



**“We believe in the ideas of family, mutuality,
the sharing of benefits and burdens
for the good of all, feeling one another’s pain,
sharing one another’s blessing
recognizing that at the heart of the matter
we are bound to each other.”**
-Mario M. Cuomo-

In the News – State

NY Regions Begin Phase II Reopening

Phase 2 Reopening of Businesses

<p>All office-based jobs:</p> <ul style="list-style-type: none"> • Professional Services • Administrative Support • Information Technology 	<p>Real estate services:</p> <ul style="list-style-type: none"> • Building and Property Management • Leasing, Rental, and Sales Services
<p>Retail:</p> <ul style="list-style-type: none"> • In-store Shopping • Rental, Repair, and Cleaning 	<ul style="list-style-type: none"> • Barbershops and Hair Salons (limited services) • Motor Vehicle Leasing, Rental, and Sales

The Central New York, Southern Tier, Finger Lakes, Mohawk Valley, and North Country regions can begin Phase 2 of the State’s reopening plan, according to Governor Andrew Cuomo.

Prior to allowing the move to the next phase, the regions’ infection rates, hospitalization rates, and death rates were reviewed by county, regional, and state officials, as well as global experts in virology.

Under Phase 2, all office-based jobs, real estate services, and retail may reopen. Retail occupancy is limited to 50 percent. Shopping malls will remain closed, except for those with external entrances. Curbside pickup is available for all retail.

Barbershops and hair salons are limited to hair services only. Massages, hair removal, facial, and nail services remain prohibited. Services are available by appointment only. Barbers and hair stylists must be tested for COVID-19 every two weeks.

The Capital District and Western New York regions hope to move to Phase 2 next week, followed by the Mid-Hudson Valley and Long Island regions.

The Governor today announced that New York City is on target to begin reopening Phase 1 the week of June 8th.



State Legislature Votes to Provide COVID-19 Relief



Senate Majority Leader Andrea Stewart-Cousins and Assembly Speaker Carl Heastie called the legislative houses back to session this week, passing a 30-bill legislative package to help support New Yorkers during the current COVID-19 pandemic.

"The coronavirus pandemic has disrupted nearly every aspect of our daily lives. This is a time for decisive government action to help the millions of struggling New Yorkers trying to endure this crisis," Senate Majority Leader Stewart-Cousins said. "The bills advanced through the Senate and Assembly will help families trying to make ends meet, stay in their homes, and have some stability during this extraordinary time. "

Members held both virtual and onsite committee meetings. The legislative sessions were conducted via previously approved rules which allowed for both onsite and remote debate and voting.

"Over the last several weeks, my colleagues and I in the Assembly Majority have been responding to the urgent needs of our communities and learning firsthand about the many challenges New Yorkers are facing as a result of the COVID-19 pandemic," said Speaker Heastie. "This week, we worked with our partners in the State Senate to protect the rights and health of New Yorkers, help struggling homeowners and renters, and support our small businesses and work force.

The bills, described below, now go to Governor Andrew Cuomo for consideration.

Business

S8181A Sponsored by Senator May/M of A Stirpe-- Establishes the State disaster emergency loan program to allow Industrial Development Agencies (IDAs) to make loans to small businesses and not-for-profit organizations up to \$25,000 with certain considerations and provides for grants and in-kind donations from IDAs to small businesses or not-for-profits for the purposes of purchasing personal protective equipment (PPE) and other fixtures needed to help prevent the spread of COVID-19.

S8189 Sponsored by Senator Hoylman/M of A Rozic -- Amends New York's price gouging statute by expanding it to cover essential medical supplies and services and other goods or services used to promote the health or welfare of the public.

S8236A Sponsored by Senator Gaughran/M of A McDonald -- Authorizes local governments to extend building permits and local zoning boards of appeals and local planning boards active approvals for a period of up to 120 days.

