

2020 New York State
Legislative Session Summary:
The Impact on New York's Counties

*A Final Report on Bills the Legislature Passed
January 4, 2020*



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

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Table of Contents

Non-Budget Legislative Action:.....5

Agriculture.....5

COVID-19 Emergency Powers.....6

Economic Development.....6

Elections.....8

Environment & Energy.....9

General Government Operations.....9

Housing.....10

Judiciary.....11

Local Government Finance.....11

Public Employee Relations & Labor.....12

Public & Mental Health.....13

Public Safety.....14

Transportation & Public Works.....17

Veterans.....17

The mission of the New York State Association of Counties (NYSAC) is to represent, educate, advocate for, and serve the 62 counties of New York State, including the City of New York. During the 2020 Legislative Session, NYSAC staff, together with its membership, worked with the State Legislature and Governor in support or opposition to numerous legislative and budget items.

This year's state budget was enacted in one of the most difficult periods in our lifetimes, given the public health, social, and economic uncertainties of the COVID-19 pandemic and its impact on the state and our counties. The budget addresses the economic uncertainty through a combination of new authority to make mid-year cuts, expand the state's borrowing capacity, and accept federal funding.

While the continuity of county government operations is protected through the preservation of local Medicaid caps and the extension of local home rule revenue authority, there could be significant mid-year cuts associated with reductions in state reimbursement tied to the loss of state and local revenue. In addition, counties will contribute to a new fiscally distressed hospital and nursing home pool.

Some other key county priorities in the 2020-21 State Budget include:

- Securing an additional \$50 million for indigent defense,
- Securing an additional \$250 million for implementing the raise the age legislation,
- Increasing the CHIPS bidding threshold from \$250k to \$350k,
- Securing a continuation of \$15 million to address the unmet needs of seniors,
- Inclusion of all outstanding county home rule extender legislation,
- An additional \$13 million for Code Blue, and
- An additional \$75 million to administer Federal Families First Prevention Services Act.

Outside of these budget actions, Lawmakers have approved 185 matching bills as of June 12th that have been, or will be, sent to Governor Cuomo for his signature or veto before the end of 2020. These include several county home rule revenue bills for mortgage recording, hotel occupancy and sales tax, highlighted in the "Local Government Operations & Finance" section of this report.

What follows is a snapshot of the bills that passed both the Senate and Assembly that have a direct or indirect impact on counties. Each section provides the bill number (with direct links to the bill text via an electronic document), a brief description, and where it is in the legislative process, including:

- Chapter Number (signed) or Veto Message,
- "Delivered to the Governor" date (the Governor has 10 days to act not including Sundays),
- "Passed Both Houses" – Passed Assembly and Senate, awaiting the Governor's action.

2020 Legislative Session Overview

The 2020 Legislative Session that began on January 8th was more challenging and atypical than any in history, as the legislature convened remotely and reconvened to resume legislative activity for only a few days since the budget passed. Thus, legislative activity this year was dramatically lower than 2019, as well as most other years. During the initial period prior to budget, the legislature passed a series of minor technical corrections called chapter amendments. In the post-budget period, they reconvened to debate 30 bills addressing the COVID-19 pandemic, a series of legislation to reform police activity; a session to pass relatively non-controversial home rule measures; and a rare December session to pass a sweeping eviction moratorium bill. The State Legislature has passed a total of 965 bills, down from 1,719 bills in 2019, 413 of which were approved by both houses.

Non-Budget Legislative Action: Legislation that Passed Both Houses of the Legislature

NYSAC has identified the following pieces of legislation, categorized by issue area, that have or may have an impact on our county governments. These are bills that have passed both the State Senate and State Assembly.

Agriculture

Relates to the use of pesticides to protect livestock and farm property against Asian longhorned ticks

[S.6966 \(Metzger\)](#) / [A. 9742 \(Barrett\)](#)

This legislation amends the use of pesticides to protect livestock from an invasive species of Asian longhorned ticks and impede tick-borne diseases.

