



New York State Senate Standing Committee on Investigations and Government Operations

Senator James Skoufis

Chair



Senator Andrea Stewart-Cousins
President Pro Tempore
NYS Senate Majority Leader

CHAIR

INVESTIGATIONS & GOVERNMENT OPERATIONS

COMMITTEES

CORPORATIONS, AUTHORITIES & COMMISSIONS

FINANCE

JUDICIARY

LABOR

TRANSPORTATION



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December 17, 2022

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 2022 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my Committee's jurisdiction.

During the 2022 Session, this Committee met seven times in session and reported 113 bills. The Committee also conducted a detailed investigation into electric and natural gas utilities, regarding surging energy costs, deficient customer communications, and billing issues.

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

2022 LEGISLATIVE SESSION REPORT

**NEW YORK STATE SENATE
STANDING COMMITTEE ON INVESTIGATIONS AND GOVERNMENT OPERATIONS**

Senator James Skoufis, Chairperson

Committee Members

Senator Alessandra Biaggi Senator James Gaughran Senator Todd Kaminsky Senator Elijah Reichlin-Melnick	Senator Thomas F. O'Mara, <i>Ranking Member</i> Senator Anthony H. Palumbo
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Committee Staff

Evan Gallo, Chief of Investigations & Counsel

Gabriel Paniza, Senior Policy Advisor

Shannon Owens, Policy Analyst

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 Alcoholic 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 2022 Legislative Session, 391 bills were referred to the Committee for its review. Of these bills, 113 were reported from the Committee. 87 were passed by the Senate, and 60 passed in both houses. This work was conducted through a series of seven 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 conducted a sprawling investigation into electric and natural gas utilities in relation to high energy costs, deficient customer communications, and systemic billing problems.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2022:

S9461 (Skoufis) / A10500 (O'Donnell) – Chapter 358 of the Laws of 2022

Enacts into law components of legislation that relate to live event ticket sales

This law increases civil fines for the use of ticket purchasing software known as bots; requires sellers and resellers of tickets to disclose the total cost of a ticket and clearly and conspicuously disclose the amount of the price that is made up of fees and other charges prior to the ticket being selected for purchase; bans the resale of tickets originally provided to the public for free; requires secondary sellers to disclose the printed or endorsed price of a ticket; and prohibits the charging of a delivery fee for tickets delivered electronically or for self-printing by the buyer.

S7360 (Skoufis) / A9821 (Jean-Pierre) – Chapter 392 of the Laws of 2022

Requires curriculum related to human trafficking awareness to be included in alcohol training awareness programs

This law requires that a human trafficking training component be included in all ATAP courses in order to be recognized by the New York State Liquor Authority. It will increase both awareness and understanding of the signs of trafficking and how to report for employees in the bar and restaurant industry while making employees better equipped to properly identify and assist victims.

S812B (Biaggi) / A2035B (Niou) – Chapter 138 of the Laws of 2022

Establishes a toll free confidential hotline for complainants of workplace sexual harassment

This law requires the Division of Human Rights to establish a toll-free, confidential, and safe legal hotline for reporting workplace sexual harassment.

S3395A (Gounardes) / A2483B (Niou) – Chapter 139 of the Laws of 2022

Relates to including the state and all public employers as subject to the human rights law

This law closes the “personal staff” loophole by clarifying that the state or a locality is considered an employer of anyone serving in the state or local executive, judiciary, and legislative branches, including the staff of elected officials or judges and elected officials themselves.

S978C (Gaughran) / A10144B (McDonald) – On the Governor’s Desk

Relates to the creation of vacancies in a public office upon entering a guilty plea in federal court to a felony or crime or state offense involving a violation of an oath of office

This bill clarifies that a vacancy in public office occurs when a public officer enters a guilty plea in federal court.

S1667 (Skoufis) / A7545 (Otis) – Passed Senate

Relates to expanding the definition of agency

This bill would require that an entity created by a government agency or a subsidiary or affiliate of a government agency would be subject to the Freedom of Information Law (FOIL).

