



## Bills Passed by Both Houses of the NYS Legislature



### Construction

**A3714 AM Rosenthal L/S5097-A Senator Sanders** -- Requires the disclosure of indoor mold history upon the sale of certain real property.

**A4947B AM Bichotte Hermelyn/S621-B Senator Sanders** -- Enacts Carlos' law; relates to crimes involving the death or injury of a worker; establishes higher fines for corporations who commit such crimes.

**S532A Senator Persaud/A276-A AM Zebrowski** -- Relates to minimum standards for code enforcement personnel; requires the secretary of state to promulgate rules and regulations in relation to minimum standards for code enforcement personnel including requirements for training.

**S4738A Senator Ramos/A2039-B AM Dilan** -- Relates to modular construction work; provides that modular construction shall comply with any existing municipal licensing requirements for all electrical, plumbing, and fire suppression work.

**S5994C Senator Ryan/A1338-C AM Magnarelli** -- Establishes a registration system for contractors and subcontractors engaged in public work and covered projects in order to better enforce existing labor laws and regulations in the public works industry.

**S9405 Senator Parker/A10439 Rules (AM Fahy)** -- Establishes the "advanced building codes, appliance and equipment efficiency standards act".

### Education

**A472C AM Rozic/S121-B Senator Kaplan** -- Authorizes the Commissioner of Education to conduct a survey regarding instruction on the Holocaust within the State.

**A5735C AM Joyner/S922-C Senator May** -- Enacts the "schools impacted by gross highways (SIGH) act"; prohibits the Commissioner of Education from approving the plans for the erection of any new schoolhouse within five hundred feet of a controlled-access highway unless the Commissioner of Education determines that space limitations are so severe that there is no other site to erect such new schoolhouse.

**A10191 Rules (AM Benedetto)/S9132 Senator Mannion** -- Clarifies that the tuition methodology for 853 schools, special act public school districts, and 4410 programs will authorize them to retain funds prior to the implementation of the reconciliation process of the methodology, including cost screens

***S973 Senator Gaughran/A8425 AM Burke*** -- Relates to requiring nonpublic schools to follow the same rules and regulations as public schools regarding a pupil who suffers a concussion, regarding training to recognize the symptoms of a concussion, information to be provided to the parent or guardian of such pupil and the amount of time such pupil shall wait before resuming an athletic activity.

***S5891F Senator Parker/A5115-E AM Solages*** -- Relates to enacting the "New York collegiate athletic participation compensation act"; allows student-athletes to receive compensation including for the use of a student's name, image, or likeness; allows student-athletes to seek professional representation.

### **Equity & Inclusion**

***A1880A AM Dinowitz/S2534-A Senator Rivera*** -- Requires home health aides and nurse's aides to receive training in working with patients of diverse sexual orientations and gender identities or expressions as part of the education and training for certification.

***A5773 AM Glick/S2239 Senator Hoylman*** -- Relates to equal pay disclosure with respect to state contracts; Businesses and organizations bidding on state contracts will be required, as a condition to winning a bid, to submit data on employee compensation to the New York State Comptroller. The data will include compensation broken down by gender, race, ethnicity, and any other information deemed necessary by the Comptroller.

***A6328A AM Cruz/S6586-A Senator Liu*** -- Prohibits discrimination based on citizenship or immigration status.

***A10147 Rules (AM Davila)/S9333 Senator Ramos*** -- Replaces the terms "alien" and "illegal alien" with the terms "noncitizen" and "undocumented noncitizen".

***S6300C Senator Mannion/A7356-C AM Woerner*** -- Establishes a public awareness campaign to combat the discrimination, stigma, and stereotyping of individuals with developmental disabilities and which highlights the accomplishments and contributions of individuals with developmental disabilities to the State and their respective communities.

### **Estates Powers & Trust Law/9-11 Funds**

***A7425 AM Abbate/S6810 Senator Gounardes*** -- Provides that in the case of recovery of an award from the September 11th victim compensation fund consisting solely of non-economic losses, a personal representative may file a consent to the adequacy of the award by all interested parties in lieu of a compromise proceeding.

***A7426 AM Abbate/S6812 Senator Gounardes*** -- Allows a duly appointed personal representative of the estate of a victim of the September eleventh, two thousand one terrorist attacks to file a claim with the September eleventh victim compensation fund without being in violation of any restriction on the powers granted to the personal representative relating to the filing of a claim.

***S74A Senator Hoylman/A6770 AM Weinstein*** -- Expands the types of damages that may be awarded to the persons for whose benefit an action for wrongful death is brought. Specifically, this bill would permit the families of wrongful death victims to recover compensation for their emotional anguish, as well as for pecuniary damages.