S8408 Sponsored by Senator Comrie/M of A Paulin -- Allows cemetery operations to utilize internet web portals provided by third party vendors for the sale of cemetery lots and related services.

S8412 Sponsored by Senator Benjamin/Rules (M of A Paulin) -- Allows not-for-profit corporations, religious institutions, and cooperatives to hold meetings of shareholders, members, trustees, etc., through remote communications subject to approval of board of that organization.

Education

S7996B Sponsored by Senator Carlucci/M of A Ortiz -- Provides that school districts are entitled to an apportionment of state aid for the closure of schools in response to the novel coronavirus, COVID-19 for the 2019-20 school year.

S8410 Sponsored by Senator Mayer/Rules (M of A Ryan) -- Provides public libraries with an additional 12 months to complete capital projects commenced between July 1, 2017 and July 1, 2019 and libraries were unable to complete projects within the three-year time limit due to COVID-19.

Elections

S8130D Sponsored by Senator Myrie/M of A Simotis -- Relates to permitting electronic applications for absentee ballots.

Financial

S8400 Sponsored by Senator Benjamin/M of A Braunstein -- Allows the New York City to establish a rainy day fund.

S8411 Sponsored by Senator Jackson/Rules (M of A Weinstein) -- Decouples the City's General Corporation Tax, Unincorporated Business Tax BT and Bank Tax from the amendments made by the CARES Act in relation to the net operating loss (NOL) deduction.

A10492 Sponsored by Rules (M of A Thiele)/Senator Krueger -- Relates to bond anticipation notes issued in calendar years 2015 through 2021. (Note: Chapter Amendment Passed – S8428).

Health

S8182A Sponsored by Senator Hoylman/ Rules (M of A Paulin) -- Authorizes licensed pharmacists to administer an approved vaccine for COVID-19.

S8245A Sponsored by Senator Parker/Rules (M of A Aubry) -- Requires the department of health to conduct a study on the health impacts of COVID-19 on minorities in New York state.

S8251B Sponsored by Senator Kaminsky/Rules (M of A Thiele) -- Ensures volunteer firefighters and volunteer ambulance workers receive credits toward their length of service award programs during the COVID-19 pandemic.

S8289B Sponsored by Senator Salazar/M of A Lentol -- Requires residential health care facilities to prepare an annual pandemic emergency plan.

S8362A Sponsored by Senator Serrano/Rules (M of A Joyner) -- Requires that COVID-19 contact tracers are representative of the cultural and linguistic diversity of the communities in which they serve to the greatest extent possible.

S8363 Sponsored by Senator Harckham/Rules (M of A Rosenthal) -- Includes the Commissioner of Addiction Services and Supports as a member of the disaster preparedness commission.

S8397A Sponsored by Senator Savino/M of A Reyes -- Prohibits health care employers from penalizing employees because of complaints of employer violations.

S8416 Sponsored by Senator Metzger/M of A Rosenthal -- Expands telehealth services to allow for audio-only or video-only communication, and to allow for such services to be eligible for reimbursement.

Judicial

S8414 Sponsored by Senator Bailey/Rules (M of A Lentol) -- Allows for audio-visual appearances for hearings on felony complaints during the COVID19 disaster emergency. (Note: Chapter Amendment Passed – S8428).

S8415 Sponsored by Senator Bailey/Rules (M of A Quart) -- Permanently repeals prohibitions on wearing a mask or possessing gambling paraphernalia in public.

Labor Protections

S8427 Sponsored by Senator Gounardes/Rules (M of A Abbate) -- Establishes a coronavirus disease 2019 (COVID-19) public employee death benefit.

Real Property

S8122B Sponsored by Senator Comrie/M of A Hyndman -- Extending the deadline for the filing of applications and renewal applications for real property tax abatement programs through July 15th.

S8138B Sponsored by Senator Martinez/Rules (M of A Stern) -- Allows 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.

