



2021 ANNUAL
REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON

INVESTIGATIONS AND GOVERNMENT
OPERATIONS



SENATOR
JAMES SKOUFIS
CHAIR

CHAIR
INVESTIGATIONS & GOVERNMENT OPERATIONS

COMMITTEES
CORPORATIONS, AUTHORITIES & COMMISSIONS
FINANCE
JUDICIARY
LABOR
TRANSPORTATION



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December 14, 2021

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Investigations and Government Operations for the 2021 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction, proactively investigating and exposing waste, fraud, and abuse; working to exercise effective oversight over our state government.

During the 2021 session, this committee met six times in session and reported 84 bills. The Committee also held one hearing and one roundtable this past year.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

James Skoufis
Senator, 39th District

2021 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE
STANDING COMMITTEE ON INVESTIGATIONS AND GOVERNMENT OPERATIONS

Senator James Skoufis, Chairperson

Committee Members

Majority

Senator Alessandra Biaggi
Senator James Gaughran
Senator Todd Kaminsky
Senator Elijah Reichlin-Melnick

Minority

Senator Thomas F. O'Mara
Senator Anthony H. Palumbo

Committee Staff

Evan R. Gallo, Chief of Investigations and Counsel
Sara DiBernardo, Legislative Director

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Investigations and Government Operations has legislative oversight responsibilities for issues concerning oversight over our state government, including proactively investigating and exposing waste, fraud, and abuse. The Committee's purview covers sections of the Alcohol Beverage Control law, Arts and Cultural Affairs law, Civil Rights law, Executive law, Indian law, Legislative law, Public Authorities law, Public Buildings law, Public Lands law, Public Officers law, State law, Tax law and Office of General Services land transfers in Unconsolidated law.

During the 2021 Legislative Session, 307 bills were referred to the Committee for its review. Of these bills, 84 were reported from the Committee. 28 were passed by the Senate, and 39 passed in both houses. This work was conducted through a series of six committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to its regular meetings, the Committee held an investigative hearing and one roundtable centered to examine potentially unfair and deceptive practices occurring in New York State's primary and secondary ticket marketplaces for live events.

TWO HOUSE BILLS

In 2021, of the 307 bills referred to the Standing Committee on Investigations and Government Operations passed both houses of the Legislature. Of these bills, the Governor has signed 30 and vetoed 0, with 9 bills that passed both houses and have not yet been acted on.

Bill	Sponsor	Summary	Action
S93A	KAMINSKY	Prohibits persons from holding civil office when convicted of certain felonies.	Reported from Committee
S112	KAPLAN	Relates to requiring annual fair housing testing; defines fair housing testing; requires the attorney general to conduct yearly fair housing testing to ensure compliance with the human rights law.	Passed Senate only
S123	KAPLAN	Establishes a statewide campaign for the acceptance, inclusion, tolerance and understanding of diversity.	Passed Senate Only
S228A	TEDISCO	Establishes a veterans internship program (V.I.P. NY); awards ten percent of available internships in the assembly youth participation program and the senate student program to eligible honorably discharged veterans.	Reported from Committee
S346	KAPLAN	Includes certain independent contractors in the state directory of new hires to aid in the administration of the child support enforcement program.	Chaptered 504
S370A	HOYLMAN	Requires certain state owned and operated parking garages, open parking lots and other parking facilities to install and maintain charging stations for plug-in electric vehicles.	Reported from Committee
S427A	HOYLMAN	Relates to directing the division of human rights to promulgate regulations requiring the disclosure of lawful source of income rights to prospective tenants; directs certain government entities and non-profit entities authorized to administer public housing programs or assistance to ensure potential recipients of public assistance are informed to their rights related to lawful source of income discrimination.	Passed Senate Only
S566A	HOYLMAN	Extends the statute of limitations for claims resulting from unlawful discriminatory practices to three years.	Passed Senate Only
S588	BENJAMIN	Relates to the unauthorized release of sealed records.	Reported from Committee

