

FY 2023 NEW YORK STATE EXECUTIVE BUDGET

**TRANSPORTATION, ECONOMIC DEVELOPMENT AND
ENVIRONMENTAL CONSERVATION
ARTICLE VII LEGISLATION**

MEMORANDUM IN SUPPORT

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MEMORANDUM IN SUPPORT

A BUDGET BILL submitted by the Governor in
Accordance with Article VII of the Constitution

AN ACT to amend the penal law and the vehicle and traffic law, in relation to transportation worker safety; and to amend the penal law, in relation to establishing the offense of menacing a highway worker (Subpart A); to amend the vehicle and traffic law, in relation to increasing fines payable by a driver of a motor vehicle who causes injury to a pedestrian (Subpart B); to amend the vehicle and traffic law, in relation to leaving the scene of an accident; and to amend the highway law in relation to clearing of vehicles from highways (Subpart C); to amend the vehicle and traffic law, in relation to work zone safety and outreach program (Subpart D); to amend the vehicle and traffic law, in relation to increasing penalties for certain traffic infractions and the use of global positioning system technology; to amend the vehicle and traffic law and the general business law, in relation to notification of parkway prohibitions (Subpart E); and to amend the highway law, in relation to increasing certain fines for violations related to permits for work within the state highway right of way (Subpart F) (Part A); to amend the highway law and the transportation law, in relation to consolidated local highway assistance payments (Part B); to amend the transportation law, in relation to airport improvement and revitalization (Part C); to amend the highway law, in relation to the entry of adjacent lands for the safe functionality of state highway infrastructure (Part D); to amend chapter 413 of the laws of 1999, relating to providing for mass transportation payments, in

relation to the amount of payments in the Capitol District Transportation District and adding Montgomery County to such District (Part E); to amend the public authorities law, in relation to the electronic submission and public posting of bids for New York state thruway authority construction, reconstruction and improvement contracts (Part F); to amend the public authorities law, in relation to procurement contracts (Part G); to amend the public authorities law, in relation to increasing the statutory threshold for mandatory use of design-build by the metropolitan transportation authority (Part H); to amend the public authorities law, in relation to procurements conducted by the metropolitan transportation authority and the New York city transit authority (Part I); to amend chapter 54 of the laws of 2016 amending the general municipal law relating to the New York transit authority and the metropolitan transportation authority, in relation to extending authorization for tax increment financing for the metropolitan transportation authority (Part J); to amend the public authorities law, in relation to MTA capital projects and utility relocations (Part K); to amend the penal law, in relation to assaulting or harassing certain employees of a transit agency or authority (Part L); to amend the vehicle and traffic law, in relation to owner liability for failure of operator to comply with bus operation-related local law or regulation traffic restrictions; and to amend part II of chapter 59 of the laws of 2010, amending the vehicle and traffic law and the public officers law relating to establishing a bus rapid transit demonstration program to restrict the use of bus lanes by means of bus lane photo devices, in relation to the effectiveness thereof (Part M); to amend the penal law, in relation to including the

intentional use of any toll highway, parkway, road, bridge or tunnel or entry into or remaining in a tolled central business district without payment of the lawful toll or charge as a theft of services; to amend the vehicle and traffic law, in relation to the penalty imposed upon the operator of a vehicle with an altered or obscured license plate while on a toll highway, bridge or tunnel; to amend the vehicle and traffic law, in relation to deterring fraudulent use of the toll exemption for vehicles transporting persons with disabilities into or remaining in a tolled central business district; and to amend the vehicle and traffic law, in relation to allowing the commissioner of motor vehicles to deny registration, reregistration, renewal, replacement or transfer of the registration of a vehicle and vehicle identification number suspended for toll evasion, or subject to a pending toll authority request for suspension (Part N); to amend chapter 751 of the laws of 2005, amending the insurance law and the vehicle and traffic law relating to establishing the accident prevention course internet technology pilot program, in relation to the effectiveness thereof (Part O); to amend chapter 62 of the laws of 2003, amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, in relation to the effectiveness thereof; and to amend chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, in relation to the effectiveness thereof (Part P); to amend the vehicle and traffic law, in relation to waiving non-driver identification application fees for incarcerated individuals (Part Q); to amend the civil rights law, in relation to requiring all state agencies to update all applicable forms and data systems to include a

