing law and the growth of a black market make it self-evident that change is necessary. This bill will address the problem by increasing or establishing criminal penalties that better fit these crimes. [S2814](#), sponsored by Senator Kemp Hannon

Strengthening Penalties for Sale of a Controlled Substance to Minor

The Senate passed a bill that helps curb rising drug abuse among high school students and other youth by making the sale of a controlled substance by an adult to a minor under the age of 14 a class A-II felony. [S3845](#), sponsored by Senator Kathy Marchione

Cracking Down on the Sale of Carfentanil

The Senate passed a measure that makes the sale of 2 milligrams or more of Carfentanil a Class A-II felony and the sale of 10 milligrams or more of Carfentanil a Class A-I felony. Carfentanil is synthetic opioid and a schedule II controlled substance, which is 100 times deadlier than fentanyl, and 10,000 times stronger than morphine. [S623](#), sponsored by Senator Phil Boyle

Outlawing Alpha-PVP/ “Flakka”

The Senate passed a measure that designates Alpha-PVP, also known as “Flakka” or “Gravel” as a controlled substance. Similar to bath salts and methamphetamine, use of this designer drug has been known to cause violent behavior, with side effects including nausea, vomiting, paranoia, hallucinations, delusions, suicidal thoughts, seizures, chest pains, and increased blood pressure and heart rate. [S816](#), sponsored by Senator Rich Funke

Improving the Regulation of Fentanyl

The Senate passed a measure that adds six new derivatives of fentanyl to the controlled substance schedule regulated by the state Department of Health. Fentanyl and fentanyl-combined drugs are a major driver of the many recent overdoses that have occurred across New York State. It is vital for public health and safety to properly regulate this potent drug. [S5884A](#), sponsored by Senator Chris Jacobs

Requiring Patient Counseling Prior to Issuing a Prescription for a Schedule II Opioid

The Senate passed a bill that requires health care practitioners to consult with a patient regarding the quantity of an opioid prescription and the patient’s option to have the prescription written for a lower quantity. The physician must also inform the patient of the risks associated with taking an opiate medication, and the reason for issuing the medication must be documented in the patient’s medical record. This will help prevent addictions that start with legal drug prescriptions. [S5670](#), sponsored by Senator Fred Akshar

Increasing the Number of Opioid Treatment Services

The Senate passed a bill that authorizes the Office of Alcoholism and Substance Abuse Services (OASAS) to implement a demonstration program designed to increase consumer accessibility to opioid treatment services in geographic areas determined by the commissioner to be in need of such services, and increase the type of companies and organizations – including for-profits - eligible to provide treatment. [S8600A](#), sponsored by Senator George A. Amedore, Jr.

COMBATING LYME AND TICK-BORNE DISEASES

According to reports by the Centers for Disease Control (CDC), New York State has the third highest number of confirmed cases of Lyme disease in the entire country. Over the last decade, the number of people getting diseases transmitted by mosquito, tick, and flea bites has more than tripled across the country. While this problem has historically been concentrated on Long Island and in the Hudson Valley, the state Department of Health reports that it’s quickly migrating to other counties across New York. Since Lyme reporting became available in 1986, there have been over 95,000 cases of Lyme in New York State alone.

While the Northeast United States remains one of the hardest-hit regions for Lyme and other tick-borne diseases (TBDs), the Senate has been actively working to help reverse this trend. The Task Force on Lyme and Tick-Borne Diseases led by Chairwoman Sue Serino was created in 2013, and has continued to engage stakeholders and develop legislation to address the epidemic. During this year’s budget negotiations, the Task Force was instrumental in securing **\$1 million** – a record level of funding – to support ongoing education and prevention efforts.

The Senate approved a resolution in June designating this funding for a number of projects to increase education, research, prevention, and treatment options, and combat the spread of Lyme across the state. Funding for projects includes:

- **\$192,000** for Cary Institute of Ecosystem Studies, Inc. to research community-based prevention methods by continuing and expanding “The Tick Project,” a five-year research project. The funding will

help determine whether neighborhood-based prevention can reduce human cases of Lyme and other tick-borne diseases.

- **\$175,000** for Stony Brook University **to open a state-of-the art infectious disease laboratory**, which will have an insectary dedicated solely for work on ticks. The laboratory will be open to Stony Brook scientists and others as a regional facility with unique research capabilities. The funds will be used to support activities in the laboratory and new research on TBDs.
- **\$130,000** for Cornell University **to study the distribution of ticks and the diseases they carry in various parts of the state** through the Tick Outreach and Surveillance Project for New York. Operated through the New York State Integrated Pest Management (IPM) Program at Cornell University, the research will primarily focus on the spread of ticks by species within certain counties. Other areas of study include ways to reduce human exposure to TBDs, tick management workshops, and best practices in schools, camps, parks, and places where people gather outdoors.
- **\$112,000** for New York State Association of County Health Officials (NYSACHO) **to increase public awareness throughout New York** through eight to 10 regional educational lectures. The informational seminars, targeted to communities in the state heavily impacted by Lyme and other TBDs, will focus on community awareness, best practices for TBD investigation, tick surveillance, and disease prevention to local parts of the state heavily impacted by the effects of Lyme and TBDs.
- **\$100,000** for SUNY Adirondack **for laboratory research on lesser-known TBDs**, including infectious diseases known to be comorbid with Lyme disease, such as Babesia, Bartonella, Ehrlichia, Anaplasma, and Powassan virus. The work would help provide much needed information about the rates of these coinfections in people with Lyme disease in New York.
- **\$75,000** for Southampton Hospital **to fund the Tick-Borne Disease Resource Center**, which helps doctors in multiple disciplines collaborate with researchers and community outreach experts to inform and treat individuals from across the region.
- **\$60,000** for New York State Department of Health **to increase the number of tick collection sites in New York**, and the number of ticks tested for pathogens statewide. The funding will also be used to hire temporary staff to assist with sampling and testing, as well as targeting of educational messages in a more efficient manner.
- **\$50,000** for SUNY College of Environmental Science and Forestry **to monitor seasonal variations of ticks in Western and Central New York** to help provide a better understanding of how disease transmission risks are changing. The study will also provide public information to better explain the risks of tick exposure.
- **\$30,000** for Paul Smith's College **to study the emergence of TBDs in the North Country** by continuing and expanding academic studies that monitor ticks and TBDs.
- **\$26,000** for Cornell Cooperative Extension **for a series of regional Lyme and TBD forums** to be hosted throughout the state. The forums will help provide the public with information on tick identification, tick bite prevention, Lyme disease and co-infection awareness, impact on pets and livestock, and health resources that are available for individuals who have been bitten by a tick.
- **\$25,000** for New York State Department of Health **to continue database mining**, which would include various projects associated with Lyme carditis, as well as deaths associated with Lyme and other TBDs.
- **\$25,000** for Town of Shelter Island **to help combat the spread of ticks on Shelter Island**, which is one of the worst hit areas of the state. The town has developed a four-poster program to stem the spread of ticks associated with the deer population. This funding would maintain and expand the efforts of this critical initiative.

In addition to record funding and a package of comprehensive bills, the Senate also approved a resolution ([J4517](#)) designating May 2018 as Lyme Disease Awareness Month in the State of New York. The resolution provides focus on this significant and complex disease, includes information on and raises public

awareness of its causes, symptoms, and treatments, and underscores important education and research efforts surrounding Lyme and other TBDs.

