



# State Senator Liz Krueger's Albany Update | September 2022



Dear Neighbor,

This Albany Update will provide my usual review of major legislative action. This was a busy year, so what is included below is only a partial list of key legislation, and I have focused on bills that passed both houses of the Legislature and have either been signed into law or are awaiting action by the Governor. Bills that have been acted on by the Governor will have their Chapter numbers included below. You can see more about these and other bills at [www.nysenate.gov](http://www.nysenate.gov).

Also, we continue to provide regular email updates on the latest information and resources regarding COVID-19 and government programs. If you would like our email updates, please send an email saying "Add me to Liz List" to: [lkrueger@nysenate.gov](mailto:lkrueger@nysenate.gov).

Best,

Liz



## HEALTH

### Protecting New Yorkers' Abortion Rights

Following the leaked draft of the U.S. Supreme Court decision that overturned *Roe v. Wade*, the Legislature and Governor acted quickly to fortify abortion rights and access in New York by passing several significant pieces of legislation, including:

- **Expanded Eligibility for the Address Confidentiality Program** (Ch.222/S.9384A) to include reproductive health care service providers, employees, volunteers, patients, or immediate family members of reproductive health care service providers.
- **The Freedom from Interference with Reproductive and Endocrine Health Advocacy and Travel Exercise Act** (Ch.218/S.9039A) allows individuals who face a criminal or civil action in another state for accessing reproductive health care or endocrine care to bring a civil action in New York to recover costs and other damages.
- **Legal Protections for Abortion Service Providers** (Ch.219/S.9077A) restricts New York's cooperation with out-of-state legal cases involving lawful abortion services provided in New York by licensed health care providers.
- **Legislation to Protect Abortion Service Providers from Malpractice and Professional Misconduct Charges Due to Their Profession** (Ch. 220/S.9079B and Ch.221/S.9718B).
- **Oversight of "Limited Services Pregnancy Centers"** (Ch.217/S.470) directs the Department of Health to report on the impact of these centers which do not provide comprehensive reproductive health services to make sure that they are not deceiving their clients.

## EQUALITY AMENDMENT

After the Supreme Court issued its ruling on abortion, the State Legislature returned to Albany and passed legislation (S.50002) to update the **Equal Rights Amendment** to be fully inclusive and codify the right to access abortion and other reproductive health services in the State Constitution. The current State Constitution's equal rights amendment, adopted in 1938, prohibits discrimination based on "race, color, creed, or religion." The new amendment would add to that list ethnicity, national origin, age, disability and sex, including sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy. The broadly inclusive language of the amendment

surpasses the equal rights provisions of every other state in the Nation, as well as that of the U.S. Constitution.

The amendment will need to pass again in the next legislative session and then will be put before the voters, who have the final say in amending the State Constitution.

## PUBLIC SAFETY

### Combating Gun Violence

Following the heartbreaking mass shooting at a grocery store in Buffalo, the Senate passed a number of anti-gun violence measures, and took further action after the decision of the United States Supreme Court in *New York State Rifle & Pistol Ass'n v. Bruen*. Key measures that passed both houses and have been signed by the Governor are:

- **Expansion of Extreme Risk Protection Orders** (Ch.208/S.9113A) strengthens the "Red Flag Law," which authorizes the temporary seizure of a person's firearms if that person is likely to harm themselves or others.
- **Requiring Social Media Networks to Provide Mechanisms for Reporting Hateful Conduct** (Ch.204/S.4511A).
- **Closing Loopholes in the Law Defining Dangerous Firearms** (Ch.211/S.9456).
- **Requiring Permits for Semi-Automatic Rifles** (Ch.212/S.9458), including AR-15s, devastating guns that have been used in many mass shootings.
- **Microstamping** (Ch.205/S.4116A) requires creating a framework to establish when microstamping is feasible for semi-automatic pistols to better track specific weapons used in a shooting.
- **Establishing the Crime of Making a Threat of Mass Harm** (Ch.206/S.89B) for making a threat of serious physical injury or death at a school, place of worship, business, government building, or other place of assembly.
- **Banning Body Vests** (Ch.210/S.9407B) except for individuals who require them for their jobs.
- **Restructuring Concealed Carry Law to Respond to Supreme Court Decision** (Ch.371/S.51001). This legislation revamped the process for applying for concealed-carry permits to include a mandatory interview and 18 hours of training with a proficiency exam. The legislation also designates a number of sensitive locations where carrying weapons will not be permitted, including all private property unless explicitly allowed by the property owner.