gender "x" option (Part R); to amend the public officers law, in relation to authorizing the disclosure of records for the public service loan forgiveness program (Part S); to amend chapter 495 of the laws of 2004, amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part T); to amend the general municipal law, in relation to brownfield opportunity areas; and to amend the public authorities law, in relation to funding for certain projects by the dormitory authority (Part U); to amend the agriculture and markets law and chapter 537 of the laws of 1976, relating to paid, free and reduced price breakfast for eligible pupils in certain school districts, in relation to the transfer of the administration of the national school lunch program and related food programs to the Department of Agriculture and Markets; and to provide for the transfer of certain functions and employees with respect thereto (Part V); to amend the general business law, in relation to appearance enhancement professionals (Part W); in relation to authorizing certain health care professionals licensed to practice in other jurisdictions to practice in this state in connection with the Winter World University Games; and providing for the repeal of such provisions upon expiration thereof (Part X); to amend chapter 393 of the laws of 1994 amending the New York state urban development corporation act relating to the powers of the New York state urban development corporation to make loans, in relation to extending loan powers (Part Y); to amend the urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the

empire state economic development fund (Part Z); to amend the infrastructure investment act, in relation to the effectiveness thereof; and to amend chapter 749 of the laws of 2019 authorizing, for certain public works undertaken pursuant to project labor agreements, use of the alternative delivery method known as design-build contracts, in relation to the effectiveness thereof (Part AA); to amend the state finance law, in relation to the excelsior linked deposit program (Part BB); to amend the New York state urban development corporation act, in relation to creating the small business seed funding grant program (Part CC); to amend chapter 584 of the laws of 2011, amending the public authorities law relating to the powers and duties of the dormitory authority of the state of New York relative to the establishment of subsidiaries for certain purposes, in relation to the effectiveness thereof (Part DD); to amend the public authorities law, in relation to authorizing the dormitory authority to provide its services to not-for-profit corporations (Part EE); to amend the public authorities law, in relation to authorizing the dormitory authority to utilize a prequalification list when seeking to bid or enter into a contract for public work (Part FF); to amend the public authorities law, in relation to authorizing the dormitory authority to provide its services to recipients of grants and loans from the downtown revitalization program (Part GG); to amend the public authorities law, in relation to authorizing the dormitory authority to enter into design and construction management agreements with state authorities (Part HH); to amend the state finance law and the public authorities law, in relation to the cannabis social equity fund (Part II); to amend the highway law and the transportation corporations law, in relation to

right of way for fiber optic cable (Part JJ); to amend the environmental conservation law, in relation to removing a program cap and allowing funding of the solid waste mitigation program's inactive landfill initiative (Part KK); to amend the environmental conservation law and the tax law, in relation to eligibility for participation in the brownfield cleanup program, assignment of the brownfield redevelopment tax credits and brownfield opportunity areas; and to amend part H of chapter 1 of the laws of 2003, amending the tax law relating to brownfield redevelopment tax credits, remediated brownfield credit for real property taxes for qualified sites and environmental remediation insurance credits, in relation to the effectiveness thereof (Part LL); to amend the environmental conservation law, in relation to extending the waste tire management fee for five years and conforming the applicable administrative provisions to article 28 of the tax law (Part MM); to amend part TT of chapter 59 of the laws of 2021 authorizing the creation of state debt in the amount of three billion dollars, in relation to creating the environmental bond act of 2022 "restore mother nature" for the purposes of environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change; and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election to be held in November, 2022, in relation to creating the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022 (Part NN); to amend the environmental conservation law, the state finance law, and part UU of chapter 59 of the laws of 2021 amending the environmental conservation law and the state finance law relating to the

implementation of the environmental bond act of 2022 "restore mother nature", in relation to renaming such act "clean water, clean air, and green jobs" (Part OO); to amend the tax law, in relation to increasing the transfer amount from the real estate transfer tax to the environmental protection fund (Part PP); to amend the environmental conservation law, in relation to freshwater wetlands; and to repeal certain provisions of such law relating thereto (Part QQ); amend the environmental conservation law, in relation to enacting the "extended producer responsibility act"; and to amend the state finance law, in relation to creating the stewardship organization fund (Part RR); to amend the environmental conservation law, in relation to enacting the toxics in packaging act to restrict PFAS in all packaging and adding restrictions for phthalates in all packaging; and to repeal title 2 of article 37 of the environmental conservation law relating to hazardous packaging (Part SS); to amend the county law, in relation to enacting the "Suffolk County water quality restoration act", authorizing the county of Suffolk to establish a water quality restoration fund, and extending the authority of the county of Suffolk to form a county-wide sewer and wastewater management district (Part TT); to amend the environmental conservation law, in relation to the water pollution control revolving fund (Part UU); to amend the executive law, in relation to ensuring proper administration and enforcement of the uniform fire prevention and building code and the state energy conservation construction code (Part VV); to amend the vehicle and traffic law and the state finance law, in relation to the vessel surcharge; and to repeal certain provisions of the state finance law relating thereto (Part WW); to