Legislation on Lyme and tick-borne diseases includes:

Studying the Impact of Tick-Borne Diseases and Blood-Borne Pathogens on Mental Health

The Senate passed a bill that would direct the state Department of Health and Office of Mental Health to conduct a study on the possible connection that Lyme and tick-borne diseases may have with mental illness. Recent research has emerged that suggests that infectious diseases and blood-borne pathogens may play an important role in the development of neuropsychiatric conditions, mood disorders, and a variety of mental health conditions in infected patients. In a recent public hearing conducted by the [Senate Majority Task Force on Lyme and Tick-Borne Diseases](#), health experts noted that there were psychiatric symptoms related to these types of infections that could have long-term impacts on a patient's health and quality of life. Given the prevalence of these types of ailments in New York, it is imperative that the state approach this epidemic from a holistic perspective that accounts for the mental health consequences of these types of infections. [S7171A](#), passed both houses, sponsored by Senator Sue Serino

Installing Tick Warning Signs at State Parks

The Senate passed a bill that directs the New York State Office of Parks, Recreation and Historic Preservation to install and maintain tick warning signs at all state-managed parks, including trail entryways and campgrounds. The signs will inform the public that ticks may be found in such areas and that they can spread Lyme or other diseases. [S7242](#), passed both houses, sponsored by Senator Sue Serino

Adding Another Tool to the Fight Against Lyme and TBDs in New York

The Senate passed a bill that establishes a Lyme and Tick-Borne Diseases (TBDs) working group comprised of experts across various health disciplines, to provide recommendations on best practices regarding the statewide fight against this public health issue. Working under the umbrella of multiple state agencies and with appointments from legislative and executive leaders, the working group would address the areas of diagnosis, treatment, and prevention of Lyme and TBDs, and provide their expert opinion on how best to improve delivery of care, data collection, reporting, and other facets regarding the state's handling of this issue. [S7170A](#), passed both houses, sponsored by Senator Sue Serino

Educating Homeowners on Ways to Shield Themselves from Ticks

The Senate passed a bill that would ensure homeowners have vital and reliable information on the best way to protect their property from ticks. People should be made more aware of the Environmental Protection Agency's (EPA) approved pesticides that are recommended for tick prevention, and the best methods to use pesticides to better protect both people and pets from exposure to ticks on their property. The bill directs the Department of Environmental Conservation (DEC) to develop guidelines for best practices in treating residential properties to reduce exposure to ticks. [S2588](#), sponsored by Senator Sue Serino

Establishing a Pilot Program for Lyme Testing in Children

The Senate acted on a measure that establishes a pilot program for Lyme and tick-borne disease testing in children. Under the direction of the Commissioner of Health, this legislation will allow health care practitioners and providers to submit samples to exclude Lyme and tick-borne diseases from children who present with clinical diagnoses that have similar symptoms to these illnesses. The qualifying medical institution or laboratory chosen by the Commissioner would be required to submit a report on health outcomes to DOH, as well as develop a graduate medical education curriculum to teach medical students about these illnesses. [S7169](#), sponsored by Senator Sue Serino

Providing Informational Materials on Ticks to Schools

The Senate passed a bill that directs the Commissioner of Education and the Commissioner of Health to continue to promulgate and review new rules and regulations related to pupils who need to have a tick removed from them during school or a school-sponsored activity. Both commissioners will be required to issue guidance to educators, particularly school nurses, regarding the removal of ticks from students and notification of parents. This legislation also provides for the development of informational materials on Lyme and tick-borne diseases for school districts and parents. [S8534](#), sponsored by Senator Sue Serino

Examining Insurance Coverage for Lyme Disease

The Senate passed a bill that requires the Department of Financial Services in consultation with the Commissioner of Health to conduct a study considering the current scope of health insurance coverage for Lyme and tick-borne diseases. The study will also examine initiatives in other states and the fiscal implications of various proposals. [S8539](#), sponsored by Senator Sue Serino

Establishing a Protocol and Notification Process for Lyme

The Senate acted on legislation that directs the Commissioner of Health to establish a standard protocol for the diagnosis and treatment of Lyme and other tick-borne diseases. This legislation requires the Commissioner to work with health care providers and experts to develop a standard protocol process and patient notification of related symptoms, risk factors, diagnosis, and other information relating to Lyme and TBDs. [S6926](#), sponsored by Senator Kemp Hannon

Requiring Reports of Lyme in Deceased Persons

The Senate passed a bill that requires a coroner, pathologist, medical examiner or other qualified examiner that discovers Lyme and tick-borne disease infections during an examination of a deceased person to report the case to the DOH. The legislation is a result of a recent Task Force forum, held in conjunction with the Senate Health Committee, to, among other items, discuss appropriate surveillance and statistic accounting in cases where Lyme and TBDs underlie the primary cause of death. [S7168](#), sponsored by Senator Sue Serino

Reviewing Medical Research on Lyme and Blood Donation

The Senate passed a bill that requires that the Council on Human Blood and Transfusion Services review current medical research and guidance regarding the donation of blood by patients with a history of Lyme or tick-borne illnesses. Concerns about blood donations and transfusions of blood with TBDs are not unfounded. In order to safeguard the state's blood supply, its recipients, and prevent the potential spread of the disease, the council will research these concerns and make recommendations regarding blood donations to the Commissioner of Health. [S7208](#), sponsored by Senator Sue Serino

Establishing a Tick Control District in the Town of East Hampton

The Senate acted on legislation that allows the Town of East Hampton to establish a tick control district. This legislation creates a dedicated and sustainable local funding source, which enables towns to raise necessary funds to undertake and implement a variety of safe and effective tick control measures to further protect public health, wildlife, and the environment. [S3816](#), sponsored by Senator Kenneth LaValle

TRANSPORTATION

2018-19 State Budget Transportation Highlights:

- **\$65 million** in additional, one-time funding for Consolidate Local Streets and Highway Program (CHIPS) to help localities repair and rehabilitate local roads and bridges and for extreme winter recovery, for a total of \$503 million.
- **\$4.8 billion** in operating assistance for the Metropolitan Transportation Authority including a \$334 million - 7 percent – increase in funding over last year. This includes \$254 million to fully fund the state’s half of this year’s \$418 million obligation towards the \$836 million Subway Action Plan, with New York City responsible for contributing the remaining half.
- **\$20 million** in non-MTA transit capital, for a total of \$104.5 million for 2018-19, and a two-percent increase in state operating assistance to all non-MTA systems, for a total of \$530 million.

Transportation legislation includes:

Making the MTA More Affordable for Riders

The Senate passed a bill that requires the Metropolitan Transportation Authority (MTA) to automatically apply two free transfers to each paid fare or rate and be valid for two hours from the time the fare is purchased. Unfortunately, due to cutbacks in services and the outright elimination of various bus and subway lines, some riders must purchase two fares to make their daily commute. This bill would ensure that no commuter or rider financially suffers due to cutbacks in service. [S7862](#), passed both houses, sponsored by Senator Martin Golden

Protecting Funds Dedicated to Public Transportation Systems

The Senate passed a bill that prohibits the diverting of any funds that are dedicated to support public transportation systems into any other account that holds funds for general governmental purposes. The bill also provides that if any of the dedicated funds are diverted for other purposes, such diversion may only be done through legislation, and the legislation must include a diversion impact statement. [S6807](#), passed both houses, sponsored by Senator Martin Golden

Enacting the Toll Payers' Protection Act

The Senate passed a bill that establishes a clear and fair notification process to prevent unnecessary and excessive toll fees. It improves the process for notifying drivers about tolls and fines incurred, ensures that fines are fair, and prevents motor vehicle registration suspensions due to alleged unpaid cashless toll fees. [S8946](#), passed both houses, sponsored by Senator Andrew Lanza

Ensuring Safe Drivers and Safe Roads

The Senate passed a bill authorizing the Department of Motor Vehicles (DMV) to require driver's license holders to submit to a DMV reexamination of their fitness to drive if the licensee experienced a loss of consciousness and was involved in a reportable accident. The current law allows for such an examination after three such crashes, but recent deaths to pedestrians and drivers as a result of a single event of losing consciousness, awareness, or control due to chronic conditions demonstrates a need for stronger oversight. The bill also includes other provisions to address ways the state can coordinate the sharing of information about drivers who may need re-evaluation of their driving privileges. [S8990](#), passed both houses, Sponsored by Senator Catharine Young

Requiring Drug and Alcohol Testing for School Bus Drivers

The Senate passed a bill to require random drug and alcohol testing for all school bus drivers. The measure also increases the amount of time a bus driver can consume alcohol before going on duty and operating a school bus

from six hours to eight hours. In recent years there have been a number of incidents of school bus drivers driving while intoxicated with children onboard. Current legislation requires only 10 percent of bus drivers to submit to random drug and alcohol testing. This bill will expand that requirement for all drivers, and requires the Department of Motor Vehicles be notified if a driver fails a test and permanently disqualifies a driver from operating a school bus in the future. [S2587E](#), passed both houses, sponsored by Senator Carl Marcellino

