

Early Legislative Action Results in Many New Laws

During the first month of session, the State Legislature addressed a number of previously stalled issues. The following bills of general interest and importance have already passed the Legislature and been enacted.

- I. Voting Rights
 - a. Early voting
 - b. Early registration - forms to include a space for pre-registering applicants at least 16 years of age
 - c. Automatic registration - automatically transfers a voter's registration when they move within New York State
 - d. Proposed Constitutional Amendments
 - i. No Excuse Absentee Ballot
 - ii. Same Day Voter Registration
- II. Change in Primary Date – The combined federal and state primary would be held in June
- III. End LLC loophole – requires these types of corporations be limited to \$5000 annual campaign contributions
- IV. Prohibit the possession, manufacture, transportation, or sale of a rapid-fire modification device including bump stocks, trigger cranks, binary trigger systems, and burst trigger systems.
- V. Establish a 30-day waiting period before a licensed gun dealer may deliver a firearm, shotgun or rifle to a purchaser who has not cleared a background check.
- VI. Child Victims Act – extends the statute of limitations involving sex offenses against a child, allowing a lawsuit by a victim up until the victim turns 55 years of age.
- VII. The Dream Act - ensuring immigrant children are able to access higher education
- VIII. Protecting women's reproductive rights by amending NYS law to include rights currently in effect under Supreme Court decisions, prohibiting discrimination of employees based upon reproductive health decisions, and granting all New Yorkers access to family planning.
- IX. Prohibits oil and natural gas drilling in New York's coastal areas

- X. Gender Expression Non-Discrimination Act (GENDA) to protect transgender and non-gender conforming New Yorkers from discrimination, as well as legislation to ban mental health professionals from using the practice of conversion therapy on patients under the age of 18.

Other issues are being floated within the Governor's budget and are subject to negotiations:

1. Would require equal pay for substantially similar work and extend pay equity provisions to include all protected classes
2. Would legalize adult (over age 21) use of marijuana, allow counties and cities with populations in excess of 100,000 to opt out of having adult use cannabis businesses in their municipalities. The Governor's proposal for taxes on marijuana are: administration of the regulated cannabis program; data gathering; monitoring and reporting; the operations of the Governor's Traffic Safety Committee; small business development and loans; substance abuse services; harm reduction; mental health treatment and prevention; public health education and intervention; research on cannabis uses and applications;
3. Would create public financing of political campaigns beginning in 2020
4. Would advance additional ethics reform legislation to require increased financial disclosure
5. Would extend New York State system of rent regulation beyond the current expiration date of June 15, 2019, including reform of vacancy decontrol, preferential rent, and capital improvements
6. Would prohibit the request of applicant salary history as a factor in determining whether to offer employment, covering all protected classes;
7. Would ban certain single-use plastic bags statewide
8. Would expand the bottle bill to include most non-alcoholic beverage containers.
9. Proposes the Climate Leadership Act: establish a statewide target of 100 percent clean energy by 2040 and would require the Department of Environmental Conservation to promulgate a greenhouse gas emissions

limit that would achieve a 40 percent reduction in emissions from 1990 levels by 2030.

10. Proposes a new appropriation of \$500 million for clean water infrastructure, making a new \$2.5 billion commitment over five years for a total of \$5 billion.
11. Requires state agencies and state authorities to contract only with internet service providers that adhere to net neutrality principles.
12. Would ban remanufactured limousines, require a Commercial Driver's License (CDL) to operate a for-hire-vehicle with eight or more passengers, establish a DOT inspection fee of \$120, and increase civil and criminal penalties for violations.
13. Would establish a congestion tolling zone south of 60th street in Manhattan and authorize the MTA's Triborough Bridge and Tunnel Authority (TBTA) to design and implement the congestion tolling program, including setting the toll and any fees, with revenues dedicated to future MTA capital programs
14. Expands testing of self-driving motor vehicles
15. Would allow geriatric parole for individuals that are at least 55 years of age and suffering from a chronic or serious condition, disease, syndrome, or infirmity that renders the individual incapable of providing self-care within a correctional facility.
16. Would make the two percent Property Tax Cap permanent; it is scheduled to expire on June 16, 2020
17. Proposes a five-year extension of the existing millionaire's tax, which is scheduled to expire on December 31, 2019.
18. Would close the carried interest tax loophole and tax the carried interest income of hedge fund and private equity investors as ordinary income.
19. Proposes a zero percent cap upon the growth in Basic and Enhanced STAR Exemption benefits beginning with the 2019-20 school year. The cap would not apply to the STAR credit program, which would be allowed to grow up to two percent.
20. Would allow first-time Enhanced STAR applicants to receive a filing extension for "good cause" and, if approved, allow the school district to adjust the school tax bill or provide a refund.

21. Authorizes the Tax Department to verify annually the age and residency of Enhanced STAR recipients. Prohibits a taxpayer who made a material misstatement on a STAR Exemption application from receiving the STAR Credit for six years.
22. Proposes a Universal Access Commission to study ways to achieve universal health insurance coverage in New York State
23. Proposes limitations on state retiree health benefits.
 - a. Establish a Floor for State Reimbursement for the Medicare Part B Premium: The Executive proposes language to maintain reimbursement of the standard Medicare Part B premium at current levels of \$135.50 per month for new and existing retirees. Any future increases in reimbursement above this level would be subject to the annual budget process.
 - b. Eliminate the Income Related Monthly Adjustment Amount (IRMAA) Reimbursement: The Executive Budget proposes language to eliminate state funding to support the IRMAA premium for the retirees with an income above \$85,000 for individuals and \$170,000 for couples.
 - c. Implement Differential Premiums for Future State Retirees: The Executive proposes Article VII language to tie the amount of health care payments received by retirees to the number of years of state service for new employees.