S8192B Sponsored by Senator Hoylman/M of A Dinowitz -- Enacts the Tenant Safe Harbor Act which would allow only money judgments, and not evictions, for unpaid rent that comes due while restrictions are in place due to COVID-19 on businesses, public accommodations, and nonessential gatherings. The effectiveness of this bill varies by region including the time period.

S8243C Sponsored by Senator Kavanagh/M of A Rozic -- Requires New York regulated institutions to grant 90 days of forbearance to residential mortgagors who can demonstrate financial hardship as a result of the COVID-19 pandemic. Mortgagors can either choose to extend their loan for the length of the forbearance or to defer the arrears as a lump sum payment due at the maturity of the mortgage. (Note: Chapter Amendment Passed – S8428).

S8419 Sponsored by Senator Kavanagh/ Rules (M of A Cymbrowitz) -- Enacts the "emergency rent relief act of 2020" to establish an Interim residential rent relief program.

Transportation

S8119C Sponsored by Senator Comrie/M of A Dinowitz -- Extends the eligibility for paratransit services within the state and city of New York during the coronavirus (COVID-19) pandemic to August 31, 2020, temporarily suspends In-Person Eligibility Assessments through August 31, 2020, extends through at least July 31, 2020, and all paratransit authorities in New York State shall suspend shared rides and shall instead dispatch and route individual paratransit trips, to the maximum extent possible.

Unemployment

S8275A Sponsored by Senator Martinez/M of A Rosenthal -- Suspends the forfeiture of unemployment benefits during the COVID-19 state of emergency.

Utilities

S8113A Sponsored by Senator Parker/Rules (M of A Mosley) -- Issues a moratorium on utility termination of services during periods of pandemics and/or state of emergencies. (Note: Chapter Amendment Passed – S8428).



Legislature Passes Bill to Provide Death Benefits to Families of Fallen Public Employees

Agreed-Upon Bill Gives Accidental Death Benefits to Families of Members Who Die from COVID-19

Weeks of negotiations between labor organizations, legislators, the City, and the State came together last night with the passage of legislation to establish a line of duty accidental death benefit for families of public employees who die from COVID-19.

Introduced by Senator Andrew Gounardes and the Assembly Rules Committee (at the Request of Assemblyman Peter Abbate), Governor's Program Bill #11 provides accidental death benefits to the statutory beneficiaries of all public employees (state and local) who worked on or after March 1, 2020, contracted COVID-19, and died of COVID-19 on or before December 31, 2020. Over 100 members of the Assembly sponsored the legislation. The bill passed with a Message of the Necessity from Governor Andrew Cuomo.

The legislation applies to the statutory beneficiaries of public employees enrolled:

- in the New York State Employees' Retirement System (NYSERS);
- in the New York State Police and Fire Retirement System (NYSPFRS);
- as tier III members in the New York State and NYC public retirement systems;

- as tier IV, V, and VI members of the NYSERS, the New York State Teachers' Retirement System (NYSTRS), the New York City Employees Retirement System (NYCERS), the New York City Teachers' Retirement System (NYCTRS), and the New York City Board of Education Retirement System (NYCBERS);
- as tier I and II members of the NYSTRS;
- as tier I and II members of NYCBERS;
- as tier I and II members of NYCERS;
- in the Metropolitan Transportation Authority Police Retirement Plan;
- as tier I and II members of the New York City Police Pension Fund;
- as tier I and II members of the New York City Fire Pension Fund;
- as tier I and II members of NYCTRS.

Statutory beneficiaries 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.

The employee's statutory beneficiary does not need to prove that the employee contracted COVID-19 at the work place. The required proof is a physician, nurse practitioner, or physician's assistant diagnosed COVID-19 or a diagnostic test confirmed COVID-19; and either the death certificate states that COVID-19 caused or contributed to death or a physician, nurse practitioner, or physician's assistant certifies that COVID-19 caused or contributed to the death. Once the statutory beneficiary demonstrates the proof above, the accidental death benefit is mandatory.