Improving Student and Pedestrian Safety with #Stop4Students Bill

The Senate introduced #Stop4Students legislation to protect schoolchildren and other pedestrians at all hours of the day by requiring New York City's Department of Transportation to install stop signs and red lights at the intersections of over 1,000 school zones. Speed cameras would remain in effect for six months and revenues collected by the city from summonses would be dedicated to installing stop signs and red lights at every single school intersection in the City. Rigorous enforcement and increased fines and penalties for violating school zone speeding would get repeat reckless drivers off the road, while modifying the behavior of first-time offenders. [S9123](#), sponsored by Senator Andrew Lanza, and co-sponsored Senators Martin Golden and Simcha Felder

Enacting the School Bus Camera Safety Act

The Senate passed a bill that authorizes the installation and use of cameras, also known as "stop arm cameras," on school buses to detect and record vehicles illegally passing or overtaking a bus. Recent studies have estimated that more than 50,000 drivers throughout New York on a single school day illegally pass stopped school buses. Under current law, a ticket can be issued only by a police officer who witnesses the violation. This legislation will allow law enforcement to use footage from stop arm cameras to issue a \$250 fine in order to strengthen enforcement and lessen the number of violators that continue to compromise the safety of children. [S518B](#), sponsored by Senator Catharine Young

Increasing Penalties for Multiple Convictions of Passing a Stopped School Bus

The Senate passed a bill that would provide for a 60-day suspension of an individual's drivers' license when the holder is convicted two or more times of passing a stopped school bus within a period of 10 years. This bill makes the penalties for multiple convictions of passing a stopped school bus similar to the stiff penalties of multiple convictions of speeding in a construction zone. [S1064A](#), sponsored by Senator John Bonacic

Protecting Children in School Zones

The Senate passed a bill that creates safer school traffic control zones to protect children and families. The measure doubles the fine for speeding infractions in school safety zones to prevent that dangerous and reckless behavior. [S6212A](#), sponsored by Senator Andrew Lanza

Ensuring the Safety of Students on School Buses

The Senate passed a bill that helps improve the development of school bus safety and security and better protect millions of students and personnel who ride the bus to school in New York every day. The bill would help enhance safety standards on school buses by improving the coordination of policies and procedures within the school district, and put those policies and procedures on par with similar measures already in place for school buildings. [S8234](#), sponsored by Senator Carl Marcellino

Increasing Penalties for Certain Vehicles Passing a Stopped School Bus

The Senate passed a bill that increases the fine and modifies the penalties for passing a stopped school bus by certain vehicles including but not limited to buses, vehicles with 15 or more passengers, and vehicles weighing more than 26,000 pounds. By subjecting drivers that illegally pass a stopped school bus while driving a large vehicle to higher penalties, unsafe behavior can be curbed. [S5897A](#), sponsored by Senator Patty Ritchie

Toughening Fines and Criminal Penalties for Passing a Stopped School Bus

The Senate passed legislation that increases monetary penalties for passing a school bus and requires that a person who injures someone while passing a school bus be charged with aggravated vehicular assault. If a person is killed in the incident, the driver would be charged with criminally negligent homicide. [S1023](#), sponsored by Senator Rich Funke

Cracking Down on Impaired Driving

The Senate passed a bill that allows law enforcement to keep up with the proliferation of designer and synthetic substances that are not regulated, but, when consumed, result in significant levels of impairment while driving. This new legislation amends the Public Health Law to include any mind- and reaction-altering substances that, when consumed, could result in the same intoxicated condition as alcohol or listed drugs. The expanded definition will provide prosecutors with an increased chance of persuading a court that the chemical substance consumed by a driver caused the same level of impairment as if the driver had been using alcohol and/ or other listed drugs. [S889](#), sponsored by Senator George A. Amedore, Jr.

Preventing Distracted Driving by Teens and Adults

The Senate passed a bill that creates the “Teen Driver Safety Commission” to examine and review the issue of teen driver safety. This legislation creates a 12-member commission to study the availability and effectiveness of driver education and training programs in New York, as well as a selection of driver education and training programs offered throughout the United States. The commission will also: review the impact of distracting behaviors while driving; survey and assess the problems of driving under the influence and aggressive driving among teens; determine the type of motor vehicle violations that are most often associated with accidents involving teen drivers; analyze and provide measures that may mitigate the risks associated with the operation of motor vehicles by teen drivers; and report all findings and conclusions to both the governor and the legislature to help form effective public policy. [S2632](#), sponsored by Senator Andrew Lanza

Allowing Town Boards to Establish Maximum Speed Limits

The Senate passed legislation that would allow town boards to establish maximum speed limits on certain town highways. The law currently only allows towns with 50,000 in population (approximately 24 towns), suburban class towns (approximately 56 towns), and all cities and villages (without regard to population) to set speed limits within their jurisdiction. [S389](#), sponsored by Senator Betty Little

Cracking Down on “Staged Accidents”

The Senate passed a bill that creates new criminal penalties for those who engage in staged accidents – the intentional act of causing a vehicle collision to commit insurance fraud. Aside from the fact that this illicit activity poses a serious public safety risk, the economic cost of staged accidents is staggering, with no-fault insurance fraud estimated to cost insurance companies and their policyholders \$1 billion per year. This bill would impose tougher punishment on those who stage accidents, thereby deterring individuals from engaging in this dangerous crime. [S421](#), sponsored by Senator James L. Seward

Creating Tougher Penalties for Work Zone Driving Violations

The Senate acted on a measure that establishes the crimes of vehicular assault and vehicular manslaughter in an active work zone. The legislation creates newer, tougher penalties for injuring or killing a construction worker and would help serve as a deterrent to driving carelessly in a construction zone. It also builds upon the “Work Zone Safety Act of 2005,” which increased penalties for speeding in work zones, allowed police presence and radar speed display signs in work zones, and created a system for reviewing safety and design in work zones. [S258](#), sponsored by Senator Robert Ort

Prosecuting Unlicensed Drivers

The Senate passed a bill that increases safety on New York's roadways by making it easier to prosecute those who repeatedly drive unlicensed. This legislation helps to ensure offenders of aggravated unlicensed operation of a motor vehicle may be charged in the second degree when they have two or more suspensions for failure to answer, appear, or pay a fine. Under current law, the offenders must have had three such suspensions to be prosecuted for aggravated unlicensed operation of a motor vehicle in the second degree. [S1258](#), sponsored by Senator Carl Marcellino

Toughening Penalties for Driving with a Suspended License

The Senate acted on legislation that closes a serious loophole in traffic law by toughening penalties for those operating a motor vehicle with a suspended license in a parking lot. This legislation would ensure serious legal ramifications for these types of offenders by applying the "parking lot as a public highway" interpretation of traffic law, which currently only pertains to DWI-related offenses. Currently, if a driver with a suspended license causes a serious accident in a parking lot, they could face no serious legal ramifications. [S1188](#), sponsored by Senator Carl Marcellino

SENATE LEADERSHIP ON STORM AND RECOVERY RESPONSE

Last year, communities along the Lake Ontario and St. Lawrence River waterfronts were subject to extensive flooding and storm damage that greatly impacted homes, businesses, and infrastructure. A historically wet spring resulted in serious flood damage – property eroded away, houses sustained damage, businesses were disrupted or forced to close, and infrastructure was broken. The Senate responded by securing \$45 million in flood relief as part of the Lake Ontario-St. Lawrence Seaway Flood Relief and Recovery Grant Program and this year, again succeeded in providing **\$40 million** in new funding to assist owners of residences still needing repairs to impacted property. However, more action is still needed.

Currently, increased water levels indicate that such flooding could be a more frequent occurrence rather than simply a one-time event, so the need has arisen to develop a prudent state government strategy to provide effective and ongoing prevention, response, and recovery measures for the Lake Ontario and St. Lawrence River waterfronts. As a result, the Senate led the way in passing several initiatives to help provide necessary resources to recover and rebuild.