amend the environmental conservation law and the real property tax law, in relation to river regulating district payment of taxes on lands owned by the state (Part XX); to amend the parks, recreation and historic preservation law, in relation to the powers, functions and duties of the state council of parks, recreation and historic preservation and the regional park, recreation and historic preservation commissions; and to repeal certain provisions of such law relating thereto (Part YY); to amend the insurance law, the public authorities law and the tax law, in relation to authorizing the power authority of the state of New York to form a pure captive insurance company (Part ZZ); to authorize the energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program, as well as climate change related expenses of the department of environmental conservation and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part AAA); to authorize utility and cable television assessments that provide funds to the department of health from cable television assessment revenues and to the department of agriculture and markets, department of environmental conservation, department of state, and the office of parks, recreation and historic preservation from utility assessment revenues; and providing for the repeal of such provisions upon the expiration thereof (Part BBB); to amend the public service law, in relation to the provision of gas service (Part CCC); to amend the public authorities law, in relation to the eligibility of hospitals in the state to receive assistance from the power authority of the state of New York

(Part DDD); to amend the energy law, the executive law and the state finance law, in relation to establishing the "advanced building codes, appliance and equipment efficiency standards, and building benchmarking act of 2022" (Part EEE); and to amend the public authorities law, in relation to authorizing the power authority of the state of New York to dispose of excess capacity in its broadband technologies and infrastructure (Part FFF)

PURPOSE:

This bill contains provisions needed to implement the Transportation, Economic Development and Environmental Conservation portion of the FY 2021 Executive Budget.

This memorandum describes Parts A through FFF of the bill which are described wholly within the parts listed below.

PART A – Highway Safety SLOW Act

Purpose:

This bill would enhance the safety of highway workers and users. It would also serve to mitigate commercial vehicle use on parkways and associated bridge strikes.

Summary of Provisions and Statement in Support:

This bill would address highway safety by imposing tougher penalties for offenses committed against highway and transportation worker, and for drivers who cause physical injury to pedestrians or bicyclists. The bill would also clarify responsibilities of motor vehicle operators and owners to improve safety on roadways and impose other requirements to increase the safety of the roadways and roadwork.

The heightened penalties related to highway worker and user safety in this proposal would serve as a significant deterrent and would provide law enforcement and prosecutors the additional tools needed in pursuing and punishing offenders.

The New York State Department of Transportation estimates that there are approximately 150 vehicle bridge hits every year in the State. The related congestion, towing and cleanup and required incident personnel associated with these bridge hits results in an estimated total cost of \$30 million per year.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because it would enhance highway worker safety and highway user safety as well as prevent bridge strikes.

Effective Date:

This bill would take effect immediately.

PART B – Increase to the CHIPS Bidding Threshold

Purpose:

This bill would increase the competitive bidding threshold under the Consolidated Local Street and Highway Improvement Program from \$350,000 to \$750,000.

Summary of Provisions and Statement in Support:

This proposal would increase the current threshold in State Highway Law (Section 10-c) for utilizing in-house forces under the Consolidated Local Street and Highway Improvement Program (CHIPS) from \$350,000 to \$750,000 which would provide greater flexibility in completing street or highway projects. The increase in the threshold for utilizing in-house forces would recognize inflationary impacts on materials, labor, equipment, and other construction-related costs.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because more cost-efficient delivery of local infrastructure projects will allow for more and larger projects to be completed, thus improving state and local transportation infrastructure.

Effective Date:

This bill would take effect immediately.

PART C – Increase to the Maximum Grant Award under the Airport Improvement and Revitalization Program

Purpose:

This bill would increase the maximum grant award under the Airport Improvement and Revitalization Program from \$2.5 million to \$5.0 million and make other miscellaneous technical changes.

Summary of Provisions and Statement in Support:

This bill would increase the maximum grant award under the Airport Improvement and Revitalization Program for public use airports from \$2.5 million to \$5.0 million and make other substantive and technical changes required to align the actual scope of the program as implemented, including the repeal of the loan program for capital improvements and the repeal of the matching ratios for technical assistance. This bill is intended to sponsor efficiency of project delivery.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because more cost-efficient delivery of airport infrastructure projects will aid in improving state and local transportation infrastructure.

Effective Date:

This bill would take effect immediately.

PART D – Authorizes Entry to Lands Adjacent to State Highways for Safety Purposes

Purpose:

This bill would expand the purposes for which the Department of Transportation (DOT) is authorized to enter lands adjacent to State highways to include maintaining the safe functionality of State transportation infrastructure when such operation is directly impacted by storm damage or retaining wall or drainage structure failure.

Summary of Provisions and Statement in Support:

Existing law authorizes DOT and its contractors to enter lands adjacent to a State highway to perform inspections or work in specified situations. However, the current statute does not cover some common emergency circumstances. This bill would amend Section 45 of the Highway Law to add a new provision that would allow the commissioner of DOT to authorize entry onto lands adjacent to a State highway on a temporary basis when determined to be necessary to perform emergency repairs. Such repairs would provide for the safe functionality and operation of State highways and bridges when storm damage, landslide, or retaining wall or drainage failure, may pose a threat to the traveling public.