The bill would take effect immediately upon signature by Governor Andrew Cuomo and would be deemed to have been in effect on March 1, 2020 and expires on December 31, 2020.

Copies of the legislation may be accessed: [S8427 by Senator Gounardes](#)
[A10528 by Rules \(M of A Abbate\)](#)



Executive Orders by the Governor

Executive Order 202.33 (May 28th)

Authorizes private businesses to deny entrance to people who do not wear a mask or a face covering.

In the News – City



New York City on Track to Open the Week of June 8th

New York City is on track to reopen for Phase 1 business during the week of June 8th, according to Governor Andrew Cuomo.

Giving his daily COVID-19 briefing at Iona College, the Governor was joined via telephone by Mayor Bill de Blasio. With the Test and Trace Corps set to launch June 1, and the number of positive cases, hospitalizations, and cases in the ICU in continuous decline, New York City now has a target date by which construction, manufacturing, wholesale suppliers, and non-essential retail for curbside pickup can reopen.

“New Yorkers have worked so hard for this progress, but we must remain vigilant in this fight. I know we are all eager to return to normal, and the guidelines for phase one are the first step on that path,” said Mayor Bill de Blasio. “We will support business so they can reopen while staying safe.”

Next week, Governor Cuomo explained, the City and State will focus on the City’s “hot spots,” areas with increased infection rates.

During Phase 1, the City estimates 200,000 to 400,000 employees may return to work. To ensure this is done safely and without causing a resurgence of this virus, all businesses must adhere to specific hygiene, distancing, and health protocols that the Mayor outlined earlier this week. Full guidance can be found [here](#).

Basic rules for all sectors include:

Health Screenings

- Implement mandatory health screenings for employees, such as questionnaires and temperature checks.

Social Distancing

- Require six feet of distance between people unless safety or core function of the work activity requires less.
- Tightly confined spaces must reduce occupancy to under 50% of maximum capacity with all employees wearing face coverings.
- Limit occurrence of all in-person gatherings and meetings, and only hold them in large, well-ventilated areas with social distancing and a maximum of ten people.

Personal Protective Equipment

- Provide employees with free clean face coverings and, if the nature of the work requires, stricter personal protective equipment like face shields.
- Encourage the use of face coverings at all times and require them if employees cannot keep 6 feet of distance due to safety or core work function.

To ensure businesses are complying, enforcement agencies will conduct random visits to sites that are reopening. They will review reopening safety plans and provide guidance regarding best practices and applicable regulations. Summons or fines will be issued in the case of egregious or repeat violations. New Yorkers can call 311 to report a business that is violating the guidelines.



Mayor de Blasio Signs City COVID-19 Relief Package Into Law

Mayor Bill de Blasio this week signed seven pieces of legislation providing relief for tenants, commercial establishments, and restaurants during the COVID-19 pandemic. The new laws impose limits on third-party food delivery services, extend the suspension of sidewalk cafe fee collection, and protect commercial tenants from harassment and personal liability. This package includes:

Third Party Delivery Services

Intro. 1898-A prohibits third-party food delivery services from charging restaurants a fee for telephone orders that do not result in an actual sale. The bill imposes penalties of up to \$500 per violation, and the City can bring litigation seeking these penalties as well as restitution of illegally charged fees. The bill will take effect June 2, 2020, lasting until 90 days after the end of a declared emergency.

Intro. 1908-B caps the fees that third-party food delivery services can charge restaurants for the duration of a declared emergency and for 90 days thereafter. Third-party food delivery services will be prohibited from charging restaurants a fee greater than 15% per order for delivery and 5% per order for any other charge. Currently, third-party food delivery services sometimes charge up to 30% of the total order. Violators are subject to civil penalties of up to \$1,000 per restaurant per day. The bill will take effect on June 2, 2020.