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## VOTING REFORMS

The Legislature passed landmark voting rights legislation, the **John R. Lewis Voting Rights Act of New York** (Ch.226/S.1046E), which requires political subdivisions to receive “preclearance” for changes in election practices and policies, creates civil liability for voter intimidation, establishes rights of action for denying or abridging the voting rights of protected classes through vote suppression and vote dilution, and creates new mandates for the provision of voting assistance to language-minority groups.

In addition, the Legislature passed legislation to **ensure that ballots are counted** when the expressed intent of the voter is unambiguous (Ch. 228/S.253A) and legislation to require the counting of affidavit ballots of eligible voters when the voter appears at a polling place in the incorrect election district (S.284C), sometimes known as “wrong church, wrong pew.”

Additionally, the Senate passed several other bills to **reform New York’s byzantine system of Boards of Elections**, including my bill to professionalize the New York City Board of Elections (S.6226E); unfortunately, this larger package did not pass the Assembly.

## EDUCATION

The Legislature extended the current structure of **mayoral accountability** in New York City with some important reforms to give parents and other stakeholders more of a voice in the process (Ch.364/S.9459). The Legislature also passed **legislation to lower New York City class sizes** gradually over the next several years (S.9460), though this bill has yet to be acted on by the Governor.

## ENVIRONMENTAL PROTECTION

The Legislature passed several important pieces of environmental legislation, including a bill to **require the State to convert its fleet of vehicles to zero-emissions by 2035** (S.2838C), a bill establishing a **moratorium on converting decommissioned fossil fuel burning plants into crypto mining facilities** (S.6486D), a bill to **prohibit the use of PFAS** in apparel (S.6291A), and the **Advanced Building Codes, Appliance, and Equipment Efficiency Standards Act** (Ch.374/S.9405) to increase building efficiency and align construction codes with the State’s climate goals. The Legislature also passed my bill to **provide rebates for electric landscaping equipment** (S.7453A) to replace polluting gas-powered devices.

The Senate also passed the **Build Public Renewables Act**, which would mandate the development of publicly-owned renewable energy generation to help meet the State’s CLCPA goals (S.6453C), but unfortunately, this legislation was not acted on by the Assembly.

## ANIMAL PROTECTION

I am happy to report that the **Puppy Mill Pipeline Act** (S.1130) passed through both houses of the Legislature this year. This bill, which would encourage adoption of shelter animals by prohibiting the sale of dogs, cats and rabbits by retail pet shops, had passed the Senate for several years but had not moved in the Assembly before 2022. In addition, the Legislature passed **new regulatory and inspection requirements for animal shelters** to ensure humane treatment and access to needed medical care (S.6870B).

## HOUSING

The Legislature passed a number of housing-related measures, including important legislation to generate funding to improve conditions in NYCHA buildings and expand affordable housing through the conversion of hotels. Key housing bills that passed both houses include:

- **Creating the NYCHA Trust:** (Ch.225/S.9409A) Establishes the New York City Public Housing Preservation Trust and provides for the issuance of certain bonds, notes or other obligations of the New York City Housing Development Corporation. The Trust will be a public entity with a mission to rehabilitate and maintain buildings owned and operated by NYCHA.
- **Allowing Subsidies for Tenants in Affordable Housing Projects to Cover Higher Rents** (S.7235) This legislation allows government housing agencies that subsidize affordable housing projects, such as the New York City Department of Housing Preservation and Development, to provide rental assistance to cover rents that are higher than the rent under a regulatory agreement. When these subsidies are available, and the owner is paid an amount that exceeds the maximum legal regulated rent, the owner or landlord must continue to register the rent pursuant to rent stabilization laws without including the excess subsidy amount.
- **Authorizing Class B Hotel Conversions Without Being Subject to ULURP Under HONDA** (Ch.214/S.4937C) This legislation would permit certain hotels to be converted to units for permanent residence without being subject to New York City’s Uniform Land Use Review Procedure (ULURP) as part of the Housing Our Neighbors with Dignity Act (HONDA) program.
- **Statewide Increase in Maximum Income Eligibility Level for Senior and Disabled Homeowners Property Tax Exemptions** (Ch.488/S.3085A) This legislation increases the statewide income eligibility threshold for property owners 65 years of age and older and for people with disabilities and limited income from \$29,000 to \$50,000.
- **Allow Condominium Boards to Conduct Remote Meetings** (Ch.249/S.7278B), which I sponsored. Previous legislation had allowed remote meetings for co-op boards.