S112 (Kaplan) / A4665 (Sillitti) – Passed Senate

Requires annual fair housing testing

This legislation sets up a fair housing testing program to identify possible discrimination in the housing market.

S715 (Thomas) / A5480 (Solages) – Passed Senate

Relates to enforcement of fair housing

This bill is designed to deter violations of the Human Rights Law in relation to fair housing by increasing penalties related to claims brought by the Commissioner of the New York State Division of Human Rights as well as those brought by the Attorney General in relation to patterns and practices or discriminatory conduct.

S3502A (Hinchey) / A3886A (Lupardo) – Passed Senate

Increases the amount of the farm workforce retention credit

As markets continue to fluctuate and labor costs continue to rise, it is important to provide farm employers with certainty. This legislation provides an added measure of certainty by extending the farm workforce retention credit permanently and increasing its value.

S4887A (Skoufis) / A153B (Gunther) – Passed Senate

Allows brewery supply stores to sell New York state labelled beer for off-premises consumption

Presently, any brewery supply stores that wish to sell any homebrew products, such as growlers or other products in sealed containers, would have to adhere to the requirement to be either a grocery store or drug store, which would require the stocking of goods and products that do not represent the focus of such a business. This bill expands the types of businesses that qualify to be authorized to sell NYS labeled beer for off-premises consumption to include brewery supply stores.

TWO HOUSE BILLS

In 2022, 60 of the 391 bills referred to the Standing Committee on Investigations and Government Operations passed both houses of the Legislature. Of these bills, the Governor has signed 50 and vetoed 1; 8 are on the Governor's Desk, and 1 has yet to be delivered to the Governor.

Bill	Sponsor	Summary	Action
S9461	Skoufis	Enacts into law components of legislation that relate to live event ticket sales	Chapter 358 of 2022
S123A	Kaplan	Establishes a statewide campaign for the acceptance, inclusion, tolerance and understanding of diversity	Chapter 626 of 2022
S190	Kaplan	Relates to defining the terms "retiree" and "beneficiary" within the freedom of information law	Chapter 482 of 2022
S812B	Biaggi	Establishes a toll free confidential hotline for complainants of workplace sexual harassment	Chapter 138 of 2022
S1958A	Krueger	Clarifies that workers shall not be punished or subjected to discipline by employers for lawful absences	Chapter 604 of 2022
S3395A	Gounardes	Relates to including the state and all public employers as subject to the human rights law	Chapter 139 of 2022
S5870	Gounardes	Relates to prohibiting certain retaliatory action against unlawful discriminatory practices by employers	Chapter 140 of 2022
S7360	Skoufis	Requires curriculum related to human trafficking awareness to be included in alcohol training awareness programs	Chapter 392 of 2022
S7417	Tedisco	Waives the residency requirement for the city attorney in the city of Johnstown, Fulton county	Chapter 320 of 2022
S7532	May	Authorizes the county of Madison to impose a tax on real estate transfers	Chapter 397 of 2022
S7538	Jordan	Extends provisions authorizing the city of Hudson to impose hotel and motel taxes	Chapter 404 of 2022
S7623A	Gaughran	Extends provisions of law authorizing political subdivisions to permit any public body to hold meetings remotely and without in-person access during the COVID-19 state disaster emergency	Chapter 1 of 2022