Status: Signed by the Governor, Chapter 67 of the Laws of 2020

The Excess Food Act – requiring supermarkets to make excess food available to non-profit food pantries

[S.4176-A \(Harckham\)](#) / [A.4398-A \(Abinanti\)](#)

This legislation amends the environmental conservation law, in relation to requiring supermarkets to make excess food available to qualifying entities. Qualifying entities are a non-profit or religious organization which provides food to needy individuals, such as a food pantry, good bank, soup-kitchen or community-based organization.

Status: Signed by the Governor, Chapter 352 of the Laws of 2020

Authorizes and directs boards of cooperative educational services to establish an agriculture program for students

[S.3873A \(May\)](#)/[A.7104A \(Buttenschon\)](#)

This allows BOCES to establish and encourage young farmer apprentice programs.

Status: Signed by the Governor, Chapter 298 of the Laws of 2020

Relates to the promotion of New York state farm products for holiday celebrations

[S.2069 \(Metzger\)/A.4153 \(Gunther\)](#)

The bill authorizes the Department of Agriculture and Markets to aid in the promotion of New York grown farm products for holiday celebrations by providing information about New York growers to vendors who sell such products and to municipalities where vendors sell them on sidewalks or lots or streets.

Status: Signed by the Governor, Chapter 224 of the Laws of 2020

Establishes a New York food supply working group

[S.8561A \(Metzger\)/A.10607A \(Lupardo\)](#)

This bill authorizes the Commissioner of Agriculture and Market to hold roundtable meetings and develop a report with policy recommendations regarding the need for changes or new programs to strengthen the resiliency and self-reliance of the state's farm and food supply and related supply chain logistics, to prevent food shortages and food waste, and to overcome hurdles involved in getting agricultural products to markets and consumers.

Status: Signed by the Governor, Chapter 316 of the Laws of 2020

COVID-19 Emergency Powers

Relates to issuing by the governor of any directive necessary to respond to a state disaster emergency; appropriation

[S.7919 \(Stewart-Cousins\) / A.9953 \(Ortiz\)](#)

This bill appropriates \$40 million in emergency public safety and health to combat the novel coronavirus.

Status: Signed by Governor, Chapter 23 of the Laws of 2020

Economic Development

Relates to the study of future generation wireless network

[S. 7179 \(Parker\)/ A.8988\(Vanel\)](#)

This legislation permits the implementation of fifth and future generation wireless network system technology across the state.

Status: Signed by the Governor, Chapter 32 of the Laws of 2020

Establishes a disaster emergency loan program

[S.8181 \(May\) / A.10294-A \(Stirpe\)](#)

This legislation provides for grants and in-kind donations from Industrial Development Agencies (IDAs) to small businesses or not-for-profits for purchasing personal protective equipment (PPE) and other fixtures needed to help prevent the spread of COVID-19.

This legislation also allows IDAs to make loans to small businesses and not-for-profit organizations up to \$25,000 with certain considerations. IDAs who choose to administer a State disaster emergency loan program will have to maintain records related to the program, and report to the Governor, Speaker of the Assembly and Temporary President of the Senate one year following the end of the State disaster emergency declaration.

Status: Signed by the Governor, Chapter 109 of the Laws of 2020

Relates to library construction

[S.8410 \(Mayer\) / A.10465 \(Ryan\)](#)

This bill provides public libraries with an additional 12 months to complete capital projects where such projects commenced between July 1, 2017 and July 1, 2019 and libraries were unable to complete projects within the three-year statutory time limit due to COVID-19.

Status: Signed by the Governor, Chapter 120 of the Laws of 2020

Public Service Commission study on broadband and fiber optic access across the state

[S.8805 \(Metzger\) / A.6679-C \(Ryan\)](#)

This legislation requires the PSC to study the availability, affordability, and reliability of high-speed internet and broadband access in NYS and produce a detailed access map on its website indicating internet service by location.

This PSC will be required to submit this report to the Governor and state legislature within a year and annually, thereafter. The PSC will also be required to hold at least four regional public hearings across the state.

Status: Passed Both Houses, Delivered to Governor on 12-31-20 has until 2/4/21 to act or the law becomes a pocket veto.

Directs Empire State Development to publish and maintain a list of available programs to assist small businesses

[S.7350 \(Kaplan\)/A.10119 \(Stirpe\)](#)

This bill requires ESD to coordinate with other state agencies and authorities to collect information on programs offered by each agency and authority that assist small business. This information is to be organized and shared on the ESD website.