S607A	BENJAMIN	Requires the Olympic regional development authority, in consultation with the department of environmental conservation and division of human rights to develop an anti-bias and inclusion training to be completed by employees of such agencies annually.	Passed Senate Only
S702	KAPLAN	Relates to small business savings accounts; provides tax incentives for contributions and distributions.	Reported from Committee
S715	THOMAS	Authorizes the commissioner of human rights to enforce provisions relating to real estate brokers and unlawful discriminatory practices; awards compensatory damages to the aggrieved person; assesses a civil penalty to vindicate the public interest; makes related provisions.	Passed Senate Only
S749	BIAGGI	Awards attorney's fees and expert witness fees in appropriate cases.	Chaptered 566
S812A	BIAGGI	Establishes a toll free confidential hotline for complainants of workplace sexual harassment to be administered by the division of human rights; makes related provisions.	Passed Senate Only
S936	KRUEGER	Provides for the adjustment of the minimum amount of tax delinquency for which the driver's license of a taxpayer may be suspended, based on inflation; prohibits inclusion in the license suspension program of a taxpayer who receives public assistance or supplemental security income, or whose income does not exceed 250% of the poverty level; authorizes the commissioner to grant exemptions to taxpayers whose payment of past due tax liabilities would create a hardship to the taxpayer in meeting necessary living expenses.	Passed Senate Only
S978	GAUGHRAN	Relates to the creation of vacancies in a public office upon entering a guilty plea in federal court to a felony or crime involving a violation of an oath of office.	Passed Senate Only
S1063	BIAGGI	Prohibits agencies from charging for the process of a FOIL request made by state and local agencies or the state legislature.	Reported from Committee
S1138	HARCKHAM	Authorizes the commissioner of general services to convey the North County Trailway, real	Passed Senate Only

		property in Westchester county, to the county of Westchester.	
S1150A	KAPLAN	Requires certain documents to be made available for open meetings.	Chaptered 481
S1501	BRESLIN	Relates to the authority of the commissioner of general services to lease public buildings.	Reported from Committee
S1558	STEWART-COUSINS	Authorizes the city of White Plains to impose a hotel tax for a period to expire on December 31, 2024.	Chaptered 502
S1625A	SKOUFIS	Amends the definition of "public body" to include any entity created or appointed to perform a necessary function in the decision-making process.	Passed Both Houses
S1667	SKOUFIS	Relates to expanding the definition of agency; includes entities created by an agency or that are governed by a board of directors or similar body a majority of which is designated by one or more state or local government officials in the definition of agency under the public officers law.	Passed Senate Only
S1677	SKOUFIS	Directs the department of state to study, evaluate, and make recommendations concerning studies directed by the legislature to be completed.	Reported from Committee
S1745	SKOUFIS	Establishes a temporary New York craft beverage permit for all New York state manufactured liquor, spirits, wine, beer, cider and mead for events located in a municipality with a population of less than one million.	Passed Senate Only
S1803A	BORRELLO	Grants on-premises alcohol retailers an extension of one year to renew their expired liquor license without any late fees during the COVID-19 state disaster emergency.	Reported from Committee
S1827	SKOUFIS	Allows for the sale of liquor and/or wine for off-premises consumption on Christmas day.	Passed Senate Only
S1958	KRUEGER	Clarifies that workers shall not be punished or subjected to discipline by employers for lawful absences.	Passed Senate Only
S2004	JACKSON	Permits assessment of certain fees and costs upon wrongful denial of access to records under the freedom of information law when either the	Passed Senate Only