SideWalk Cafes

Intro. 1916-A suspends collection of indoor sidewalk cafe fees from restaurants from March 1, 2020 to February 28, 2021, and for outdoor sidewalk cafes through the duration of the emergency. Through Executive Order, the City already stopped collecting these fees for the duration of the emergency; this bill extends the suspension for indoor cafes until the end of February 2021.

Commercial Tenants

Intro. 1914-A designates threatening a commercial tenant based on its status as a COVID-19 impacted business a form of harassment, effective immediately. This includes businesses that were subject to capacity restrictions, were forced to close, or business owners who contracted the virus.

Intro. 1932-A protects commercial tenants' personal assets by temporarily prohibiting the enforcement of personal liability provisions in commercial leases or rental agreements involving COVID-19 impacted tenants. Threatening to or attempting to enforce such a provision will be considered a form of harassment, effective immediately.

Tenant Harassment

Intro. 1936-A expands the definition of tenant harassment to protect tenants from threats based on status as an essential employee or being impacted by COVID-19.

Licenses/Permits

Intro. 1940-A codifies the Mayor's EO 107, which suspends renewal requirements for licenses and permits from City agencies during the duration of the emergency and extends such suspension for an extra 45 days. This will provide both City agencies and applicants enough time to complete and process renewals after the end of the emergency and when businesses come back online again. This bill takes effect immediately and will require the City to post a list of licenses not covered under the EO.



Bills Approved by the Council

Health

Requires regular reporting on the City of New York's contact tracing efforts

Preconsidered Int. No. 1961-A, proposed by Council Member Ritchie J. Torres, would require the Department of Health and Mental Hygiene (DOHMH), or another agency designated by the Mayor, to ensure a report providing details of the program is posted online and updated daily.

This report will include data on (i) the number of employees hired by the contact tracing program, disaggregated by languages spoken and zip code of residence, (ii) the number of persons identified to the program as having tested positive, (iii) the number of persons identified by the program who may have had contact with a person who tested positive for currently having COVID-19, and (iv) the number of those individuals the program successfully contacted, disaggregated by zip code, race, ethnicity, gender, age range, COVID-19 symptoms present in the last 14 days, and whether such persons were referred to wraparound services.

Criminal Justice

Requires regular reporting related to the outbreak of COVID-19 in New York City jails

Preconsidered Int. No. 1954-A, proposed by Council Member Keith Powers, would require the Department and Correctional Health Services to submit to the speaker of the Council, and make publicly available on the Department's website, a weekly report related to the outbreak of COVID-19 in city jails. The report would include numbers of individuals diagnosed, hospitalized, and tested.

Establishes a local conditional release commission

Preconsidered Int. No. 1956-A, proposed by Council Member Keith Powers, would create a local conditional release commission. This commission would have the authority to release certain sentenced individuals once they had served a portion of their sentence. Eligible persons would need community ties, and convictions for certain offenses such as domestic violence are not eligible. The Mayor would appoint at least 5 commissioners, with the advice and consent of the council, and each member would need a college degree and 5 years relevant experience.

Immigration

Prohibits the use of the terms “alien,” “illegal immigrant,” or “illegal migrant,” and removes such words in local laws, rules, and other documents and materials

Proposed Introduction No. 1836-A, sponsored by Council Member Francisco P. Moya, would prohibit the use of the terms “alien,” “illegal immigrant,” or “illegal migrant” to refer to an individual who is not a citizen of the United States, in any laws, rules, documents, or materials produced by the city. These terms would be replaced with noncitizen, where applicable.

Briefs

New York State Dental Association: Let Us Reopen Our Offices Fully

Patients Can Now Only See Dentists for Emergencies During the Pandemic

The New York State Dental Association (NYSDA) sent a letter to Governor Andrew Cuomo requesting he rescind his emergency order that limits dental offices to emergency procedures, according to published reports.