Status: Signed by the Governor, Chapter 339 of the Laws of 2020

Relates to establishing a historic business preservation registry

[S.7274B \(Serrano\)/A.8873A \(O'Donnell\)](#)

The bill establishes a historic business preservation registry within the Office of Parks, Recreation and Historic Preservation that would include historic businesses that have operated for at least fifty years and that have contributed to their communities' history.

Status: Signed by the Governor, Chapter 241 of the Laws of 2020

Requires the Commissioner of Economic Development to publicize certain information related to programs for small business enterprises and minority and women-owned business enterprises

[S.4429 \(Parker\)/A.4921 \(Blake\)](#)

This bill would require the Economic Development department to post the information so individuals can: (a) Search for featured minority and women-owned business enterprises and small businesses assistance programs; (b) Complete applications for assistance in obtaining bonding, as well as applications to any other programs providing financial assistance that the department deems feasible; and (c) Obtain access to Census data from the most recent United States census.

Status: Signed by the Governor, Chapter 338 of the Laws of 2020

Elections

Permits electronic application for absentee ballots and removes requirement that such application be signed by the voter

[S.8130-D \(Myrie\) / A.10516-A \(Simotas\)](#)

This legislation amends Election Law 8-400(2)(c) to allow qualified voters to request an absentee ballot by electronic mail, an electronic transmittal system or a web portal established by the state board of elections or city or county board of elections and eliminates the requirement that ballots be signed by the voter no matter what method is used for the request.

Status: Signed by the Governor, Chapter 91 of the Laws of 2020

Establishes an electronic personal voter registration process

[S.8806 \(Gianaris\)/A.8280C \(Walker\)](#)

The "New York Automatic Voter Registration Act of 2020" implements a system of automatic voter registration within certain designated state agency applications, effective January 1, 2023.

Status: Signed by the Governor, Chapter 350 of the Laws of 2020

Ballots dated postmark

[S.8799A \(Gianaris\)/A.10808A \(Bichotte\)](#)

This bill allows the Board of Elections to cause all absentee ballots that do not bear or display a dated postmark to be presumed to have been timely mailed or delivered if such ballot bears a time stamp of the receiving board of elections indicating receipt by such board on the day after the election.

Status: Signed by the Governor, Chapter 140 of the Laws of 2020

Allows certain party designations and nominations to be made via video teleconference upon notice to the members of the respective committee

[S.8796A \(Stavisky\)/A.10733A \(Bichotte\)](#)

This bill allows all party designations and nominations, except for a primary election, to be made through virtual meetings via video teleconference.

Status: Signed by the Governor, Chapter 142 of the Laws of 2020

Relates to requiring municipalities with the highest population in each county to have at least one polling place designated for early voting

[S.8782 \(Breslin\)/A.9610B \(McDonald\)](#)

This bill amends previously enacted early voting provisions to provide that, in each county, the largest municipality by population must contain at least one early voting polling location.

Status: Signed by the Governor, Chapter 344 of the Laws of 2020

Relates to providing voters an opportunity to contest challenges to absentee ballots

[S.8370B \(Myrie\)/A.10830 \(Lavine\)](#)

This bill requires absentee voters to be notified of certain deficiencies with their ballot and be given the ability to cure such deficiencies by submitting an affirmation.

Status: Signed by the Governor, Chapter 141 of the Laws of 2020

Relates to absentee voting

[S.8015D \(Biaggi\)/A.10833 \(Dinowitz\)](#)

This bill allows voters who are concerned about voting in-person due to an epidemic or disease outbreak to request an absentee ballot.

Status: Signed by the Governor, Chapter 139 of the Laws of 2020

Relates to changes to the entrance and exit of polling places

[S.5188 \(Mayer\)/A.8257 \(Jacobson\)](#)

This bill provides that, while polling locations are open, the entrance to and exit from the locations are not to be altered except to increase access or to maintain public safety. Any alteration must be clearly marked with signage next to the former entrance or exit.

Status: Signed by the Governor, Chapter 232 of the Laws of 2020

Relates to requests for absentee ballots

[S.8783A \(Myrie\)/A.10807 \(Taylor\)](#)

This bill temporarily allows absentee ballot applications to be submitted to boards of elections earlier than thirty days before the applicable Election Day.