		person has substantially prevailed and the agency had no such reasonable basis for denying access, or if the agency failed to respond within the statutory time, or when the record is substantially disclosed and the agency lacked a reasonable basis in law for withholding the record.	
S2033	AKSHAR	Relates to increasing the volunteer firefighters' and ambulance workers' credit; increases the amount of the credit from \$200 to \$500 for single filers who have served for less than five years and from \$200 to \$1,000 for single filers who serve at least five years and from \$400 to \$1,000 for spouses filing jointly where one spouse has served less than five years and from \$400 to \$2,000 for spouses filing jointly who have each served at least five years.	Reported from Committee
S2279	JORDAN	Designates the state of New York a purple heart state.	Passed Senate Only
S2288	JORDAN	L Expands the waiver of the residency requirement for the city attorney in the city of Mechanicville, Saratoga county.	Chaptered 116
S2725	KRUEGER	Provides for the appointment of a standing committee on conference to resolve differences between similar, but not identical bills and resolutions; also provides that such committee may refer bills and resolutions to sub-committees for disposition; further provides for appointment of a non-partisan counsel to make referrals to such standing committee on similar bills and resolutions.	Passed Senate Only
S2734	KENNEDY	Makes changes in the percentages for disposition of revenue from lottery prize account to increase the percentage, by five percent, directed to state aid for education funding.	Reported from Committee
S2743	RAMOS	Authorizes the issuance of a temporary retail permit by the state liquor authority to licensees located in a municipality having a population of one million or more persons.	Passed Both Houses
S3120	KAVANAGH	Authorizes and directs the committee on open government to study proactive disclosure as a means of increasing transparency and access to government information.	Reported from Committee

S3180	MAY	Directs the state liquor authority to extend all liquor licenses for on-premise alcohol retailers for a period of one year at no cost to the licensee.	Reported from Committee
S3395A	GOUNARDES	Includes the state and all public employers as employers subject to the provisions of the human rights law; includes executive, legislative and judicial employers.	Passed Senate Only
S3437C	GAUGHRAN	Establishes a dedicated telephone line for housing discrimination complaints.	Passed Both Houses
S3501	MAYER	Extends the period during which the city of White Plains is authorized to impose an additional sales and compensating use tax to 2023.	Chaptered 109
S3503C	HINCHEY	Authorizes the department of health to establish the New York state rural ambulance services task force; requires such task force to conduct a study on the unique challenges faced by New York state ambulance services in rural areas.	Passed Both Houses
S3971	KENNEDY	Requires a refundable deposit on kegs and taps.	Reported from Committee
S4090	HINCHEY	Relates to the definition of New York state labeled beer; requires such labeled beer to be processed in New York state.	Reported from Committee
S4367A	MAYER	Expands the public's ability to observe public bodies' meetings.	Passed Senate Only
S4368	MAYER	Extends the city of Rye's occupancy tax to September 1, 2024; makes technical changes to the tax law relating thereto	Chaptered 402
S4369	MAYER	Extends the authority of the city of New Rochelle to impose an occupancy tax until September 1, 2024.	Chaptered 403
S4484	GALLIVAN	Extends the authorization of the county of Wyoming to impose a county recording tax on obligations secured by a mortgage on real property from December 1, 2021 to December 1, 2024.	Chaptered 510
S4609	HOYLMAN	Relates to the definition of "sexual orientation" as applicable to the human rights law.	Passed Senate Only
S4687B	MAYER	Directs public bodies that have meetings that allow public comments to provide a means for the public to comment in real time during the time allocated for public comment.	Passed Senate Only