S7655A	Hinchey	Amends the definition of New York State labelled beer	Chapter 326 of 2022
S7683	Mayer	Extends the village of Rye Brook occupancy tax for three years	Chapter 405 of 2022
S7687B	Palumbo	Relates to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail for on-premises consumption	Chapter 328 of 2022
S8040	Mayer	Extending the effectiveness of the occupancy tax in the town of North Castle	Chapter 416 of 2022
S8041	Mayer	Extends the village of Port Chester occupancy tax for three years	Chapter 411 of 2022
S8042	Mayer	Relates to extending the occupancy tax in the village of Tuckahoe	Chapter 409 of 2022
S8043	Mayer	Extends the effectiveness of the occupancy tax in the village of Harrison	Chapter 423 of 2022
S8045	Mayer	Extends the village of Mamaroneck occupancy tax for three years	Chapter 410 of 2022
S8266	Stewart-Cousins	Extends the authority of the commissioner of general services to transfer and convey certain lands to the city of New Rochelle	Chapter 195 of 2022
S8390	Skoufis	Authorizes the city of Newburgh to impose a hotel and motel tax	Chapter 418 of 2022
S8398B	Liu	Coordinating extensions of time to file state taxes to any extensions of time to file federal taxes	Chapter 451 of 2022
S8413	Stewart-Cousins	Extends the provisions authorizing the town of Greenburgh to adopt a local law to impose a hotel/motel occupancy tax	Chapter 415 of 2022
S8417B	Persaud	Prohibits discrimination based on status as a victim of domestic violence	Chapter 202 of 2022
S8464A	Kaplan	Corrects gendered language	Chapter 408 of 2022
S8540	Griffo	Relates to the qualifications for holding the office of assistant district attorney in the county of Oneida	Chapter 334 of 2022

S8545	Reichlin-Melnick	Relates to exempting the Rockland county ADA from certain residency requirements	Chapter 271 of 2022
S8645	Skoufis	Permits residents of Orange county and adjoining counties to hold the position of assistant district attorney in Orange county	Chapter 275 of 2022
S8673	Gallivan	Extends the provisions of law relating to the mortgage recording tax in the county of Livingston	Chapter 454 of 2022
S8734	Skoufis	Relates to the effectiveness of the hotel and motel tax in the town of Woodbury	Chapter 456 of 2022
S8790	Tedisco	Waives the residency requirement for the information services director for Herkimer county	Chapter 458 of 2022
S8820A	Persaud	Extends certain provisions relating to the use of municipal space for outdoor dining	Chapter 277 of 2022
S8845A	Skoufis	Authorizes an occupancy tax in the village of Highland Falls; provides for the repeal of such provisions upon expiration thereof	Chapter 459 of 2022
S8846	Ritchie	Relates to the allocation of net collections from additional sales and compensating use taxes in the county of St. Lawrence	Chapter 460 of 2022
S8860	Martucci	Extends certain provisions relating to an occupancy tax in the city of Port Jervis	Chapter 461 of 2022
S8865	Harckham	Extends provisions relating to the imposition of an occupancy tax on the village of Mount Kisco until September 1, 2025	Chapter 429 of 2022
S8905	May	Extends the effectiveness of certain provisions authorizing the county of Madison to impose an additional mortgage recording tax	Chapter 465 of 2022
S8941	Palumbo	Relates to a license to sell liquor at retail for consumption on certain premises	Chapter 288 of 2022
S8971	Jordan	Provides for a waiver of the residency requirement for the city attorney in the city of Saratoga Springs, Saratoga county	Chapter 284 of 2022
S8987A	Breslin	Relates to authorizing the commissioner of the office of general services to convey certain unappropriated state land to KIPP: Albany Community Public Charter Schools	Chapter 434 of 2022