Status: Signed by the Governor, Chapter 138 of the Laws of 2020

Environment & Energy

Prohibits certain uses of trichloroethylene

[S.6829B \(Kaminsky\)/A.8829A \(Englebright\)](#)

This bill prohibits the most harmful uses of trichloroethylene, a toxic chemical and known human carcinogen that is used as an industrial cleaning and degreasing agent in manufacturing. TCE is one of the most frequently detected groundwater contaminants.

Status: Signed by the Governor, Chapter 370 of the Laws of 2020

Relates to municipal sustainable energy loan programs

[S.6523A \(Parker\)/A.7805C \(Cusick\)](#)

This bill allows sustainable energy loan programs as authorized by the general municipal law to be used for new construction.

Status: Signed, Chapter 286 of the Laws of 2020

Relates to the disposal of construction and demolition waste and creates the crime of scheme to defraud by disposal of solid waste

[S.6758B \(Kaminsky\)/A.10803A \(Englebright\)](#)

This bill imposes stiffer penalties for the illegal disposal of waste. Large-scale illegal dumping has become a significant problem, especially on Long Island, with communities forced to pay for the costs rather than the responsible party.

Status: Signed by the Governor, Chapter 332 of the Laws of 2020

General Government Operations

Relates to single-use bathrooms

[S.6479-A \(Salazar\) / A.5240-A \(O'Donnell\)](#)

This legislation requires all single-use public restrooms to be designated gender neutral. Meaning, if a county government building which is open to the public has a single-use bathroom, that facility would need to be converted to a gender-neutral facility allowing anyone to access that facility.

Status: Signed by the Governor, Chapter 353 of the Laws of 2020

Housing

Authorizes local code enforcement officers to issue blanket orders extending the expiration date for all active building permits for a period of up to 120 days

[S.8236-A \(Gaughran\) / A.10409-A \(McDonald\)](#)

This legislation allows local governments to pass a resolution to extend the expiration of a building permit or local zoning boards of appeals' and local planning boards' active approvals issued before March 7, 2020.

Status: Signed by the Governor, Chapter 111 of the Laws of 2020

Emergency Rent Relief Act of 2020

[S.8419 \(Kavanagh\) / A.10522 \(Cymbrowitz\)](#)

The Emergency Rent Relief Act of 2020 would provide rental assistance vouchers to landlords on behalf of tenants who experienced an increase in rent burden because of a loss of income as a result of the COVID-19 pandemic through Homes and Community Renewal. The spending cap is up to \$100,000,000 for this program. The coverage period would be April 1 through July 31. A tenant has a rent burden if their rent is more than 30% of the household income. Households would be eligible if they make up to 80% Area Median Income (AMI) prior to March 7 and at the time of application; have a rent burden both prior to March 7 and at the time of application, and they have lost income during the covered period. The subsidy would be a voucher paid to the landlords for the gap between their pre-COVID rent burden and their new rent burden, up to 125% Fair Market Rent (FMR).

Status: Signed by the Governor, Chapter 125 of the Laws of 2020

COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020

[S.9114 \(Kavanagh\) / A.11181 \(Dinowitz\)](#)

This legislation allows residential tenants unable to pay their rent or secure alternative housing and suffering a financial hardship, or suffering a health related hardship, to file, at any time, a hardship declaration, under penalty of law, with the landlord, court or enforcement officer that will prevent the filing, proceedings on and execution of any warrant of eviction until May 1, 2021.

Furthermore, this law prevents local governments from engaging in any tax lien sale or tax foreclosure until May 1, 2021, for such property of a residential property owner who owns ten or fewer units, including their primary residence, who is experiencing a financial hardship and files such a hardship declaration.

Lastly, this bill requires local governments to carry-over SCHE and DHE exemptions from the 2020 assessment roll to the 2021 assessment roll at the same levels. The bill also requires localities to provide renewal applications, via electronic or postal mail, for those individuals

who may be eligible for a larger exemption in 2021. Lastly, the legislation allows localities to specify procedures by which local assessors may require renewal applications by recipients believed to no longer qualify for the exemption in 2021.