## CIVIL JUSTICE

Under current law, survivors of people who died due to the negligence of another can only sue for economic damages, meaning that people who are bereaved from the sudden and unforeseen death of a loved one cannot sue for their pain and suffering. The Senate passed the **Grieving Families Act** (S.74A) to rectify this injustice, making sure that plaintiffs in wrongful death claims can recover for the full scope of their loss. Additionally, following the success of the 2019 Child Victims Act, the Senate worked to enact similar legislation to allow New Yorkers who suffered sexual abuse as an adult a new opportunity to bring civil litigation against the person who abused them. The **Adult Survivors Act** (Ch.203/S.66A) will allow survivors, many of whom continue to experience physical, emotional, social, and economic effects as a result of their trauma, to recover monetary damages from their abusers in a one-year revival window for previously time-barred claims.



LABOR

The Legislature acted to **strengthen worker protection standards in large warehouses**, including Amazon distribution centers (S.8922A). In addition, the Legislature passed a package of bills to **improve enforcement of overtime limitations for nurses and other healthcare workers** (S.8063A, S.4885A and S.1997A), as well as legislation establishing new requirements for employers to **disclose the range of compensation for job offers** (S.9427A). The Senate also passed my bill (S.1480) **prohibiting employers from asking age, date of birth, or date of graduation** as part of the job application process, but unfortunately, the Assembly did not act on this legislation.

2022-23 STATE BUDGET

The SFY 2022-23 Budget was enacted in April and delivered tax breaks for working and middle-class New Yorkers while providing vital support and services for families and businesses. Highlights are listed below, arranged by subject area.

- **Universal Childcare.** The Enacted Budget invests \$7 billion in investments to fund a comprehensive universal childcare program to be phased in over four years, as well as expanding resources for New York’s early childhood education opportunities. The Budget included \$1.66 billion for childcare vouchers, \$224 million to increase eligibility for those vouchers, and \$125 million for universal pre-Kindergarten.
- **Investments in Higher Education.** The Enacted Budget increases State resources for SUNY and CUNY, and ensures that all New York’s students have access to higher education. The Budget fully closes the TAP Gap (which is the difference between funding for students in the State Tuition Assistance Program and the actual cost of tuition), provides \$53 million each for SUNY and CUNY for additional full-time faculty, and provides \$60 million each for SUNY and CUNY for operational support. The Budget also makes significant capital investments for SUNY and CUNY.
- **Comprehensive Tax Relief.** The Enacted Budget secures fairer tax policies for average households, including a gas tax holiday that will save New Yorkers \$650 million. It also includes a \$2.2 billion tax rebate for homeowners based on their STAR benefit, an additional \$200 million one-time EITC payment, and the acceleration of the previously enacted middle-income tax cuts.
- **Bolstering Small Businesses.** The Budget creates better tax opportunities for small business owners and helps to cultivate economic growth across the State by investing \$50 million in the Cannabis Social Equity Fund, providing a \$250 million tax credit for COVID-related expenses, and providing \$200 million for the Small Business Seed Funding Grant Program.
- **Fighting Climate Change.** The Enacted Budget includes an increase in the previously enacted Environmental Bond Act from \$3 billion to \$4.2 billion. These funds, if approved by the voters, will dedicate \$1.1 billion for flood risk reduction, \$650 million for open space and land conservation, \$1.5 billion for climate change mitigation, including electric school buses and green buildings, \$650 million for water quality improvement, with \$300 million to be used as needed.
- **Building New York’s Infrastructure.** The Enacted Budget includes \$1.45 billion in funding for the Working

to Implement Reliable and Equitable Deployment of Broadband Act (WIRED Act), which establishes a Division of Broadband Access to provide grants for deployment of fiber optic lines. The Budget also includes \$6.7 billion for the first year of a \$32.8 billion five-year capital plan, an increase of \$757 million for the MTA, and millions for non-MTA transit.