## **General Business**

***A9259A AM Peoples-Stokes/S3390-A Senator Bailey*** -- Requires post completion certifications to be completed, under penalty of perjury, that the MWBE performed the work, performed the services, or delivered the materials; and requires inspections of MWBEs to weed out fraud and abuse.

***A7389C AM Kelles/S6486-D Senator Parker*** -- Establishes a moratorium on cryptocurrency mining operations that use proof-of-work authentication methods to validate blockchain transactions.

***S1130 Senator Gianaris/A4283 AM Rosenthal L*** -- Prohibits the sale of dogs, cats and rabbits by retail pet shops; authorizes collaboration with entities to provide space to showcase cats or dogs owned by certain entities for the purpose of adoption.

***S4104A Senator Breslin/A7006-B AM Fahy*** -- Relates to the sale of digital electronic equipment; requires original equipment manufacturers to provide diagnostic and repair information.

***S4839B Senator Biaggi/A5653-B AM Rosenthal L*** -- Prohibits the manufacture or sale of cosmetics tested on animals.

***S9383 Senator Kavanagh/A10518 Rules (AM Niou)*** -- Allowing the State Liquor Authority to issue a license to a restaurant located at 123 Greenwich Street with the entrance located on Trinity Place.

## **Health Care**

***A286A AM Gunther/S1997-A Senator Jackson*** -- Assesses an employer a civil penalty where an employer requires a nurse to work more than such nurse's regularly scheduled work hours.

***A299B AM Gottfried/S1578-B Senator Rivera*** -- Includes applied behavioral analysis provided by a licensed behavior analyst or certified behavior analyst assistant under standard coverage for Medicaid recipients.

***A3276 AM Gunther/S5909 Senator Kaminsky*** -- Prohibits the application of fail-first or step therapy protocols to coverage for the diagnosis and treatment of mental health conditions.

***A1171A AM Bronson/S6574-A Senator Kennedy*** -- Requires blanket health insurance policies to provide coverage for outpatient treatment by mental health practitioners (mental health counsellors, marriage and family therapists, creative arts therapists and psychoanalysts) licensed pursuant to article 163 of the education law.

***S4885A Senator Savino/A181-A AM Gunther*** -- Includes home care services in certain requirements regarding restrictions on consecutive hours of work for nurses, and regarding nurses' refusal of overtime work.

***S7020B Senator Rivera/A10162-A Rules (AM Glick)*** -- Relates to certain acceptable types of education for clinical laboratory technologists, cytotechnologists, clinical laboratory technicians, histotechnologists and histotechnicians; outlines requirements for certification as a histotechnician.

***S9449 Senator Brouk/A6008-E AM Bronson*** -- Requires clinical experience for certain mental health practitioners and other mental health professionals; allows such practitioners to make assessment-based treatment plans.

### **Housing**

***A7805D AM Cymbrowitz/S9409-A Senator Salazar*** -- Establishes the New York City Public Housing Preservation Trust for properties owned or operated by the New York City Housing Authority.

***S9297 Senator Kavanagh/A10228 Rules (AM Anderson)*** -- Increases the bonding authority of the New York City Housing Development Corporation.

***S9462 Senator Kavanagh/A10494-A Rules (AM Cymbrowitz)*** -- Establishes the special joint legislative commission on affordable housing to make recommendations to the legislature on how to preserve and maintain existing affordable housing, to support the development of new affordable housing in the state of New York, to strengthen and grow diverse and stable communities, and to maximize the impact of private, state, local and federal resources by ensuring long term affordability.

### **Insurance**

***A9284A AM Glick/S8315-A Senator Gianaris*** -- Prohibits insurers from excluding, limiting, restricting, or reducing coverage on a homeowners' insurance policy based solely on the insured harboring or owning a specific breed of dog.

***A8617 AM Meeks/S4329 Senator Breslin*** -- Authorizes life insurers to establish wellness programs in conjunction with the issuance of life insurance policies.

***S768 Senator Gounardes/A1118 AM Bronson*** -- Defines temporary total disability as the injured employee's inability to perform his or her pre-injury employment duties or any modified employment offered by the employer that is consistent with the employee's disability.

***S6373B Senator Savino/A2020-A AM Reyes*** -- Expands to all workers the ability to receive PTSD coverage under NYS Workers Compensation Coverage identified work-related stress.

**S8271A Senator Sanders/A7178-A AM Joyner** -- Relates to schedule in case of disability; provides the compensation shall not be less than one-fifth of the New York state average weekly wage unless the employee's weekly wage is equal to or less than one-fifth the weekly wage, then they shall receive the entire amount.