S8989A	Skoufis	Authorizes the manufacture of beer, spirits, cider, wine and mead at the Culinary Institute of America; repealer	Chapter 345 of 2022
S8996	Skoufis	Permits the village of Cold Spring to impose a hotel and motel tax	Chapter 433 of 2022
S9013	Cooney	Relates to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail for on-premises consumption; repealer	Chapter 286 of 2022
S9059A	Reichlin-Melnick	Authorizes the imposition of an occupancy tax in the village of Briarcliff Manor	Chapter 468 of 2022
S9060A	Reichlin-Melnick	Authorizes the imposition of an occupancy tax in the village of Nyack	Chapter 469 of 2022
S9092A	Brouk	Exempts certain parcels of land from licensing restrictions prohibiting manufacturers, wholesalers and retailers of alcoholic beverages from sharing an interest in a licensed premises	Chapter 304 of 2022
S9093	Hoylman	Relates to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail for on-premises consumption	Chapter 348 of 2022
S9162A	Thomas	Extends the time for certain public officers to take or file their oaths of office or official undertakings	Chapter 474 of 2022
S9374	Reichlin-Melnick	Relates to the residency requirements for village justice of Chestnut Ridge	Chapter 354 of 2022
S9177B	Cooney	Establishes the New York Asian American and Pacific Islander commission	Vetoed Memo 84 of 2022
S978C	Gaughran	Relates to the creation of vacancies in a public office upon entering a guilty plea in federal court to a felony or crime or state offense involving a violation of an oath of office	On the Governor's Desk
S1138	Harckham	Authorizes the commissioner of general services to convey real property in Westchester county to the county of Westchester	On the Governor's Desk
S4863A	Kaplan	Prohibits agencies from charging a fee for records where an electronic copy is already available from a previous request made within the past six months	On the Governor's Desk

S6586A	Liu	Prohibits discrimination based on citizenship or immigration status	On the Governor's Desk
S6889	Palumbo	Relates to the state recognition and acknowledgement of the Montaukett Indians	On the Governor's Desk
S8829A	Hoylman	Relates to the empire state film production credit	On the Governor's Desk
S9025	Reichlin-Melnick	Relates to the maximum value of unappropriated state land that the commissioner of general services may sell and convey	On the Governor's Desk
S9049	Kaplan	Relates to licenses to sell liquor at off-premises catering establishments	On the Governor's Desk
S9318	Brooks	Increases and provides for the distribution of revenue from extending the authorization for the hotel and motel taxes in Suffolk county	On the Governor's Desk

SUMMARY OF COMMITTEE ACTIVITY

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S9461	Skoufis	Enacts into law components of legislation that relate to live event ticket sales	Chapter 358 of 2022
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S9318	Brooks	Increases and provides for the distribution of revenue from extending the authorization for the hotel and motel taxes in Suffolk county	On the Governor's Desk
S112	Kaplan	Requires annual fair housing testing	Passed Senate Only
S566A	Hoylman	Extends the statute of limitations for claims resulting from unlawful discriminatory practices to three years	Passed Senate Only
S715	Thomas	Relates to enforcement of fair housing	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	Passed Senate Only
S1480	Krueger	Prohibits an employer, licensing agency or employment agency from requesting or requiring that a prospective employee disclose his or her age, date of birth or date of graduation	Passed Senate Only
S1667	Skoufis	Relates to expanding the definition of agency	Passed Senate Only

S1745	Skoufis	Establishes a temporary New York craft beverage permit	Passed Senate Only
S2279	Jordan	Designates the state of New York a purple heart state	Passed Senate Only
S2725	Krueger	Provides for the appointment of a standing committee on conference to resolve differences between similar, but not identical, bills and resolutions	Passed Senate Only
S3106	Kaplan	Relates to the hours during which liquor and/or wine stores may be open on Sunday	Passed Senate Only
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	Passed Senate Only
S3502A	Hinchey	Increases the amount of the farm workforce retention credit	Passed Senate Only
S4609	Hoylman	Relates to the definition of sexual orientation as applicable to the human rights law	Passed Senate Only
S4887A	Skoufis	Allows brewery supply stores to sell New York state labelled 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
S5148	Hinchey	Relates to a state flag for raising awareness of veteran suicide	Passed Senate Only
S6133	Boyle	Authorizes special permits to remain open during certain hours of the morning	Passed Senate Only
S6742	Ramos	Establishes a license to sell liquor at retail for consumption on premises in a cigar lounge	Passed Senate Only