DOT reports multiple instances when existing statutory authority did not allow for the prompt attention to a safety issue.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because delays caused by inability for DOT to enter land adjacent to highways to remediate hazards may pose a danger to the State transportation system and its users.

Effective Date:

This bill would take effect immediately.

PART E – Include Montgomery County within the CDTA District

Purpose:

This bill would add Montgomery County transit service to the Capital District Transportation Authority (CDTA) district, allowing CDTA to receive State Transit Operating Assistance (STOA) funds for the service.

Summary of Provisions and Statement in Support:

This bill adds Montgomery County to the list of counties in the CDTA district. It allows CDTA to receive essential State assistance for transit services in Montgomery County and the City of Amsterdam and requires a local match.

The local match of 1.47 percent of the total CDTA local match is based on Montgomery County's contribution prior to the reduction of service in 2016.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because State funding and Montgomery County funding are necessary for CDTA to implement transit service within Montgomery County.

Effective Date:

This bill would take effect immediately.

PART F – Electronic bid submissions for Thruway Authority contracts

Purpose:

This bill would allow for sealed proposals submitted by a bidder include electronically secure proposal submissions as permitted by the Thruway Authority

Summary of Provisions and Statement in Support:

The bill amends Public Authorities Law Section 359 to:

- Clarify that sealed proposals submitted by a bidder include electronically secure proposal submissions as permitted by the Thruway Authority and;
- Allow such electronically submitted bids to be electronically posted for public view.

Electronic bidding is allowed and encouraged under the Federal Acquisition Regulation.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because it would allow the Thruway Authority to receive bids more efficiently for construction contracts.

Effective Date:

This bill would take effect immediately.

PART G – Increase the threshold for Thruway Authority procurement contracts

Purpose:

This bill would conform the value of a procurement contract for the Thruway Authority with the threshold for state agencies and allow the Thruway Authority to use existing contracts awarded by governmental entities.

Summary of Provisions and Statement in Support:

This bill would amend Public Authorities Law Section 359-a to change the value of a "procurement contract" from \$15,000 to \$50,000. This would increase the Thruway Authority's threshold for procurement of goods and services subject to Public Authorities Law §2879, including the threshold for Board approval, to make it consistent with the threshold for discretionary purchasing by state agencies as set forth in State Finance Law as well as with the threshold for advertising contracting opportunities in Economic

Development Law. This bill would also allow the Thruway Authority to use existing governmental entity contracts.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because the current amount of \$15,000 is inconsistent with the threshold that applies to state agencies procuring goods and services and provides procurement reforms that will allow the Thruway Authority to operate more effectively and efficiently.

Effective Date:

This bill would take effect immediately.

PART H – Increase MTA Design-Build Threshold

Purpose:

This bill would increase the threshold for mandatory use of design-build contracting for MTA projects from \$25 million to \$200 million for new construction or \$400 million for the rehabilitation or replacement of existing assets.

Summary of Provisions and Statement in Support:

This bill would amend section 1264 of the Public Authorities Law to increase the statutory threshold for mandatory use of design-build by the MTA from \$25 million to \$200 million for new construction and to \$400 million for projects that are predominantly rehabilitation or replacement of existing assets. This threshold increase is expected to result in more efficient capital program delivery.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget by providing the MTA with more flexibility for smaller, less complex projects.

Effective Date:

This bill would take effect immediately.

PART I – MTA Procurement Reform

Purpose:

This bill reforms the Metropolitan Transit Authority's (MTA) and New York City Transit Authority's (NYCTA) bidding processes by altering advertisement procedures for bids, permitting the use of existing contracts awarded by governments, allowing for a once-yearly review of the Qualified Products Lists, and increasing the threshold for discretionary procurements to Minority and Women Owned Business Enterprises (MWBE), Service-Disabled Veteran-Owned Businesses (SDVOB) and small businesses.

Summary of Provisions and Statement in Support:

- Allows MTA and NYCTA to increase the threshold for discretionary procurements to MWBEs, SDVOBs and small businesses from \$1 million to \$1.5 million;
- Allows MTA and NYCTA to shorten the time between advertisements for bids and the bid due date from 15 days to 10 days, except for public works contracts;
- Permits MTA and NYCTA to use existing government agency contracts; and
- Allows MTA and NYCTA to review its Qualified Products List once per year, rather than twice.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget by providing procurement reforms that will allow the MTA to operate more effectively and efficiently, including delivery of their 2020-2024 Capital Plan.

Effective Date:

This bill would take effect immediately.

PART J – MTA Tax Increment Financing Extender

Purpose:

To extend the authority of municipalities within the Metropolitan Commuter Transportation District to work with the MTA to establish mass transportation capital project districts in connection with alternative funding arrangements for capital projects that benefit local communities.