## **Labor**

**A2483B AM Niou/S3395-A Senator 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.

**A4080 AM Abbate/S8210 Senator Jackson** -- Relates to granting salary protection for provisional and temporary employees.

**A7124 AM Joyner/S6483 Senator Gounardes** -- Extends the cost-of-living increase of approximately 3% for all line-of-duty special accidental death benefit for widows or widowers.

**A8092B AM Reyes/S1958-A Senator Krueger** -- Clarifies that workers shall not be punished or subjected to discipline by employers for lawful absences.

**A9513 AM Fall/S8529 Senator Gounardes** -- Extends provisions relating to leave time for COVID-19 vaccination until December 31, 2023.

**S1608 Senator Gounardes/A4006 AM Abbate** -- Authorizes the promotion of personnel to the positions of General Superintendent 2 and General Superintendent 3 in the NYC Sanitation Department.

**S5356 Senator Breslin/A8159 AM Bronson** -- Relates to the cost effectiveness of consultant contracts by state agencies; defines "consultant services".

**S6093A Senator Gounardes/A7004-A AM Abbate** -- Relates to the effect and rebuttal of certain medical presumptions relating to heart disease; provides that, for certain members, any condition of impairment of health caused by a disease of the heart, resulting in disability, shall be presumptive evidence that such disability was incurred in the performance and discharge of duty and the natural and proximate result of an accident.

**S6525 Senator Skoufis/A8822 AM Jacobson** -- Includes Stewart International Airport in the definition of covered airport location for the purposes of minimum wage rates.

**S6981B Senator Gounardes/A7971-A AM Abbate** -- Corrects inequities in the 57/5 plan that requires members to make the physically taxing Additional Member Contributions (AMCs) even if those members due to their enrollment date would not be able to receive the benefits of those AMCs.

**S6985B Senator Gounardes/A7873-A AM Abbate** -- Provide automotive members of the New York City Employees' Retirement System who begin their careers later in life with the ability to receive a vested retirement benefit.

***S7009 Senator Savino/A6934-A AM Abbate*** -- Allows for the electronic submission of a notice that a member of a retirement system participated in World Trade Center rescue, recovery or cleanup operations for a qualifying period.

***S8369B Senator Gounardes/A9368-A AM Bronson*** -- Enacts the "freelance isn't free act".

***S8399 Senator Jackson/A6365-A AM Abbate*** -- Provides that uniformed court officers and peace officers employed in the unified court system shall be entitled to accidental disability retirement if they sustain injuries as the result of a physical assault by an assailant suffered while in service.

***S8922A Senator Ramos/A10020-A AM Joyner*** -- Establishes the warehouse worker protection act; requires employers to provide a written description of quotas to which employees are subject and states that employees shall not be required to meet quotas that prevent compliance with meal or rest periods, or use of bathroom facilities.

***S9119 Senator Gounardes/A10022 AM Abbate*** -- Relates to extending the coronavirus disease 2019 (COVID-19) benefit for public employee death benefits until December 31, 2024.

***S9427A Senator Ramos/A10477 Rules (AM Joyner)*** -- Requires employers to disclose compensation or range of compensation to applicants and employees upon issuing an employment opportunity for internal or public viewing or upon employee request.

***S9450 Senator Gianaris/A10492 Rules (AM Reyes)*** -- Relates to employer violations of certain provisions allowing for workplace safety committees; allows the Commissioner of Labor to assess certain civil penalties for such violations.

### **Transportation**

***S23B Senator Kaplan/A4386-B AM O'Donnell*** -- Requires the construction of certain parking facilities to be capable of supporting electric vehicle charging stations.

***A9227 AM Cusick/S8270 Senator Savino*** -- Increases the base pilotage tariffs at Sandy Hook, Sands Point and Execution Rocks by an approximate three percent in each of the next five years.

***A9619 AM Cruz/S8568 Senator Savino*** -- Extends the effectiveness of the New York black car operators' injury compensation fund, inc., for an additional three years.

***A9964 AM Joyner/S8831 Senator Ramos*** -- Establishes light duty during pregnancy and parental leave for certain commuter rail service employees.

***A10491 Rules (AM Cook)/S9468 Senator Comrie*** -- Relates to assaults upon certain employees of a transit agency or authority.

***S5602B Senator Gounardes/A10438 Rules (AM Glick)*** -- Relates to the hours of operation of a school zone speed camera demonstration program in school speed zones in New York city; extends certain provisions relating thereto.