S6959A	Cooney	Relates to certain credits for any future application for a license to sell alcohol at retail for on-premises consumption	Passed Senate Only
S7292	Biaggi	Clarifies the standard for disparate treatment claims	Passed Senate Only
S7743	Savino	Provides for the sale of prepared liquor drinks	Passed Senate Only
S8826	Skoufis	Permits the sale or promotional gifting of certain complementary products for wine and spirits	Passed Senate Only
S8977	Skoufis	Relates to the transfer of unappropriated state lands for mental health, developmental disability, park, recreation, playground, reforestation, public education, public safety, street or highway purposes	Passed Senate Only
S9094	Liu	Expands the definition of educational institution	Passed Senate Only
S9328	Thomas	Authorizes municipalities to adopt a sales tax exemption for clothing and footwear after March first, two thousand twenty-two; and providing for the repeal of such provisions upon expiration thereof	Passed Senate Only
S9452	Krueger	Relates to penalties and enforcement of adult-use cannabis laws	Passed Senate Only
S93A	Kaminsky	Prohibits persons from holding civil office when convicted of certain felonies	Reported from Committee
S1501A	Breslin	Relates to the authority of the commissioner of general services to lease public buildings	Reported from Committee
S1506	Hoylman	Requires entities that submit records to state agencies that are excepted from disclosure under FOIL to periodically re-apply for the exception	Reported from Committee
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

S1817	Skoufis	Relates to the use of biometric identity verification devices for the purchase of alcoholic beverages and tobacco products	Reported from Committee
S1821	Skoufis	Relates to publishing records of public interest by agencies and the legislature	Reported from Committee
S1827	Skoufis	Relates to allowing for the sale of liquor and/or wine for off-premises consumption on Christmas day	Reported from Committee
S2004A	Jackson	Relating to permitting assessment of certain fees and costs upon wrongful denial of access to records under the freedom of information law	Reported from Committee
S3865	Kennedy	Authorizes certain establishments to keep alcoholic drinks on tap	Reported from Committee
S3971	Kennedy	Requires a refundable deposit on kegs and taps	Reported from Committee
S4367B	Mayer	Relates to expanding the public's ability to observe public bodies' meetings	Reported from Committee
S4687B	Mayer	Directs public bodies that have meetings that allow public comments to provide a means for the public to comment in real time	Reported from Committee
S7208	Hoylman	Prohibits the sale of tobacco products at vending stands or in vending machines in state buildings	Reported from Committee
S7394A	Biaggi	Preserves the right to a jury trial for certain actions	Reported from Committee
S8855	Kaminsky	Authorizes retail licensees to purchase alcohol with a business payment card	Reported from Committee
S8944	Skoufis	Relates to the sale of tonic water, bitters and maraschino cherries at liquor stores	Reported from Committee
S8966	Skoufis	Ends the local option of towns and cities to prohibit the sale of alcohol; repealer	Reported from Committee
S8990	Skoufis	Prohibits alcohol sales to persons inside of motor vehicles	Reported from Committee
S9033	Skoufis	Adjusts licensing fees regarding certain alcoholic beverages	Reported from Committee

S2033	Akshar	Increases the volunteer firefighters' and ambulance workers' credit	Reported from Committee
S2734	Kennedy	Makes changes in the disposition of revenue from lottery prize account	Reported from Committee
S228A	Tedisco	Establishes a veteran internship program (V.I.P. NY)	Reported from Committee
S702A	Kaplan	Relates to small business savings accounts	Reported from Committee
S7508	Hinchey	Relates to the packaging of cannabis and hemp products	Reported from Committee
S7576A	Gaughran	Establishes a legislative commission on the future of the Long Island Power Authority	Reported from Committee
S1063	Biaggi	Prohibits certain agencies from charging for the process of a FOIL request made by state and local agencies or the state legislature	Reported from Committee



Annual Report 2022

New York State Senate
Standing Committee on Investigations and
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