S4704A	KAPLAN	Requires that minutes taken at a meeting of a public body be posted on the agency's website within two weeks from an open meeting and one week from an executive session.	Chaptered 587
S4715A	TEDISCO	Relates to qualifications for holding certain offices in the village of Northville in Fulton County.	Chaptered 292
S4887A	SKOUFIS	Allows brewery supply stores to sell New York state labeled beer for off-premises consumption.	Passed Senate Only
S4915	LANZA	Changes the official name of the Staten Island Expressway to the "POW-MIA Memorial Highway".	Passed Senate Only
S5063	JACKSON	Prohibits employers from discriminating against individuals based on such individual's status as a caregiver.	Passed Senate Only
S5064	RAMOS	Relates to the definition of the term "employee" for purposes of the human rights law; relates to unlawful discriminatory practices relating to domestic workers.	Passed Both Houses
S5132	RYAN	Suspends state support for the local enforcement of past-due property taxes until after the end of the COVID-19 state disaster emergency by allowing past-due property owners to continue to receive STAR credits or STAR exemptions.	Passed Both Houses
S5148	HINCHEY	Provides that the "Suicide Awareness and Remembrance Flag" shall be the official state flag for the raising of awareness of veteran suicide; directs the commissioner of general services to establish a protocol for the flying of such flag.	Passed Senate Only
S5247	BORRELLO	Extends the repeal date of the additional mortgage recording tax in Cattaraugus county until December 1, 2023.	Chaptered 512
S5363	OBERACKER	Designates baseball as the official sport of the state of New York.	Chaptered 318
S5673	RITCHIE	Authorizes the city of Ogdensburg to impose an additional rate of sales and compensating use tax.	Passed Senate Only
S5764	RYAN	Relates to license and permit applications; requires applicants for such licenses or permits to be furnished with a receipt for the appropriate fee	Passed Both Houses

		once it is paid in full; requires the authority's public website to be updated daily with a list of all open license and permit applications.	
S5870	GOUNARDES	Prohibits the release of personnel or employees as a retaliatory action against employees who complain or assist in proceedings involving unlawful discriminatory practices by employers.	Passed Senate Only
S5979	SKOUFIS	Provides for alternative penalties for a first time violation of a state liquor authority rule or regulation related to administrative or paperwork violations submitted to or requested by the authority or to actions or omissions that are determined by the authority to be de minimus under the circumstances.	Passed Both Houses
S6017	SKOUFIS	Requires a particularized and specific justification for denial of access to records under the freedom of information law; relates to exemption from disclosure under the freedom of information law of certain law enforcement related records and to records identifying victims.	Passed Both Houses
S6133	BOYLE	Authorizes special permits to remain open during certain hours of the morning.	Reported from Committee
S6280	REICHLIN-MELNICK	Relates to qualification to hold the position of assessor of the village in the village of Upper Nyack.	Chaptered 365
S6327	HARCKHAM	Relates to residency requirements for certain peace officers in Putnam county; allows peace officers residing in counties adjacent to Putnam county to be appointed as peace officers for the Putnam county society for the prevention of cruelty to animals.	Chaptered 263
S6327	HARCKHAM	Relates to residency requirements for certain peace officers in Putnam county; allows peace officers residing in counties adjacent to Putnam county to be appointed as peace officers for the Putnam county society for the prevention of cruelty to animals.	Chaptered 263
S6353A	PERSAUD	Permits the use of municipal space for outdoor dining; allows for control over permitted municipal property for the operation of a licensed premises. Eff. Date 07/06/2021 (See Table)	Chaptered 238

S6465A	MAY	Provides a credit for on-premises consumption license fees paid for the sale of alcoholic beverages at the 2020 New York state fair.	Chaptered 651
S6531	STEWART-COUSINS	Extends the effectiveness of an occupancy tax imposed in the city of Yonkers to September 1, 2024.	Chaptered 224
S6540	COONEY	Relates to residency requirements for certain peace officers in Monroe county; allows peace officers residing in counties adjacent to Monroe county to be appointed as peace officers for the Monroe county society for the prevention of cruelty to animals.	Chaptered 371
S6613	LIU	Extends the provisions in regards to personal income tax refunds an additional five years.	Chaptered 333
S6614	KAPLAN	Relates to the effectiveness of provisions relating to liquidator's permits and temporary retail permits.	Chaptered 375
S6641	SKOUFIS	Extends provisions relating to the powers of the chairman and members of the authority.	Chaptered 124
S6716	SKOUFIS	Enacts into law components of legislation that relate to live event ticket sales; institutes civil penalties for utilizing ticket purchasing software; increases civil penalties currently in place and institutes new penalties for second offenses for licensees and for any person, firm, corporation or entity who is made aware of the utilization of ticket purchasing software and does not notify the attorney general of such utilization (Part A); establishes an annual professional reseller renewal fee; requires professional ticket resellers to provide their New York state ticket reseller license number as a condition of utilizing an online resale marketplace to resell tickets (Part B); provides criteria for when a purchaser may obtain a full refund of the amount paid for a ticket; permits a refund when a purchaser cannot attend an event due to a medical necessity (Part C); requires online resale marketplaces to post the established price ticket charged by the operator of a place of entertainment as part of each advertisement or offer for the resale of tickets and to obtain confirmation that user has read such notice before completing a transaction (Part D); relates to resale requirements for tickets; requires	Reported from Committee