Storm and recovery response legislation includes:

Reducing Tax Burdens for Homeowners Affected by Hurricane Sandy

The Senate passed a bill that extends the tax exemption for residential property owners in municipalities affected by Superstorm Sandy by two years to 2020. Five years after one of the most deadly and costly hurricanes on record struck, many New York homeowners continue to do extensive repairs and reconstruction so that they can remain in or return to their homes. This legislation would extend the tax exemption that provides a graduated tax increase over an eight-year period to eligible Superstorm Sandy victims in an effort to help communities recover. [S7339](#), passed both houses, sponsored by Senator Phil Boyle

Protecting Against Underpayment in the Wake of Natural Disasters

The Senate passed legislation that requires insurance claim adjusters to use cost data appropriate to the region affected by such emergency situation. This bill takes it a step further by making it an unfair claims settlement practice for an insurer to artificially lower cost data or use data that is not appropriate for a region of the state. [S2746](#), passed both houses, sponsored by Senator Martin Golden

Providing Funding for Repair and Restoration of Damaged Docks

The Senate passed a bill that allows owners of primary and income-qualified seasonal residences access to grant funding for the repair and restoration of docks damaged by flooding between January 1, 2017 and June 30, 2017, along with the current repairs and restorations allowed under the grant program. The funding will be done through the Lake Ontario-St. Lawrence Seaway Flood Recovery and International Joint Commission Plan 2014 Mitigation Grant Program created by the Senate Republican Majority Conference last year. [S7274](#), sponsored by Senator Patty Ritchie

Creating a Tax Credit for Shoreline Resiliency Infrastructure Projects

The Senate passed a measure that requires the DEC to promulgate rules and regulations describing shoreline resiliency infrastructure projects approved for use by homeowners, businesses, farmers, and not-for-profits, and creates a 25 percent tax credit, up to a maximum of \$10,000, for the installation of projects on this approved list. It will help communities rebuild and provides financial incentive and relief to proactively install approved shoreline resiliency projects to protect their investments from damage. [S6535A](#), sponsored by Senator Robert Ort

Establishing the Lake Ontario-St. Lawrence River Flood Prevention, Response and Recovering Program

The Senate passed a bill that establishes a Lake Ontario-St. Lawrence River flood prevention, response and recovery program. This bill empowers the state’s Adjutant General and Division of Military and Naval Affairs to develop and administrate such a program and to provide effective resources by means of financing through the state Urban Development Corporation. [S8181](#), sponsored by Senator Pamela Helming

Establishing the Lake Ontario-St. Lawrence River Response and Mitigation Task Force

The Senate passed a bill that establishes a Lake Ontario-St. Lawrence River Flood Prevention, Response, Recovery and Mitigation Task Force to examine and evaluate the causes and impacts of flooding along the waterfront. This bill also requires the Task Force to produce a report with recommendations about how effective measures can be taken to prevent, respond to, and recover from such flooding events. [S8182](#), sponsored by Senator Pamela Helming,

MEASURES TO RECOGNIZE AND HELP VETERANS

2018-19 State Budget Veterans Highlights:

The Senate Republican Conference's support for the heroic men and women in our nation's military is unwavering. The 2018-19 State Budget reflects this commitment by including:

- **\$645,000** in additional funding to expand the Joseph P. Dwyer Veteran Services Peer-to-Peer Program to an additional seven counties. Total funding for this successful program, which is based on veterans helping veterans, is now \$3.7 million and reaches 23 counties;
- **\$500,000** for the NYS Defenders Association Veterans Defense Program;
- **\$250,000** in additional funding for the Veterans Outreach Center in Monroe County, for a total of \$500,000;
- **\$450,000** for the Veteran's Mental Health Training Initiative;
- **\$220,000** to expand the Veterans Defense Program to Long Island
- **\$200,000** for Legal Services of the Hudson Valley Veterans and Military Families Advocacy Project;
- **\$200,000** for Warrior Salute;
- **\$100,000** for the Veterans Justice Project;
- **\$100,000** for the SAGE Veterans Project;
- **\$50,000** for the Vietnam Veterans of America New York State Council;
- **\$200,000** for Helmets-to-Hardhats;
- **\$25,000** for the Veterans Miracle Center; and
- **\$125,000** for Veterans of Foreign Wars NYS Chapter Field Service Operations.

The budget also expands the eligibility criteria for veterans to participate in the state's Home for Heroes program, which helps remove barriers to accessible and affordable housing for veterans with disabilities.

Veterans' legislation includes:

Creating the Military Family Relief Fund

The Senate passed a bill that establishes the Military Family Relief Fund to provide financial assistance to the families of soldiers who are suffering economically as a result of line-of-duty related injury or illness. All contributions, both corporate and personal, would be credited to the military family relief fund and used to aid military families with housing, food, clothing, and Medicaid expenses. Contributions to the fund will be made through corporate and personal state tax returns. [S9044](#), passed both houses, sponsored by Senator Terrence Murphy

Establishing a Task Force on Veteran Employment Opportunities

The Senate passed a bill that creates a task force to study and improve the job market for veterans. The task force, to be made up of stakeholders within state government, the private sector, and institutions of higher education, will be charged with holding annual public hearings and making recommendations to the legislature regarding ways the state can assist those who served our country in finding and maintaining meaningful employment opportunities. [S936A](#), passed both houses, sponsored by Senator Thomas Croci

Making it Easier for Minority Veteran Business Owners to Qualify for MWBE

The Senate passed a bill that creates a process for minority veterans to become recognized as a certified minority or women-owned business enterprise (MWBE). This bill alleviates some of the burdens veterans looking to qualify for MWBE programs face by allowing veterans to use their DD214 form, issued by the U.S. Department of Defense upon retirement, separation, or discharge from active duty, as proof of race, ethnicity, or

other personal information required for enrollment in the program. [S7891](#), passed both houses, sponsored by Senator Betty Little

Supporting Gold Star Parents

The Senate passed a bill that provides an annual increase to the Gold Star Parent Annuity in relation to increased annual costs of living. Established in 2008, the yearly compensation shows recognition for parents that have lost a son or daughter in the armed services during a time of war, yet it has never increased since its implementation. [S1124B](#), passed both houses, sponsored by Senator Kathy Marchione

Establishing the “New York State Silver Rose Veterans Service Certificate”

The Senate passed a bill that establishes the “New York State Silver Rose Veterans Service Certificate” for veterans exposed to dioxin or phenoxy herbicides during military service. This legislation would help to bring awareness to the long-suffered effects of exposure to tactical herbicides such as Agent Orange while also recognizing and honoring the tremendous sacrifice and bravery of our veterans. [S6606](#), passed both houses, sponsored by Senator Catharine Young

Providing Paid Leave for State Employees with Military Combat Experience

The Senate passed a bill that provides five days of paid leave to state employees with military combat experience so that they may obtain health related services without loss of pay. [S7289](#), Chapter 16, sponsored by Senator Thomas Croci

Giving Job Opportunities to Those Who Served our Country

The Senate acted on a bill that establishes the Veteran Career Assistance Program in collaboration with the Division of Veterans Affairs, as well as SUNY and CUNY. Similar to the assistance currently provided to SUNY and CUNY students, this program would assist veterans using their military experiences and skills to build a civilian resume and gain access to employment placement services. [S938](#), sponsored by Senator Thomas Croci

Preserving the History of our Veterans

The Senate approved a measure that prohibits cemeteries from the unauthorized sale of veteran commemorative cemetery markers, flag holders, monuments, statues, or other physical memorabilia that are over 75 years old if the property is currently placed or located within a cemetery. This bill is particularly pertinent to Civil War-era cemetery markers, statues, and monuments because of their age and the ornate style in which they were designed and constructed, which makes them valuable and leads to potential sale by cemetery operators. [S2390](#), sponsored by Senator William J. Larkin, Jr.

Improving the Lives of Veterans

The Senate passed a bill that allows any veteran who has served this nation to be awarded a high school degree based on their knowledge and experience gained while in service. [S397B](#), sponsored by Senator Robert Ortt

Protecting the Welfare of Military Personnel

The Senate passed several measures aimed at protecting the safety of military personnel and increases the penalty for violence against them.