Status: Signed by the Governor, Chapter 381 of the Laws of 2020

Judiciary

Relates to the recipients of reports that were issued regarding the death of an inmate

[S.7182 \(Sepulveda\) / A.9062 \(Weprin\)](#)

This bill ensures that the reports that State Commission of Correction (SCOC) currently receives from the Medical Review Board are not impacted by the provisions of the underlying chapter.

Status: Signed by the Governor, Chapter 80 of the Laws of 2020

Authorizes former foster care youth to re-enter foster care during the COVID-19 state of emergency

[S.8834 \(Montgomery\)/A.10581B \(Wright\)](#)

This bill allows a former foster care youth who has been discharged from the foster care system the ability to re-enter without submitting a motion to the family court during a certain state of emergency.

Status: Signed by the Governor, Chapter 346 of the Laws of 2020

Relates to requiring the video recording of interrogations of juveniles in juvenile delinquency proceedings in family court

[S.6533 \(Montgomery\)/A.7970 \(Frontus\)](#)

This bill amends sections 305.2 and 344.2 of the Family Court Act to require video recording of the entirety of interrogations in all juvenile cases, including the provision of Miranda warnings and the waiver, if any, of rights by the juveniles.

Status: Signed by the Governor, Chapter 299 of the Laws of 2020

Local Government Finance

Relates to bond anticipation notes for 2015 through 2021

[S.8417 \(Kreuger\) / A.10492 \(Thiele\)](#)

This bill amends Local Finance Law ("LFL") §23.00(b) to allow bond anticipation notes issued originally during calendar years 2015 through 2021, inclusive, to extend up to seven years beyond their original date of issue. This legislation also authorizes local governments and school districts to spend moneys from capital reserve funds for capital costs attributable to the COVID-19 pandemic, without the referendum requirements that would otherwise apply.

Lastly, this legislation would authorize local governments and school districts to temporarily transfer moneys from any reserve fund to pay for operating costs or other costs attributable to the COVID-19 pandemic. The moneys that are transferred must be reimbursed from the fund into which they were transferred back into the reserve fund over a period of not more than five years, with at least 20% of the moneys reimbursed each year, with interest.

Status: Signed by the Governor, Chapter 157 of the Laws of 2020

Additional two-percent occupancy tax for Onondaga County

[S.7789 \(May\)](#) / [A.9738 \(Hunter\)](#)

This legislation, requested by the Onondaga County legislature, would raise the county occupancy tax (hotel/motel tax) by two percent from 5% to 7%.

Status: Signed by the Governor, Chapter 360 of the Laws of 2020

Additional two-percent occupancy tax for Otsego County

[S.7730 \(Seward\)](#) / [A.10016 \(Salka\)](#)

This legislation, requested by Otsego County, would raise the county occupancy tax (hotel/motel tax) by two percent from 4% to 6%.

Status: Signed by the Governor, Chapter 362 of the Laws of 2020

Public Employee Relations & Labor

Relates to establishing a coronavirus disease 2019 (COVID-19) public employee death benefit

[S.8427 \(Gounardes\)](#) / [A.10528 \(Abbate\)](#)

The bill provides protections for the statutory beneficiaries of public employees who died of COVID-19 after working in person on or after March 1, 2020.

The legislation specifies that the statutory beneficiary of any public employee enrolled in the New York State Employees' Retirement System (NYSERS) will receive an accidental death benefit with the following limited proof:

1. The employee worked on or after March 1, 2020.
2. The employee worked in person, whether at the normal place of work or at another assigned place of work.
3. The employee contracted COVID-19.
4. The employee died on or before December 31, 2020.
5. COVID-19 caused or contributed to the member's death.

Status: Signed by the Governor, Chapter 89 of the Laws of 2020

Relates to ensuring paid employees of a county airport or county aviation department which perform fire response or fire rescue duties are eligible for equal benefits as other paid firefighters

[S.6144-A \(Robach\)](#) / [A.7646-A \(Bronson\)](#)

This legislation amends the general municipal law to ensure that employees of a county airport or county aviation department which performs fire response or fire rescue duties are eligible for equal benefits as other paid firefighters.