		that if a licensee or other ticket reseller doesn't have possession of the ticket, then they shall have a written contract to obtain the offered ticket at a certain price from a person or entity in possession of the ticket or from a person or entity who has a contractual right to obtain such ticket, and tickets to the event have been placed on sale by the venue or entity hosting the event or its authorized agent before the licensee or reseller can advertise the sale of the tickets (Part E); requires ticket prices to be disclosed prior to a customer purchasing such ticket and requiring such price to remain the same during the purchase process except for reasonable fees for delivery of tickets; such delivery fee shall also be disclosed to the purchaser (Part F); relates to unlawful charges in connection with tickets; permits reasonable charges for costs actually rendered or otherwise in connection to customer support, technological and software infrastructure, and actual operational costs for sales away from the box office; defines terms (Part G); prohibits the resale of a ticket if such ticket was initially offered to the public at no charge (Part H); relates to the availability of tickets for sale to the general public; defines a term (Part I); reduces the minimum seating capacity requirement for a professional sports organization membership pass to over thirteen thousand five hundred seats in a venue or stadium (Part J); prohibits exclusivity clauses in contracts between operators of places of entertainment and primary ticket vendors (Part K); and extends the effectiveness of certain provisions of the arts and cultural entertainment law relating to tickets to places of entertainment (Part L).	
S6737	GOUNARDES	Extends provisions related to the resolution of labor disputes regarding the metropolitan transportation authority.	Chaptered 120
S6781A	KAVANAGH	Relates to a license to sell liquor at retail for consumption on certain premises; provides an exemption on restrictions for certain manufacturers, wholesalers and retailers from sharing an interest in a liquor license.	Chaptered 299
S6797	STEWART-COUSINS	Extends the expiration date of the personal income tax surcharge imposed by the city of Yonkers.	Chaptered 229

S6886	LIU	Provides that there is no exemption from the requirement of nondiscrimination in advertisements and inquiries for the rental of an apartment in an owner-occupied two-unit dwelling, or for the rental of rooms in an owner-occupied dwelling, and that engaging in discriminatory advertising or inquiries will cause the property to no longer be exempt from full coverage by the nondiscrimination provisions of the human rights law.	Chaptered 300
S6959A	COONEY	Provides that the state liquor authority shall provide, upon application, a one-time credit to any covered entity to be used towards any future application for a license to sell alcohol at retail for on-premises consumption; provides that such credit shall be in the amount that such covered entity paid in fees solely for licenses to sell alcohol on-premises in calendar year two thousand twenty.	Passed Senate Only
S6963	MANNION	Repeals provisions of law relating to certain lands of the New York state canal corporation located in the city of Syracuse, county of Onondaga.	Chaptered 640
S7105	COONEY	Relates to the requirements for filing a complaint with the Division of Human Rights.	Chaptered 304
S7117	HELMING	Relates to allocating hotel or motel tax revenues for the promotion of tourism and tourist attractions in Seneca county.	Chaptered 599



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**NEW YORK STATE SENATE
STANDING COMMITTEE**

GOVERNMENT