- [S927](#), sponsored by Senator Thomas Croci, establishes a Class D felony for the crime of inciting violence against both active duty and reserve military service members in an effort to curb the destructive trend of targeting those who have made a career out of protecting the citizens of this country.
- [S955](#), also sponsored by Senator Thomas Croci, makes it a Class C felony to commit assault against an active-duty soldier if the accused’s intent was to prevent that soldier from performing their lawful duty.

- [S957A](#), also sponsored by Senator Thomas Croci, creates the Class E felony crime of stolen valor and directs that anyone convicted under this new crime pay a fee to be deposited into the veterans' cemetery fund. Requiring those who deplorably impersonate the brave men and women who served in the military – whether for money or other benefits – to pay a fee towards maintaining veterans' cemeteries is a fitting way to ensure real heroes are honored appropriately.

Increasing Opportunities for Disabled Veterans

The Senate acted on a measure that creates a certified service-disabled veteran-owned business enterprise development and lending program to help provide financial and technical assistance to disabled veterans who have started a business in New York. Building upon the Service-Disabled Veteran-Owned Business Act enacted in 2014, this legislation would help guarantee that certified service-disabled veteran-owned businesses have the necessary assistance to succeed. [S5642A](#), sponsored by Senator Thomas Croci

Establishing the “Hire a Vet” Grant Program

The Senate passed a bill that encourages public employers to hire military service veterans by establishing the “Hire a Vet” grant program, which would provide grants to municipalities when a veteran is hired and employed. Similar to tax credits offered to private businesses, the grants would range from \$5,000 to \$15,000 for qualified and disabled veterans, and incentivize public employers to help honor and recognize sacrifices made by members of the military in service to their country. [S3879A](#), sponsored by Senator Michael Ranzenhofer

Giving All Active Duty Members of the Military Greater Access to State Parks

The Senate passed a bill that streamlines the process for active duty service members to receive their free Empire Passport for state park usage. Current law requires the Empire Passport to be filled out annually and to be received in the mail, making the entire process lengthy and cumbersome. Active duty service members and their immediate family would instead be eligible for the free entry to state parks by providing their military ID upon entry. [S3571](#), sponsored by Senator Fred Akshar

Expanding Access to Scholarships for Children of Veterans

The Senate passed a bill that changes the eligibility dates for a military enhanced recognition, incentive and tribute scholarship to include all the military conflicts that occurred on or after June 1, 1982. The enactment of this bill would allow family members or financial dependents of New York State residents who were wounded or killed while serving the United States military from June 1, 1982 onward to qualify for academic scholarships such as the NYS Regents Award for Children of Veterans and the Military Service Recognition Scholarship. [S255](#), sponsored by Senator Robert Ort

Making College More Affordable for Children of Deceased Military Personnel

The Senate passed a bill that provides surviving dependent family members of New York State military personnel who have died while performing official military duties with free tuition and room and board at CUNY or SUNY institutions, or a commensurate amount to be applied to a public college or university. [S254](#), sponsored by Senator Robert Ort

Helping Disabled Veterans Afford a Home

The Senate passed a bill that assists service-related disabled veterans in affording a home by giving those with a VA disability rating of 40 percent or higher a preference in applications to the state's Affordable Home Ownership Development Program. This legislation would help disabled veterans sustain a good quality of life after sacrificing their health for their country. [S5158](#), sponsored by Senator Michael Ranzenhofer

Allowing Military Service to Appoint a Temporary Guardian for Children

The Senate acted on legislation that creates a mechanism for parents or guardians who find themselves deployed for short-term military service to appoint a temporary guardian for their minor child or children while they are serving our country. With all the other worries and considerations that come with a deployment for military service, parents or guardians who are called upon to serve their country should be able to choose a guardian for their children during their deployment without undue complication. [S2319](#), sponsored by Senator Michael Ranzenhofer

Simplifying the Process for Military Personnel to be Married

The Senate passed a bill that authorizes military personnel scheduled for deployment in less than 30 days to get married within 24 hours of receiving their marriage license. Currently the mandatory waiting period of 24 hours for couples to get married is a hindrance to those expected to serve our country overseas and on short notice. [S1013A](#), sponsored Senator Joseph Robach

Allowing the Counting of Absentee Ballots for Active Duty Members Killed in Combat

The Senate acted on legislation that allows the ballot of an active duty service member who has died in combat to be counted towards the election for which it was cast. Current law prohibits the counting of an absentee ballot cast by any individual who died prior to the date of the election, but this bill gives our brave service members one final act of citizenship. [S944](#), sponsored by Senator Thomas Croci

Increasing Financial Relief for Blind Veterans

The Senate passed a bill that increases the base amount of the annuity for legally blind veterans and their unmarried spouses, and clarifies that the formula for an annual increase consider the cost of living increase established for veteran benefits by the federal government. The blind annuity was established in 1923 in New York to help take care of veterans who have lose their sight, whether or not combat related, and was last updated in 2004. [S200A](#), sponsored by Senator Kathy Marchione

Establishing the Veterans' Gerontological Advisory Committee

The Senate passed a measure that addresses the needs of a state with the second-highest veteran population in the country, and an older veteran population whose needs and problems pervade multiple geriatrics and gerontology disciplines. At no cost to the taxpayers, the advisory committee will be able to provide crucial recommendations to the Director of the Office for the Aging on policies, programs, services, and trends affecting the aging veteran population. [S3709](#), sponsored by Senator Michael Ranzenhofer

Providing Job Security for Active Duty National Guard

The Senate passed a bill that ensures job protection for both New York State public and private employees who live outside of New York and are deployed, as an active duty member of the National Guard. [S733](#), sponsored by Senator Robert Ort

Allowing Active Duty Military to Pay In-State SUNY Tuition

The Senate passed a bill that allows any individual who has served in active duty in the United States military to attend SUNY colleges and universities as an in-state resident. Under current law, active duty veterans who choose to come to study at SUNY colleges are charged out-of-state tuition - a significant amount not entirely covered by the federal GI bill. This bill would encourage service men and women to study at state colleges and universities, and start their futures in New York. [S1011](#), sponsored by Senator Joseph Robach

Honoring Older Veterans with Distinguishing Medals

The Senate passed two bills that would create service medals for Veterans of foreign wars. The bills, sponsored by Senator Kathy Marchione, include:

- [S198](#) creates a new Korean War Service Medal for military service abroad in the Korean War from June 25, 1950, through July 27, 1953.
- [S199](#) creates the Vietnam War Service Medal for military service abroad in the Vietnam War from November 1, 1955, through April 30, 1975.

Recognizing K9 Veterans

The Senate passed a measure that designates March 13 of each year as "K9 Veterans Day" in New York State. [S216](#), sponsored by Senator Kathy Marchione

Establishing a Veterans Cemetery Funding Promotion Program

The Senate passed a bill that establishes a veterans cemetery funding promotion program, building upon the Veterans Remembrance and Cemetery Maintenance and Operation Fund and New York State Veterans Cemetery program, both created in 2013 and administered by the state Division of Veterans' Affairs. The legislation would require the Division to produce and conduct programs, projects, and materials designed to solicit financial contributions by individuals, groups, and corporations to the fund, in order to support the construction and maintenance of veterans' cemeteries in New York. Also included in the bill are directions for the Division to apply for grants and contributions from governments and other institutional funding sources, and the production of an annual report on the activities, operations, and progress of the promotion program. [S3906](#), sponsored by Senator Joseph Griffo

Establishing the "Veterans Memorial Preservation Act"

The Senate acted on legislation that establishes the "Veterans' Memorials Preservation Act," to help protect veterans' memorials throughout the state. An omission under current law has resulted in many veterans' memorials being destroyed by those with disregard for the sacrifices of our veterans – something this measure would help correct by further providing for the preservation of military history in New York to ensure that future generations understand the significance of what military service veterans have done to preserve democracy and freedom. [S7870](#), sponsored by Senator Pamela Helming

MEASURES TO PROTECT AND SUPPORT WOMEN IN NEW YORK

The Senate Republican Women's Caucus, which was founded last year and chaired by Senator Betty Little, continues to address a wide array of public policy matters including making New York more affordable for women and their families, creating career paths and job opportunities for young women and new college graduates, and promoting entrepreneurship and business ownership for women throughout the state, among many other issues.