Summary of Provisions and Statement in Support:

This bill provides that this authority be extended to April 1, 2032.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget to allow the MTA to take advantage of other financing measures to support MTA capital projects.

Effective Date:

This bill would take effect immediately.

PART K – Utility Relocations on MTA Projects

Purpose:

This bill requires utility companies to perform work required to support MTA's relocation of their utilities on a schedule and in a manner reasonably determined by MTA after consultation with the utility companies.

Summary of Provisions and Statement in Support:

- Requires utility companies to review and approve MTA's designs to relocate the utilities within a reasonable time frame set by MTA after consultation with the utility.
- Provides that utility companies may not require utility betterments or any work beyond what is required to meet current standards or ensure reliability as determined by the Department of Public Service.
- Requires that relocation work performed by the utility company must be completed within a reasonable timeframe set by the MTA after consultation with the utility.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget by allowing MTA construction projects to move forward on-time and on-budget.

Effective Date:

This bill would take effect immediately.

PART L – MTA Worker Assault and Harassment

Purpose:

This bill makes it a felony to attack and physically injure transit workers and creates the new crime of aggravated harassment of a transit worker in the second degree, for on-duty public-facing transit workers.

Summary of Provisions and Statement in Support:

- Expands the list of transit worker positions listed in Penal Law for which it is a class D felony to attack and physically injure.
- Amends the Penal Law to better protect on-duty transit workers by providing that a person is guilty of aggravated harassment in the second degree when that person subjects transit workers to physical contact, including spitting on them, which would be a class A misdemeanor.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because it will deter crimes against MTA employees and allow the MTA to deliver its services more effectively.

Effective Date:

This bill would take effect 90 days after it becomes law.

PART M – Traffic Enforcement for MTA Bus Operations

Purpose:

This bill amends the vehicle and traffic law to expand authorization for automated enforcement cameras for violations of existing New York City (NYC) traffic rules relating to bus operations to include stopping, standing, and parking in bus stops, double parking and turning violations.

Summary of Provisions and Statement in Support:

Section 1 adds a new section to vehicle and traffic law for bus priority camera enforcement. The new section allows the use of NYC and/or Metropolitan Transportation Authority (MTA) stationary or mobile photo devices to capture violations that impede bus operations. It contains provisions for protecting the privacy of those who may be captured by the photo devices and a sixty-day period where only warning notices of violation would be issued subsequently. The owner liable for a violation would be assessed a fine or penalty promulgated by the NYC parking violations bureau in accordance with a schedule of maximum fines as established in the bill. Revenue from mobile cameras would be remitted to the MTA.

Section 2 makes permanent existing bus lane camera enforcement authorizations.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because it enables buses to operate more efficiently and provide services necessary to New Yorkers.

Effective Date:

This bill would take effect 180 days after it becomes law.

PART N – Toll Violation Enforcement

Purpose:

This bill would ensure the fair collection of tolls owed to public authorities such as the Metropolitan Transportation Authority (MTA) Bridges and Tunnels and others with toll facilities in New York State.

Summary of Provisions and Statement in Support:

- Amends Penal Law to make the intentional use of any toll facility without payment, and the entering or remaining in the tolled Central Business District (CBD) without payment, a theft-of-services crime.
- Amends Vehicle and Traffic Law to increase the fine for operating a motor vehicle on a toll facility or in the tolled CBD with an obscured license plate.
- Amends Vehicle and Traffic Law to restrict Department of Motor Vehicle (DMV) registration transactions for vehicles with suspended registrations or pending suspended registrations for failure to pay tolls.
- Amends Vehicle and Traffic Law to allow for the suspension of registration of vehicles with three or more notices of toll violations in a five-year period.

- Amends Vehicle and Traffic Law to make falsifying records or making false statements to obtain an exemption from CBD tolling a misdemeanor and makes receipt of false exemptions a Class E felony.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget and ensure appropriate revenue collection by deterring toll evasion.

Effective Date:

This bill would take effect 90 days after it becomes law.

PART O – Extend New York State Internet Point & Insurance Reduction Program

Purpose:

This bill would extend, for two years, Chapter 12-C of the Vehicle and Traffic Law, entitled the “Accident Prevention Course Internet, and Other Technology Pilot Program”, also known as the Internet Point Insurance Reduction Program (IPIRP).

Summary of Provisions and Statement in Support:

Section 1 of the bill would amend Section 5 of chapter 751 of the laws of 2005 to extend the IPIRP pilot program to April 1, 2024.

This bill would extend the IPIRP pilot program for two years. This pilot program allows motorists to take an accident prevention course to reduce their points accumulated on their driving record via the internet, rather than attend PIRP in-person class sessions. Historically, this statute has been extended to coincide with the enactment of the Budget.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget. Failure to enact this legislation will result in annual revenue losses.

Effective Date:

This bill would take effect immediately.