Status: Signed by the Governor, Chapter 325 of the Laws of 2020

Requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease

[S.8617B \(Gounardes\)](#)/[A.10832 \(Abbate\)](#)

This bill endeavors to ensure that public employers are better prepared for the next global health pandemic by requiring the drafting and publication of a plan that will safeguard employee's health and welfare. This would apply to the State of New York, counties, cities, towns, villages, and other public employers.

Status: Signed by the Governor, Chapter 168 of the Laws of 2020

Public & Mental Health

Relates to allowing donate life registration when applying for or renewing a hunting, fishing, or trapping license

[A.7915-A \(Magnarelli\)](#) / [S.4471 -A \(Antonacci\)](#)

This bill aims to increase enrollment in New York Donate Life Registry.

Status: Signed by the Governor, Chapter 149 of the Laws of 2020

Requires that COVID-19 contact tracers be representative of the cultural and linguistic diversity of the communities in which they serve to the greatest extent possible

[S.8362-A \(Serrano\)](#) / [A.10447-A \(Joyner\)](#)

Requires New York City Department of Health and Mental Hygiene as well as New York City Health and Hospitals to hire contact tracers who are representative of the cultural and linguistic diversity of the communities in which they will serve to the greatest extent possible.

Status: Signed by the Governor, Chapter 115 of the Laws of 2020

Relates to establishing the frontline workers trauma informed care advisory council

[S.8608A \(Carlucci\)](#)/[A.10629A \(Gunther\)](#)

This bill establishes an advisory council within the Office of Mental Health that would ensure the trauma related behavioral health needs of essential workers during the COVID-19 pandemic are met.

Status: Signed by the Governor, Chapter 295 of the Laws of 2020

Requires that COVID-19 contact tracers be representative of the cultural and linguistic diversity of the communities in which they serve to the greatest extent possible

[S.8829 \(Martinez\)](#)/[A.10567A \(Jean-Pierre\)](#)

This bill requires the NYS Department of Health, county departments of health, and other entities that hires persons to perform contact tracing pertaining to COVID-19 infections to hire contact tracers who are representative of the cultural and linguistic diversity of the communities in which they serve to the greatest extent possible. New York City is exempt from this legislation.

Status: Signed by the Governor, Chapter 294 of the Laws of 2020

Relates to the confidentiality of contact tracing information

[S.8450C \(Rivera\)](#)/[A.10500C \(Gottfried\)](#)

This bill intends to ensure that information collected through contact tracing for COVID-19 is kept confidential by any contact tracer and contact tracing entity and may not be disclosed except as necessary to carry out contact tracing or a permitted purpose.

Status: Signed by the Governor, Chapter 377 of the Laws of 2020

Public Safety

Directs the office of fire prevention and control to form a task force and issue a report relating to volunteer firefighter recruitment and retention

[S.7589-B \(Gaughran\)](#) / [A.9779-A \(Thiele\)](#)

This legislation was a priority bill for the association. This legislation mandates the state office of fire prevention and control within DHSES to form a task force and issue a report relating the volunteer firefighter recruitment and retention. The task force must review current training methods for volunteer firefighters and delivery methods of those trainings; creation of a dedicated bureau within the office of fire prevention and control responsible for the recruitment and retention of volunteer firefighters; analysis of current tax incentives and volunteer firefighter benefit programs and recommendations as to these or new programs; analysis of recruitment and retention programs being successfully utilized in other states and recommendations as to the adoption of similar programs in New York State; and identification of incentive programs that will assist in the recruitment of volunteer firefighters from under-served and/or at-risk populations.

Status: Signed by the Governor, Chapter 258 of the Laws of 2020

Relates to the detention of individuals who are eighteen years of age or older in a county jail pending a first court appearance in an off-hour arraignment

[S.7163 \(May\)](#) / [A.9061 \(Weprin\)](#)

This legislation would authorize county jails to be designated as pre-arraignment detention centers for individuals eighteen and older under arrest pending their first court appearance in an off-hour arraignment.

Status: Signed by the Governor, Chapter 36 of the Laws of 2020

Relates to providing that no person sixteen years of age or older shall be a passenger in the back seat of a motor vehicle, unless such person is restrained by a safety belt.