2018-19 State Budget Women's Issues Highlights:

Investing in Women's Health

The Senate Majority successfully advocated for more than **\$4.5 million** in new state funding to enhance women's access to quality medical care. The budget restores \$475,000 and includes the additional commitment for a total of **\$5 million** that will be used to support initiatives like breast cancer prevention, education, and support, and prenatal and postpartum services, among others. The budget also includes:

- **\$27 million** for Nutritional Information for Women, Infants and Children;
- **\$21 million** for cancer services;
- **\$16 million** for maternal and child health programs; and
- **\$283,000** for the Adelphi Breast Cancer Support Program.

The Senate approved a resolution for designating the record **\$5 million** in funding for women's health initiatives that will help save and improve the lives of New Yorkers across the state. The funding will support a range of community-based investments in cancer prevention and treatment, maternal health initiatives, help for new mothers with substance abuse problems, and other programs to improve mental, emotional, and physical well-being. Funding and projects include:

- **\$610,000 to help sexual assault survivors** by funding the training of 225 additional nurses to become DOH-certified Sexual Assault Forensic Examiners (SAFE) through St. Peter's Hospital Foundation (\$270,000), University of Rochester (\$135,000), the NYC Alliance Against Sexual Assault (\$135,000) and nurses at NYU Langone Hospital-Brooklyn (\$70,000). The funding approved is on top of \$300,000 for a Senate budget initiative that establishes a SAFE telehealth pilot program to ensure providers are able to properly conduct sexual assault examinations at facilities that do not have a designated SAFE program.
- **\$1.8 million for cancer services** including the Breast Cancer Coalition of Rochester (\$300,000), Breast Education Screening and Treatment (BEST) (\$200,000) which helps reduce mortality in Long Island's most at-risk communities; advocacy and support for those with breast cancer through the Cancer Resource Center of the Hudson Valley (\$25,000), First Company Pink (\$75,000), and Manhasset Women's Coalition Against Breast Cancer (\$100,000); Allegany County Health Department (\$250,000) for cancer services in the Southern Tier; the YWCA of Binghamton and Broome County (\$120,000) to ensure the continuation of free cancer screenings; and Miles of Hope (\$35,000) which provides outreach and support to patients and families in the Hudson Valley;
- **\$1.3 million for general wellness and safety** including expanding comprehensive care centers for eating disorders (\$500,000); the Boys and Girls Club of Northern Westchester (\$20,000) to enhance its SMART Girls Program; and Oswego Health, Inc. (\$50,000) for cancer, cardiac, and bone density screenings;
- **\$1.1 million to help new and expectant mothers** to ensure safe and healthy births, as well as help the well-being of the mother, including the Maternity and Early Childhood Foundation (\$375,000); the Nurse Family Partnership (\$190,000); the Postpartum Resource Center of New York (\$90,000); and NYU Langone Hospital (\$175,000); and

- **\$250,000 for women’s substance abuse services**, including Syracuse Brick House (\$90,000) to support the women’s outpatient opioid services clinic; and Horizon Health Services (\$45,000) for expectant and new mother programs.

Preventing Sexual Harassment in the Workplace

The Senate Majority has taken a leadership role to create safer workplaces free of sexual harassment and abuse, including passing comprehensive legislation earlier this month. As a result of the Senate’s strong advocacy on this issue, the final budget measure:

- Prohibits secret settlements unless the victim requests confidentiality;
- Prohibits mandatory arbitration for sexual harassment complaints;
- Protects non-employees in the workplace;
- Creates a uniform sexual harassment policy and training for businesses as well as state and local governments;
- Requires all state contractors to submit an affirmation that they have a sexual harassment policy and that they have trained all of their employees; and
- Protects taxpayer funds from being used for individual sexual harassment judgments.

Preventing “Sextortion”

The budget includes a measure to help prevent sex-related crimes and protect victims from extortion by creating new penalties for the act of sexual coercion – also known as “sextortion.” Anyone threatening a victim’s health, safety, business, career, financial condition, reputation, or personal relationship in exchange for sexual acts will face new felony-level charges.

Helping Survivors of Rape and Sexual Assault

The 2018-19 Enacted Budget also secured funding to support survivors of rape and sexual assault. New requirements ensure that untested rape kits are now stored for 20 years, an enhancement from the current 30-day requirement. This will address serious concerns about the current lack of long-term storage for untested rape kits and will increase the ability of rape and sexual assault survivors to have the time they need to pursue and get justice. The state will develop a plan to identify a location that will house untested forensic rape kits for 20 years and develop a system for those kits to be tracked by survivors. In addition, rape survivors will never have to pay any costs, including insurance co-pays, for a rape examination or hospital visit.

An additional \$147,000 was added by the Legislature to support Rape Crisis Centers, for a total of nearly **\$11 million**. These measures build upon recent laws championed by the Senate over the last few years to provide funding and make sure New York State is testing all rape kits sent to law enforcement, no matter how old, and including DNA evidence in the national CODIS database so matches can be made and criminals brought to justice.

The budget includes **\$300,000** for a Senate initiative that establishes a Sexual Assault Forensic Examiner (SAFE) telehealth pilot program to ensure providers are able to properly conduct sexual assault examinations at facilities that do not have a designated SAFE program. The provider would be linked by telehealth to a SAFE-certified professional to help care for the victim and make sure evidence is properly collected and preserved.

Additionally, during this year’s budget, lawmakers allocated **\$8.3 million** in funding to provide support, protection and services to domestic violence survivors.

Legislation focusing on women's equality and empowerment includes:

Making it Easier for Minority Veteran Business Owners to Qualify for MWBE

The Senate passed a bill that creates a process for minority veterans to become recognized as a certified minority or women-owned business enterprise (MWBE). This bill alleviates some of the burdens veterans looking to qualify for MWBE programs face by allowing veterans to use their DD214 form, issued by the U.S. Department of Defense upon retirement, separation, or discharge from active duty, as proof of race, ethnicity, or other personal information required for enrollment in the program. [S7891](#), passed both houses, sponsored by Senator Betty Little

Updating State Contract MWBE Requirements

The Senate passed a bill that helps better reflect the number of certified Minority- and Women-owned Business Enterprise (MWBE) businesses in each region of the state. Across the state, businesses are required to contract services from MWBEs at 30 percent of their total business service. In many areas of the state, MWBEs are severely under-represented, making it difficult for existing business owners to be awarded a state contract. This bill amends the current law so contracting agencies would only be required to contract with the number of MWBEs correlating to the percentage of MWBEs in that industry in the economic development region where the contract is to be performed. [S1126A](#), sponsored by Senator Fred Akshar

Expanding Opportunity for Small Minority- and Women-owned Businesses

The Senate passed a bill that authorizes the Dormitory Authority of the State of New York (DASNY) to establish of a four-year pilot program to expand contracting opportunities for small minority-owned and women-owned business enterprises (MWBE). This bill expands on existing legislation by creating targeted, competitive procurement opportunities to further improve the success of small MWBEs that contract with DASNY, and fosters the development of alternative sources of reliable contractors and subcontractors ready to perform larger jobs and responsibilities through mentoring programs. [S7960](#), sponsored by Senator Michael Ranzenhofer

Stopping the Sexual Exploitation of Women and Children

The Senate passed two pieces of legislation aimed at protecting children and preventing sexual exploitation.

- [S5988B](#), passed both houses, sponsored by Senator Andrew Lanza, creates a critically needed criminal charge of sex trafficking of a child – eliminating the need to prove force, fraud, or coercion where a child under 18 engages in commercial sex.
- [S7836](#), passed both houses, sponsored by Senator Andrew Lanza, helps expand the availability of the Human Trafficking Intervention Court (HTIC) Initiative to reach more victims in more communities. The Courts were created to provide alternatives to incarceration for people arrested on prostitution charges, since many of the defendants were also victims of human trafficking. Currently, however, four of the six HTIC courts outside of New York City lack jurisdiction to see cases that originate outside of the local criminal courts where they are physically situated. This bill expands that jurisdiction so that more victims would be eligible to receive the crucial services that are appropriate for their individual situations, including counseling, job training, education, housing, and medical treatment, among others.