PART P – Extend the Authorization of Revenues to and Costs from the Dedicated Highway and Bridge Trust Fund

Purpose:

This bill would extend the expiration date of certain provisions of the Vehicle and Traffic Law (VTL), Tax Law and State Finance Law relating to motor vehicle transaction fees.

Summary of Provisions and Statement in Support:

Section 1 extends to April 1, 2024 fees set forth in the VTL relating to searches of records; the application fee to become a certified inspector; vehicle inspection fees; dealer or transporter registration application fees; and certificate of title fees. It also extends to April 1, 2024 subdivision 2 of Section 205 of the Tax Law relating to the deposit of moneys collected from taxes imposed by Sections 183 and 184 of the Tax Law.

Section 2 extends to April 1, 2024 the section of the State Finance Law directing that moneys in the dedicated highway and bridge trust fund be utilized for expenses of the Department of Motor Vehicles.

The revenue generated by these VTL sections are necessary to fund the highway and bridge trust fund, and the mass transportation fund. Additionally, the allocation of taxes collected and funding the costs of the Department of Motor Vehicles should also be extended.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget for the continuation of current revenue from mandatory fees, the allocation of taxes, and for funding the costs of the Department of Motor Vehicles.

Effective Date:

This bill would take effect immediately.

PART Q – Non-Driver ID Card for Incarcerated Persons

Purpose:

This bill would permit the Commissioner of Motor Vehicles to waive the fee for issuance of a non-driver identification (NDID) card if the applicant is incarcerated in an institution under the jurisdiction of a state department or agency.

Summary of Provisions and Statement in Support:

Bill Section 1 amends subdivision (3) of section 491 of the Vehicle and Traffic Law (VTL) to permit the Commissioner to waive the NDID fee for incarcerated individuals. Similar to how fees for learner permits and licenses may be waived for individuals who are incarcerated under existing law, this amendment would likewise permit the Commissioner to waive fees for the same individuals seeking NDID cards. Waiving fees for NDID cards will ease transition for incarcerated individuals back into society, help ensure that they have proper photo identification and assist with re-employment efforts.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget.

Effective Date:

This bill would take effect immediately.

PART R – Provide Gender "x" Options at All Public-Facing State Agencies

Purpose:

This bill would require all State agencies to update all applicable forms and data systems to include a gender “x” option so that all New Yorkers have the option to use either male, female, or gender “x” as an identifier on forms that collect gender or sex data.

Summary of Provisions and Statement in Support:

This bill amends civil rights law to add section 79Q. Section 79Q requires all state agencies that collect data on gender to update applicable documents to provide a gender “x” option and to make gender “x” a choice for individuals filling out data identifying their gender or sex. Section 79Q sets a deadline for all agencies to update applicable forms and data systems by January 1, 2023, except for the Department of Labor, the Office of Child and Family Services, the Office of Temporary Disability Assistance, and the Division of Criminal Justice Services which must update applicable forms and data systems by January 1, 2024. Section 79Q requires State agencies that cannot comply with requirements of the section to post a public written report 60 days before the agency’s deadline and explain the steps the agency has taken to comply and the timeframe in which compliance will be met. The agency must update said report every six months after the original posting of the report.

This bill amends civil rights law section 62 to eliminate the requirement that a court shall not condition entry of an order on notice to any other party or to any government agency except by a written order with the court’s reasoning for requiring the notice and showing cause as to why the notice should be served.

The Gender Recognition Act (GRA), signed in June 2021, allows New Yorkers the option of an “x” gender marker on state driver’s licenses. This important step helped ensure that all New Yorkers, including transgender and non-binary individuals, can have documents that accurately reflect their gender identity. But while many different State agencies collect information about gender, most are not covered by GRA’s requirement to provide an “x” option when identifying their gender during an interaction with an agency. To ensure that New Yorkers can accurately express their gender identity when accessing more state services, this bill proposes an expansion of the GRA to require additional public-facing State agencies that collect gender information to include an “x” option.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget to meet Executive priorities of expanding Gender Recognition Act.

Effective Date:

This bill would take effect immediately.

PART S – A state agency may share records to facilitate automating student loan debt forgiveness for NYS employees

Purpose:

This bill would automate student loan debt forgiveness under The Public Service Loan Forgiveness Program (PSLF) for New York State employees.

Summary of Provisions and Statement in Support:

The PSLF offers public service employees loan forgiveness after ten years of qualifying service and qualifying payments on their student loans. The U.S. Department of Education (USDOE) is pursuing a program to automate loan forgiveness for federal employees, such that they can increase participation, eliminate employer paperwork, and minimize borrower paperwork and mistakes that slow approval. USDOE aims to allow for state and local employer participation by Fall of 2022. USDOE will require the full social security number, date of birth, full name, and dates of full-time employment for all NYS employees in order for them to cross-reference and match NYS employees with federal student loans. It is unclear if this data sharing is currently permissible under the State Privacy Act.