- **Supporting Healthcare and Homecare Workers.** The Enacted Budget provides funding to address the growing labor shortage crisis surrounding healthcare and homecare workers by providing a \$1 billion investment in wages, with a raise of \$3 per hour over two years. The Budget also provides a 5.4% COLA for workers in various healthcare and homecare fields.
- **Housing Support.** The Enacted Budget includes \$4.5 billion toward a five-year Housing Capital Plan, \$950 million to replenish funding for the Emergency Rental Assistance Program, \$350 million for NYCHA, \$125 million for the Landlord Rental Assistance Program, \$250 million for COVID-era utility arrears, as well as funding for the Homeowner Protection Program and legal services for tenants facing eviction.
- **Strengthening Public Safety.** The Enacted Budget targets the root causes of crime by bolstering community resources, funding intervention strategies, rebuilding crucial mental health services, and implementing data-driven policies. To do this, the Budget restructured previous justice reforms to ensure that they were being fairly implemented and making sure that repeat offenders are prevented from being released to the streets. Additionally, the Budget connects criminal defendants to the mental health system, and provides funding for Raise the Age and for programs combating anti-Asian hate.
- **Reforming Government.** The Enacted Budget replaced the broken Joint Commission on Public Ethics with a new Commission on Ethics and Lobbying in Government, which will be more accountable to the public and less under the control of the Governor’s office. Additionally, the Budget codifies the Empire State Development Corporation’s database of deals to increase transparency to the Legislature and to the public alike.



HONORING WOMEN AND VETERANS

This year I was happy to be able to recognize **David J. Menegon** at the 2022 **Veterans Hall of Fame Virtual Event**. Mr. Menegon served in the United States Army Reserve and retired as a Colonel after 30 years of service. He

has made major contributions to our community, serving on Community Board 8, creating the Veterans Affairs Committee, and as a board member of the United War Veterans Council, an organization dedicated to mobilizing our communities to honor, support, and serve America’s veterans. In addition, Mr. Menegon has mentored young people for over 25 years as Commandant of the Knickerbocker Greys, an after-school youth organization established in 1881.

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This year's **Woman of Distinction** from our District is **Beth R. Finkel**, the State Director of AARP New York. Ms. Finkel's efforts on behalf of older New Yorkers have led to historic NYS reforms including passage of the Secure Choice Savings Program, CARE Act, Assisted Living Protections, Anti-Predatory Lending, Paid Family Leave, Affordable Housing and Right to Counsel legislation, Master Plan for Aging, numerous bills on Kincare and groundbreaking State legislation to improve nursing home conditions, ban utility shutoffs, allow for universal absentee voting, and expand access to on-line food ordering and delivery through SNAP. Ms. Finkel also conceived of and launched Disrupt Disparities, the first holistic approach to inequities in health, economic security, and livable communities of 50-plus populations. This initiative has now become an AARP-wide enterprise.

These events can be viewed online at:

[www.nysenate.gov/honoring-our-veterans](http://www.nysenate.gov/honoring-our-veterans)

[www.nysenate.gov/women-of-distinction](http://www.nysenate.gov/women-of-distinction)



New York State Senate  
Albany, NY 12247



State Senator Liz Krueger's

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## POLIOVIRUS DETECTED IN NEW YORK CITY

Wastewater surveillance now indicates that the poliovirus is circulating in New York City. It is not possible to identify in which neighborhoods, specifically, but polio is known to be a very contagious virus, which can be spread whether or not one has symptoms. There is no cure for polio, but it is preventable by getting vaccinated. Thanks to the vaccine, the last naturally occurring case of polio in the U.S. was in 1979.

The polio vaccine is safe and effective prevention against polio, which can cause mild and flu-like symptoms, permanent paralysis of parts of the body, and even death. If you or your children have not received all required doses of the polio vaccine, it is critical to do so now. If you have questions or need to get vaccinated, please contact your health care provider or your child's pediatrician. If you or your child do not have a primary care physician, you can call 844-692-4692 for help finding one. Make an appointment for children age 4 and above here: [www1.nyc.gov/site/doh/services/immunization-clinics.page](http://www1.nyc.gov/site/doh/services/immunization-clinics.page).

## VIRTUAL SENIOR RESOURCE FAIR OCTOBER 25-27

### ENGAGE THE HEART, THE BODY, AND THE CREATIVE SPIRIT

**Tuesday, October 25, 2 pm–3:30 pm**

Reach Out Beyond Loneliness: How to Build Networks and Find Community

**Wednesday, October 26, 2 pm–3:30 pm**

Essential Movement for Older People: Keeping the Body Strong and Healthy

**Thursday, October 27, 2 pm–3:30 pm**

Engage in the Arts: Nurture Your Creative Spirit

Registration details will be available in late September.

If you would like to join our email list to receive regular updates on issues and upcoming events, email [lkrueger@nysenate.gov](mailto:lkrueger@nysenate.gov) with "Join Lizlist" in the subject line.