[A.6163 \(Mosley\)](#) / [S.4336 \(Carlucci\)](#)

This legislation modifies the Vehicle and Traffic Law by requiring all occupants to wear a seat belt regardless of seating position.

Status: Signed by the Governor, Chapter 136 of the Laws of 2020

Relates to the determination of points for service award programs for volunteer firefighters and volunteer ambulance workers during a state disaster emergency

[S.8251-B \(Kaminsky\)](#) / [A.10438-A \(Thiele\)](#)

This legislation amends General Municipal Law § 217 relation to Length of Service Award Programs ("LOSAP's") in order to address the impact of the COVID 19 crisis on the ability of volunteer firefighter participants to achieve performance points under the program point system in light of changes to emergency response protocols and the cancellation of activities for which points can be earned.

Makes subsequent amendments to GML 219-e and 219-m, to allow volunteer ambulance workers to achieve performance points under the program.

Status: Signed by the Governor, Chapter 113 of the Laws of 2020

The Eric Garner Anti-Chokehold Act

[S.6670-B \(Benjamin\)](#) / [A.6144-B \(Mosley\)](#)

This bill is named after Eric Garner who died in 2014 after NYPD officer Daniel Pantaleo placed him in a chokehold. Garner also said the same phrase as George Floyd in Minneapolis, “I can’t breathe.” The officer, Pantaleo, did not face criminal charges and was fired five years later. This new legislation would allow police officers to be charged with a Class C felony if they use the chokehold and cause serious injury or death.

Status: Signed by the Governor, Chapter 94 of the Laws of 2020

The Right to Monitor Act

[S.3253-A \(Parker\)](#) / [A.1360-A \(Perry\)](#)

This bill would allow for officers arresting a person to be filmed by anyone in the vicinity not being arrested. It would also let this person keep their recording provided they are not physically getting in the way.

Status: Signed by the Governor, Chapter 100 of the Laws of 2020

Civil Penalty for Biased Misuse of Emergency Services

[S.8492 \(Parker\)](#) / [A.1531-B \(Richardson\)](#)

This bill would allow for a person to be sued if they falsely claim a person of a protected class is threatening them. A different version of this bill was proposed after the viral video of a white woman in Central Park called 9-1-1 on a black man claiming he was threatening her after he asked her to put her dog on a leash.

Status: Signed by the Governor, Chapter 93 of the Laws of 2020

Reporting Incidents of Discharged Weapons

[S.2575-B \(Bailey\)](#) / [A.10608 \(Perry\)](#)

This bill will require law enforcement officers, on or off duty, to report any incident where they discharged a weapon near where people could be hit. This does not include when they are at a shooting range. The officer will be required to immediately (within 6 hours) report the incident to their superior.

Status: Signed by the Governor, Chapter 101 of the Laws of 2020

The STAT ACT

[S.1830-C \(Hoylman\)](#) / [A.10609 \(Lentol\)](#)

This requires courts, statewide, to collect demographic data on a range of metrics including ethnicity, race, age and more. Courts will be required to compile and publish this data of all low-level offenses, including misdemeanors and violations. It also requires police departments to submit annual reports on arrest-related deaths to the Department of Criminal Justice Services and to the Legislature and Governor.

Status: Signed by the Governor, Chapter 102 of the Laws of 2020

Repealing Section 50-a of the Civil Rights Law

[S.8496 \(Bailey\)](#) / [A.10611 \(O’Donnell\)](#)

This bill would repeal Section 50-a and replace it with a statute that will allow for the release of police officers, firefighters, and correctional officers’ personnel records, including disciplinary records. These records would be subject to FOIL, but all sensitive information would be redacted after personal information such as cell phone numbers, addresses and health

information. The 50-a statutory framework has been in effect for more than 40 years. It was created to keep law enforcement's personal information private during investigation. A judge can release these records if they are found to be relevant to a case or with the written consent of officers. However, for years this law has been used to prevent police departments from disclosing an officer's disciplinary records.

Status: Signed by the Governor, Chapter 96 of the Laws of 2020

Duty to Provide Medical Attention

[S.6601-B \(Bailey\)](#) / [A.8226-B \(Fernandez\)](#)

This bill would amend the Civil Rights Law to require law enforcement officers to provide medical and mental health attention to a person under arrest or in custody.