This bill would amend Public Officers Law § 96(1) to add new subsection (p) to explicitly state that a state agency may share records to officers or employees of the USDOE for USDOE to process credit for qualifying employment and loan forgiveness under the Public Service Loan Forgiveness Program. A written request or consent from the data subject pursuant to paragraph (a) shall not be required for the disclosure of records pursuant to this paragraph. This would create the necessary legal structure for the state to opt into this USDOE program.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget.

Effective Date:

This bill would take effect immediately.

PART T – Extension of Entertainment Subsidy

Purpose:

This bill would extend the Assistance Demonstration Project.

Summary of Provisions and Statement in Support:

This bill would extend the assistance demonstration project, regarding insurance for displaced workers by an additional year.

Budget Implications:

This bill is necessary for implementation of the FY 2023 Executive Budget

Effective Date:

This bill would take effect immediately

PART U – Enhancement of the Brownfield Opportunity Program

Purpose:

This bill would amend the Brownfield Opportunity Area (BOA) program to strengthen its potential to realize the broad-based economic and social benefits of area-wide revitalization in economically distressed and environmental justice areas and to further the goals of the Climate Leadership and Community Protection Act (CLCPA) by making the program more accessible to communities with limited capacity and expanding eligible planning and pre-development activities.

Summary of Provisions and Statement in Support:

This bill would deepen the impact of the BOA program (General Municipal Law, Article 18-C, Section 970-r) on participating disadvantaged communities across the state. While BOA has long served to support areas with disproportionate environmental burdens, new provisions would allow for program participants to further promote disinvested sites for community-supported uses.

These amendments would make the BOA Program an even more effective tool to enable economically distressed communities to realize the broad-based economic and social benefits of area-wide revitalization and realize a just transition to a cleaner, more climate friendly future.

Budget Implications:

This bill is necessary for implementation of the FY 2023 Executive Budget.

Effective Date:

This bill would take effect immediately.

PART V – Transfer of the National School Lunch Program from State Education Department to the Department of Agriculture and Markets

Purpose:

This bill would transfer the National School Lunch Program from the State Education Department (SED) to the Department of Agriculture and Markets (DAM).

Summary of Provisions and Statement in Support:

Section 1 would amend Agriculture and Markets Law regarding DAM's authorization to administer the farm-to-school program to further include the National School Lunch Act and related food programs.

Section 2 would amend Agriculture and Markets Law to refine program eligibility for federal reimbursement or aid.

Sections 3 through 7 would amend Chapter 537 of the Laws of 1976 relating to programs for paid-, free-, and reduced-price breakfast for eligible students by authorizing the DAM instead of SED. These sections would also establish dates for programmatic responsibilities to be transferred from the SED to the DAM.

Section 8 would transfer the functions and employees of the National School Lunch Program from the SED to the DAM.

Section 9 sets forth the effective date.

Budget Implications:

This bill would have a General Fund impact of \$1.33 million.

Effective Date:

This bill would take effect 180 days after the United States Department of Agriculture approves transfer the program from SED to DAM upon notification to the New York State Legislative Bill Drafting Commission.

PART W – Reducing Barriers to Occupational Licensing

Purpose:

This bill would remove barriers to entry to the appearance enhancement industry.

Summary of Provisions and Statement in Support:

This bill would provide authority to the Department to remove barriers to entry to the appearance enhancement industry by:

- Establishing a new salon assistant license that reduces requirements to entry to allow such persons to gain experience as an assistant;
- Creating a traineeship license where individuals could work under the tutelage of an already licensed professional and gain experience in lieu of traditional education to then apply for full licensure; and
- Repealing license requirements for natural hair braiders allow more individuals to practice this craft and encourage others to learn this traditional skill and enter the marketplace themselves.

Budget Implications:

The estimated cost of implementing the proposal would be \$1 million for required system changes. DOS anticipates that thousands of salon assistance licensees as well

as licensees entering the cosmetology, esthetics and waxing fields through apprenticeship, may be granted. This would result in \$2,738,535 in new revenue during the first year of implementation.

Effective Date:

This act shall take effect on the one hundred eightieth day after it shall have become law. Additionally and effective immediately, the addition, amendment and/or repeal of any rule or regulation by the secretary of state necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART X – World University Games Medical Exemptions

Purpose:

This bill would authorize certain health care professionals licensed to practice in other jurisdictions to practice in this State in connection with the Winter World University Games.

Summary of Provisions and Statement in Support:

This bill would allow health care professionals licensed to practice in other jurisdictions to perform services at the Winter World University Games, Lake Placid 2023, scheduled from January 12, 2023 to January 22, 2023. The bill would permit such professionals to provide professional services to athletes' and other participants in the Winter World University Games from the date of the athletes arrival in the State on January 5, 2023 through January 25, one day after the teams' anticipated departure.