Providing Access to Informational Cards for Victims of Human Trafficking

The Senate passed a bill that requires facilities such as hotels, inns, and motels to provide informational cards on the services available to victims of human trafficking. According to the Polaris Project, trafficking networks often rely on legitimate businesses, such as hotels, to sustain their illegal operations and many victims have either been exploited in hotels or stayed there while in transit. Under this bill, information about services, such as the national trafficking hotline, will be made readily available to trafficking victims and other hotel guests and displayed in public spaces such as public restrooms, individual guest rooms, and near the entrance. This

will ensure that victims have access to a discreet informational card so they are able to call the hotline for help at a later time. [S8874](#), passed both houses, sponsored by Senator Andrew Lanza

Creating Temporary Housing for Victims of Human Trafficking

The Senate passed legislation to establish short-term and long-term safe houses for victims of human trafficking. Operated by not-for-profit agencies, these residential facilities will also provide a variety of services to support victims including case management, health care, mental health counseling, drug addiction screening and treatment, legal and educational services, job training and placement assistance, among others. [S8305](#), passed both houses, sponsored by Senator Martin Golden

Strengthening New York’s Sexual Harassment Laws

The Senate passed a bill prior to the final package passed as part of the budget that served as a model to strengthen and reform sexual harassment laws to protect individuals from sexual assault and harassment in workplaces throughout the state. The legislation would prevent individuals from engaging in misconduct that creates a hostile work environment in either the public or private sectors, and encourage victims to come forward. Major reforms include: establishing a statutory definition of sexual harassment; prohibiting the anonymity of the accused in court-approved settlements and banning mandatory sexual harassment arbitration clauses; prohibiting confidentiality agreements unless the victim requests confidentiality; expanding protections to independent contractors; creating uniform policies for all branches of state and local government; and protecting hardworking taxpayers from paying for public sector harassment settlements. [S7848A](#), sponsored by Senators Catharine Young, Elaine Phillips and Terrence Murphy

Creating a “Sexual Assault Survivor Bill of Rights”

The Senate passed a bill to better inform sexual assault survivors of their various rights to fair and sensitive treatment during the investigation of their crime. The Sexual Assault Survivor Bill of Rights details the right of survivors to consult with and be accompanied by a victim assistance organization during physical exams and interrogations; the right to preventive treatment for HIV; and the right to get notice about the results of their sexual assault evidence kit and the status of their case. [S8977](#), passed both houses, sponsored by Senator Kemp Hannon

Protecting Domestic Violence Victims

The Senate passed a bill that ensures that domestic violence offenders do not have access to firearms. The measure codifies state laws to federal regulations and requires that individuals convicted of misdemeanor domestic violence offenses surrender all firearms. [S8121](#), Chapter 60, sponsored by Senator Elaine Phillips

Preventing Revenge Porn

The Senate passed a bill that protects individuals from the unauthorized sharing of intimate images, also known as revenge porn. The measure creates a new crime of unlawful dissemination of an intimate image when someone intentionally uses a privately shared image without consent or for the purposes of harassing, annoying, or alarming the subject of the photo. By making these actions a crime, additional protections would be provided to victims of spurned partners or others who seek to cause emotional or professional distress from the sharing of photos, regardless of who took them. [S642](#), sponsored by Senator Phil Boyle

MEASURES TO RECOGNIZE AND PROTECT NEW YORK'S FIRST RESPONDERS AND CORRECTIONS PERSONNEL

Legislation focusing on first responders of New York includes:

Expanding Use of Body Scanners in Correctional Facilities

The Senate passed a measure that expands the permitted use of TSA body image scanner devices in correctional facilities across the state as part of an effort to reduce a high level of inmate “slashing” violence through the use of smuggled blades. The use of the body scanners has been proven to reduce inmate slashing, but the state Commission of Correction suspended the use of the scanners in jails because the Public Health law limits use to medical purposes only – something this bill would amend. [S5337](#), passed both houses, sponsored by Senator Kemp Hannon

Assuring Full Retirement for Survivors of Corrections Officers Who Lose Their Lives on Duty

The Senate passed a bill that guarantees full retirement benefits for surviving family members of a corrections officer who dies in the line of duty. This legislation treat the officer’s date of death as their retirement date, and make their families eligible to collect their benefit. Under existing law, surviving family members are entitled only to a smaller, one-time death benefit. [S7525](#), passed both houses, sponsored by Senator Patty Ritchie

Updating State Law to Reflect Women Doing Firefighting and Police Work

The Senate passed a bill that would replace all instances in State law of the words or variations of the words fireman or policeman with the words firefighter or police officer in order to update antiquated and inaccurate language and promote participation in the professions regardless of gender. [S6542B](#), passed both houses, Senator Betty Little

Strengthening Local Fire Departments by Making Training More Easily Accessible

The Senate passed a bill that directs the commissioner of the Division of Homeland Security and Emergency Services to develop a plan that would allow more skills training requirements for volunteer firefighters to be completed at a trainee’s home department or online. The measure improves fire department readiness and efficiency, as well as to more easily attract new volunteers. [S7373C](#), passed both houses, sponsored by Senator Patty Ritchie

Increasing Benefits for Volunteer Firefighters

The Senate passed a bill that adds volunteer firefighter enhanced cancer disability benefits to the list of exemptions under the fire district spending limitation. Under current law, there are 16 exemptions to the fire district spending limitation, which is separate from fire district budgets. This legislation would simply include cancer coverage insurance expenses under the list of exemptions to help care for firefighters while also protecting fire district finances. [S8019A](#), passed both houses, sponsored by Senator Joseph Griffo

Strengthening Benefits for 9/11 Responders

The Senate passed several bills to enhance benefits to acknowledge the contributions made by 9/11 rescue and recovery workers, police officers, firefighters, and other first responders. Legislation includes:

- [S7797A](#), passed both houses, sponsored by Senator Martin Golden, extends the ability for participants in World Trade Center rescue, recovery, or clean-up operations to file a *Notice of Participation* until 2022, provided the 9/11-related disability occurred between September 11, 2015 and September 11, 2017;
- [S7140](#), passed both houses, sponsored by Senator Martin Golden, provides an accidental disability benefit of three-quarters salary for correction officers and deputy sheriffs who are seriously injured as a result of an act by an individual visiting a Nassau County correctional facility;

- [S5594C](#), passed both houses, sponsored by Senator Martin Golden, provides an accidental disability benefit of three-quarters salary for line-of-duty injuries sustained by Environmental Conservation Officers, Forest Rangers, State University Police, and Regional Park Police; and
- [S3070](#), sponsored by Senator Elaine Phillips, provides “legacy credits” to a stepchild or child of a surviving spouse of a firefighter, police officer, emergency medical technician or paramedic who was killed in the line of duty.

Protecting Community Heroes who have Contracted MRSA

The Senate passed a bill that helps provide police officers and firefighters pension and employment-related disability benefits associated with methicillin resistant staphylococcus aureus (MRSA). The 75-percent accidental disability benefit would help those community heroes who have contracted MRSA in the line of duty and are unable to perform those duties. [S3770B](#), passed both houses, sponsored by Senator Fred Akshar

Helping Communities Address Growing EMS Crisis

The Senate passed a bill to help address a growing crisis of insufficient Emergency Medical Services (EMS) coverage in rural regions of New York. Concern has been increasing that, due to fewer volunteers, increased training requirements and more people working outside their community, EMS staffing is becoming more challenging. The legislation would allow municipalities to group together to establish special taxing districts for general ambulance services. Currently, a town or village can create a special district, and can combine with a contiguous community. This legislation would expand the existing state municipal law, allowing municipalities to work with any other county, city, town or village. Additionally, the legislation would require a report by the commissioner of the Division of Homeland Security and Emergency Services to identify challenges concerning volunteer emergency services or personnel. [S7443](#), sponsored by Senator Betty Little

Protecting Police Officers from Assault

The Senate passed a bill that helps protect retired police officers from retaliation by individuals who had been arrested by the officers when they were still on active duty. The bill makes the law consistent with the stronger criminal penalties currently in place to prevent the assault of active duty law enforcement by specifically including retired officers. [S1747](#), sponsored by Senator Martin Golden