Status: Signed by the Governor, Chapter 103 of the Laws of 2020

Setting Up AG's Office as a Special Prosecutor

[S.2574-C \(Bailey\)](#) / [A.1601-C \(Perry\)](#)

This bill would create an Office of Special Investigation under the Attorney General which will investigate officer related deaths.

Status: Signed by the Governor, Chapter 95 of the Laws of 2020

Creation of An Oversight Office

[S.3595-B \(Parker\)](#) / [A.10002-B \(Taylor\)](#)

This bill would establish the Law Enforcement Misconduct Investigative Office and would review, study, audit and make recommendations regarding policies and practices of local police departments.

Status: Signed by the Governor, Chapter 104 of the Laws of 2020

Relates to review of policies and practices relating to infectious disease outbreaks in correctional facilities

[S.8315A \(Rivera\)](#)/[A.10463A \(Gottfried\)](#)

This bill expands the NYS Department of Health's review of health policies and practices in Department of Corrections and Community Supervision (DOCCS) and local correctional facilities in relation to emerging infectious diseases.

Status: Signed by the Governor, Chapter 365 of the Laws of 2020

Real Property

Real property tax deferral – local option

[S.8138-B \(Martinez\)](#) / [A.10252-A \(Stern\)](#)

This legislation will allow a local taxing jurisdiction to defer property taxes due to the COVID-19 pandemic or separate property taxes into as many installment payments as necessary without liability to the county.

Status: Passed Both Houses, Delivered to Governor on 12-31-20 has until 2/4/21 to act or the law becomes a pocket veto.

Establishes a real property tax exemption task force

[S.3679A \(Harckham\)](#)/[A.3330A \(Abinanti\)](#)

This bill establishes a real property tax exemption task force to examine the real property tax exemption laws and to recommend changes, if any, to those laws.

Status: Signed by the Governor, Chapter 317 of the Laws of 2020

Relates to land used in agricultural production

[S.8464A \(Metzger\)/A.10464A \(Rules\)](#)

The purpose of this bill is to authorize the continuation of an agricultural assessment for property owners who are currently qualified for such assessment but may no longer be qualified for such assessment in 2021 because of the loss of sales due to the effects of the COVID-19 pandemic and related emergency declarations.

Status: Signed by the Governor, Chapter 220 of the Laws of 2020

Transportation & Public Works

Relates to payment in construction contracts

[S.7664 \(Breslin\)/A.9117 \(Cusick\)](#)

This bill amends the state finance law and the general municipal law to clarify the meaning of substantial completion and to ensure a timely correspondence and finish of construction projects.

Status: Signed by the Governor, Chapter 341 of the Laws of 2020

Veterans

Establishes the Outdoor Rx Act

[A.8094-A \(Barrett\) / S.6706 \(Benjamin\)](#)

This bill requires the division of veterans' services to review issues relating to veterans' accessibility to parks, land, and facilities.

Status: Signed by the Governor, Chapter 282 of the Laws of 2020

Relates to the preparation and submission of a report regarding homeless persons who are veterans in the state of New York

[S.6938 \(Parker\) / A. 8969 \(Rozic\)](#)

This bill reduces the number of reports on the study of homeless persons who are veterans by limiting the report to five, one every three years.

Status: Signed by the Governor, Chapter 42 of the Laws of 2020

Requires local veterans' service agencies to provide information to the division of veterans' services on an annual basis

[S.6945 \(Kaplan\) / A.8968 \(Stern\)](#)

Mandates that local veterans' service agencies to proactively provide information to the division of veterans' services.

Status: Signed by the Governor, Chapter 48 of the Laws of 2020

Relates to costs associated with the establishment of New York state veterans cemeteries

[S.8791 \(Brooks\)/A.10782 \(Barrett\)](#)

New York State is one of only a few states which has yet to establish a state-run veterans'

cemetery. The Department of Veterans Services has attempted to establish such a statewide cemetery to honor our veterans but has found the current legal process arduous and detrimental to their efforts. This bill reforms the process to expedite and encourage the establishment of a state-run veterans cemetery.

Status: Signed by the Governor, Chapter 345 of the Laws of 2020



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