NYSDA said its 12,000 members have expressed “grave concerns” that continuing these limitations will have a negative impact on overall patient health and on the future viability of dental offices. The association also noted full service has been restored in the neighboring states of Connecticut, Pennsylvania, and Ohio.

NYSDA Executive Director Mark J. Feldman, asserted that further delays in full dental care will move many day-to-day cases to emergency status.

Mayor de Blasio Appoints Annabel Palma as Test & Trace Corps’ Lead Equity Officer

Mayor de Blasio announced this week that Annabel Palma will serve as the Chief Equity Officer of the City's COVID-19 Test & Trace Corps which will work to test and trace every case of COVID-19 in New York City. In her role as Chief Equity Officer, Ms. Palma will ensure equity is at the “forefront of Corps' core operation.”

First elected to the New York City Council in 2003, she represented District 18 in the Bronx for 14 years. In 2018, Annabel was appointed by NYC Mayor Bill de Blasio to serve as Deputy Commissioner of Strategic Initiatives in the Department of Social Services-HRA/DHS.

City Council Introduces Legislation to Open Space for Outdoor Dining

Speaker Corey Johnson and Council Member Antonio Reynoso announced the Council has introduced legislation ([Int. 1957](#)) requiring opening up spaces throughout the five boroughs for outdoor dining amid the COVID-19 pandemic.

The legislation will require the City to identify open spaces (including sidewalks, streets, and plazas) where restaurants and bars can follow social distancing measures and safely serve customers outside. It would create a fast, simple permitting process that would allow outdoor service through the City to start quickly once we begin re-opening.

What to Know About Absentee Voting for the June 23 Primary

(Source: [City and State](#), April 28, 2020, excerpted)

The COVID-19 pandemic has resulted in significant changes in the upcoming June 23rd primary. The State Board of Elections canceled the Democratic presidential primary now that former Vice President Joe Biden has become the presumptive nominee. The regularly scheduled state and federal primaries will still take place across New York, but Governor Andrew Cuomo has canceled nearly all special elections that were set for June 23. Polling places in districts with races on the ballot will be open, but Governor Cuomo also expanded absentee voting in order to minimize the number of people at polling sites for the safety of both voters and poll workers.

Do I need to apply for an absentee ballot?

In order to vote by mail, voters must still fill out and submit an application to receive an absentee ballot. This application will be sent to all registered voters by mail in accordance with an [April 24 executive order](#) which mandated that every registered voter in the state receive an absentee ballot application, with postage, to ensure that everyone who may wish to vote remotely has the opportunity. Voters would fill out the form, and mail it back to their local board of elections. Individuals may also print an application online or apply digitally by emailing the completed form to the local board of elections.

Aren't there specific criteria you have to meet in order to qualify for an absentee ballot?

Yes, and technically this is still true. However, Governor Cuomo through an [April 9 executive order](#) expanded the definition of a "temporary illness," one of the reasons for which someone could request an absentee ballot, to include "the potential for contraction of the COVID-19 virus." This effectively makes everyone in the state eligible for an absentee ballot. This executive order only applies to elections held on or before June 23, so a new order would be needed if the coronavirus pandemic is still an issue in November.

Will polling places still be open?

Yes, all polling sites in districts with elections will still open.

Coming Up

New York State

The Senate and Assembly are at the Call of the Respective Legislative Leaders.

New York City

Thursday, June 4th

Committee on Consumer Affairs and Business Licensing, Remote Hearing, 10:30 a.m.

Temporary space for outdoor dining

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120 Broadway, 28th Floor
New York, New York 10271
Telephone (212) 652-3890
Facsimile (212) 652-3891

111 Washington Avenue, St. 401
Albany, New York 12210
Telephone (518) 449-3320
Facsimile (518) 449-5812

25 Hyatt Street, St. 202
Staten Island, New York 10301
Telephone (718) 943-1050
Facsimile (718) 943-1051