Criminalizing Terrorism Threats Against Police Officers

The Senate passed a measure that strengthens existing penalties by creating a new crime when a terrorist threat is made against a police officer. A person would be guilty of making a terroristic threat against a police officer when they threaten to commit or cause to be committed a specified offense against a police officer, while also demonstrating intent to intimidate or coerce the public or government actions through murder, assassination, or kidnapping, while also demonstrating. [S1984](#), sponsored by Senator Patrick M. Gallivan

Prohibiting Civilian Drone Usage Near Correctional Facilities

The Senate passed a bill that prohibits civilian drone use within 1,000 feet of a correctional facility. The civilian use of unmanned aerial systems, or drones, has increased exponentially in recent years. Though many are used for innocuous reasons, in August 2015, a drone dropped a package containing tobacco, marijuana, and heroin into the Mansfield Correctional Institution in Ohio. By restricting drone use in the immediate vicinity of a correctional facility, this bill would help promote a safer prison environment. [S2125](#), sponsored by Senator Patty Ritchie

Strengthening Benefits for 9/11 Responders

The Senate passed a bill that creates an unlimited line-of-duty sick leave benefit for individuals who participated in the World Trade Center rescue, recovery, clean-up operations, subsequently developed a 9/11-related illness or ailment and are still active public sector employees. In tribute to their service and sacrifice,

these individuals will no longer have to expend accrued paid leave to care for his or her condition. [S6898C](#), sponsored by Senator Martin Golden

Renaming the Queens Midtown Tunnel After First Responders

The Senate passed a bill that renames the Queens Midtown Tunnel the “New York State First Responders Tunnel” in honor of the sacrifices first responders made on 9/11 and the services they continue to perform every day. [S415A](#), sponsored by Senator Thomas Croci

ANIMAL ADVOCACY

The animal advocacy measures build upon the Senate's commitment to protecting pets and other wildlife. The 2018-2019 state budget includes **\$5 million** for the Companion Animal Capital Fund. This builds upon funding secured last year by the Legislature – the first of its kind - to provide humane societies, not-for-profits, and municipal shelters with grants for capital projects through a competitive application process.

Animal advocacy legislation includes:

Making it Easier for Pet Owners to Evacuate in the Event of an Emergency

The Senate passed a bill that allows domestic companion animals to be permitted to board the Port Authority's or any other public transportation or public transportation service in the event of a state of emergency and evacuation. It would be consistent with current emergency operation plans pertaining to the needs of animals and individuals with an animal under their care, and is needed to effectuate a recently enacted New Jersey law providing the same protections to residents of both states. It is a reasonable, common sense approach to public and animal safety by making it easier for pet owners to evacuate to safety. [S7112](#), passed both houses, sponsored by Senator Andrew Lanza

Protecting Companion Animals During Evictions

The Senate passed a bill that requires officers executing a warrant of eviction to check the property for companion animals and to coordinate the safe removal of such animals with the evictee. This bill would ensure that the safety and wellbeing of an animal is not compromised when a tenant is evicted and prevented from accessing their possessions. [S7388B](#), passed both houses, sponsored by Senator Jim Tedisco

Supporting Victims of Animal Cruelty

The Senate passed a bill that improves the process for animal sheltering organizations to responsibly meet the costs associated with caring for the victims of animal cruelty during a criminal investigation. [S4796A](#), passed both houses, sponsored by Senator Andrew Lanza

Prohibiting the Leasing of Dogs and Cats

The Senate passed a bill that eliminates the predatory practice of leasing dogs and cats for ownership. Pet leasing is a practice that preys on people who cannot always afford a companion animal. Many do not understand they are entering into a lease agreement for an animal for multiple months. In the process, these individuals are forced to pay far more than they realized. [S7415C](#), passed both houses, sponsored by Senator Carl Marcellino

Establishing Microchip Standards for Companion Animals

The Senate passed a bill that establishes microchipping standards for companion animals, requires animal facilities to check animals for identifying marks, and requires such facilities to notify owners if they are in possession of an animal they believe to be missing or stolen. [S7317](#), Chapter 36, sponsored by Senator Jim Tedisco

Preventing Animal Abusers from Working at Animal Shelters

The Senate passed a bill that prohibits persons convicted of animal cruelty from being a dog or animal control officer, or working at an animal shelter, pound, humane society, animal protective association, or Society for the Prevention of Cruelty to Animals. [S2937](#), sponsored by Senator Patrick M. Gallivan

Protecting Children From Emotional Damage Caused By Animal Fighting

The Senate passed a bill that criminalizes the act of knowingly causing a minor to attend a place where the exhibition of animal fighting is being conducted in order to protect the emotional development of the child. A

growing body of research indicates that cruelty to animals done in the presence of children can damage their emotional development. Such children are more likely to become abusive, anti-social, less empathetic, and desensitized to abhorrent social behavior. [S1432](#), sponsored by Senator Patty Ritchie

Toughening Penalties for the Theft of a Dog or Cat

The Senate acted on legislation that establishes the theft of dogs and cats as grand larceny in the fourth degree in certain cases. This helps law enforcement with difficulties in determining the dollar value of stolen pets. [S1256](#), sponsored by Senator Carl Marcellino

Prohibiting Violators of “Buster’s Law” from Having a Companion Animal

The Senate passed legislation that prohibits a person convicted of “Buster’s Law” from owning or possessing a companion animal unless authorized by court order, after appropriate psychiatric or psychological testing. Requiring a psychiatric evaluation will help identify behavior problems and ensure more animals are not abused. [S2501](#), sponsored by Senator Jim Tedisco

Creating “Kirby & Quigley’s Law”

The Senate passed a bill that expands the definition of aggravated cruelty to animals to include harm to companion animals during the commission of a felony. Violating this measure would be punishable with two years in jail and a \$5,000 fine. [S1680A](#), sponsored by Senator Jim Tedisco

Toughening Penalties for Dog Fighting and Cruelty to Animals

The Senate passed a bill that increases certain penalties for violating the prohibition of animal fighting and for aggravated cruelty to animals, plus requires psychiatric evaluation/treatment for those committing the crime of Aggravated Cruelty to Animals. [S1712](#), sponsored by Senator Jim Tedisco

Increasing the Fine for Abandoning an Animal

The Senate passed a bill that increases the fine for animal abandonment from \$1,000 to \$2,000. This would help prevent abandoned animals from starving or freezing to death, breeding, spreading disease, or being killed by other animals. [S1137](#), sponsored by Senator Carl Marcellino

Designating Animal Fighting as an Enterprise-Crime-Eligible Offense

The Senate passed a bill that defines animal fighting as a criminal act when referring to enterprise corruption. By making animal fighting an enterprise-crime-eligible offense, law enforcement and prosecutors will have more tools available to combat this serious problem. [S594](#), sponsored by Senator Phil Boyle

Increasing the Penalty for Multiple Convictions of Animal Cruelty

The Senate passed a bill that increases the penalty to a felony for multiple convictions of torturing, killing, or failing to provide sustenance to an animal, if convicted within five years from the date of a prior conviction. This will also help protect people as well because animal cruelty is often linked to violence against humans. [S299](#), sponsored by Senator Terrence Murphy

Strengthening the Penalty for Animal Cruelty in the Presence of a Child

The Senate passed legislation that increases the potential term of imprisonment from two to four years when animal cruelty is committed in the presence of a child. Committing such acts in front of a child inflicts psychological damage on the minor who is forced to witness these crimes. They can also permanently imperil a still-developing minor's sense of judgment and ethical conduct. [S728](#), sponsored by Senator Patty Ritchie

Extending Orders of Protection to Pets of Victims of Domestic Abuse

The Senate passed a bill that gives the court discretion to forbid contact between the abuser and any pet that is cared for by a victim. [S2167](#), sponsored by Senator Sue Serino

Exempting Dog License Fees for Deployed Active Military Members' Dogs

The Senate passed a bill that allows municipalities the option to waive a licensing fee for an active military member's dog when they are deployed. [S839](#), sponsored by Senator Rich Funke

Establishing March 13 as "K9 Veterans Day"

The Senate passed a bill that designates March 13 of each year as "K9 Veterans Day" in this State. [S216](#), sponsored by Senator Kathy Marchione

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