Budget Implications:

This bill is necessary for implementation of the FY 2023 Executive Budget, as it relates to funding in support of the Winter World University Games.

Effective Date:

This bill would take effect January 5, 2023 and will expire and be deemed repealed January 25, 2023.

PART Y – Extend the general loan powers of the New York State Urban Development Corporation

Purpose:

This bill would extend the general loan powers of the New York State Urban Development Corporation (UDC) for an additional 3 years.

Summary of Provisions and Statement in Support:

Chapter 393 of the Laws of 1994 provides UDC with the general power to make loans. This authorization has been renewed regularly since 1997 and is currently set to expire on July 1, 2022.

Absent enactment of this bill, UDC would be authorized to make loans only in connection with certain State-funded economic development programs that grant statutory loan authorization.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget, which assumes that UDC would provide certain economic development assistance through loans. Absent this legislation, the UDC could not fund approved loans made through economic programs lacking specific statutory authorization.

Effective Date:

This bill would take effect immediately.

PART Z – Extend the authorization of the New York State Urban Development Corporation to administer the Empire State Economic Development Fund

Purpose:

This bill would extend the authorization of the New York State Urban Development Corporation (UDC) to administer the Empire State Economic Development Fund (EDF) for an additional 3 years.

Summary of Provisions and Statement in Support:

Section 16-m of the UDC Act authorizes the UDC to provide financial assistance through the EDF. This authorization has been renewed regularly since 2012 and is currently set to expire on July 1, 2022.

The bill would provide for the continued administration of the EDF, the UDC's primary economic development program. Extending the expiration date until July 1, 2025 will permit the UDC to fulfill prior commitments made through the EDF, and to make new assistance available to businesses and other stakeholders throughout the State without interruption.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because it allows ESDC to continue to implement the Economic Development Fund.

Effective Date:

This bill would take effect immediately.

PART AA – Extend the Infrastructure Investment Act

Purpose:

This bill would extend the Infrastructure Investment Act for an additional 5 years until December 31, 2027.

Summary of Provisions and Statement in Support:

The infrastructure investment act authorizes certain State entities to utilize design-build contracts for capital projects related to the state's physical infrastructure. This bill also extends the infrastructure investment act and design-build authorization for certain New York City entities for an additional five years through December 31, 2027.

Budget Implications:

This bill is necessary to complete construction projects associated with the executive budget.

Effective Date:

This bill would take effect immediately.

PART BB – Linked Deposit Program Expansion

Purpose:

The bill would amend the Excelsior Linked Deposit program to allow Community Development Financial Institutions (“CDFIs”) to participate as borrowers in the program for projects in which they, in turn, will provide loans.

Summary of Provisions and Statement in Support:

The proposed legislation amends the state finance law to include CDFIs as eligible borrowers under the Excelsior Linked Deposit program and to allow CDFIs to subsequently make loans to small businesses using funds borrowed.

The state finance law is also amended to define CDFIs.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because there is a lack of minority small businesses participation within the program. A large part of the reason for this disparity is that many minority businesses do not have a relationship with traditional banks and instead have relationships with CDFIs, which are currently precluded from participating in the Linked Deposit program.

Effective Date:

This bill would take effect immediately.

PART CC – Small Business Seed Funding Grant Program

Purpose:

This bill would create the small business seed funding grant program to support early stage, newly formed micro and small businesses in New York State and help such small businesses succeed in a recovering New York State economy.

Summary of Provisions and Statement in Support:

This bill would add a new section 16-gg to the urban development corporation act to establish the Small Business Seed Funding Grant Program. The program would provide funding to micro and small businesses that meet eligibility criteria. Each business would need to show that it is (1) incorporated, licensed or registered with New York state; 2) it has between five thousand and one million dollars in gross receipts or business expenses of at least ten thousand dollars; and 3) it started operating on or after March 1, 2019 and has been operational for at least six months prior to its application; to receive grant funds from empire state development.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget as part of Governor Hochul's comprehensive plan for small business.

Effective Date:

This bill would take effect immediately.

PART DD – Extend the authorization of the Dormitory Authority of the State of New York to form subsidiaries

Purpose:

This bill would extend for an additional 3 years until July 1, 2025, the authorization of the Dormitory Authority of the State of New York (DASNY) to create subsidiaries to take title to the property of borrowers regulated under Public Health Law Article 28, who have defaulted on loan agreements or mortgages with DASNY.

Summary of Provisions and Statement in Support:

Chapter 584 of the laws of 2011 authorizes DASNY to create subsidiaries to take title to the property of borrowers regulated under Public Health Law Article 28, who have defaulted on loan agreements or mortgages with DASNY. This authorization has been renewed five times since 2011 and is currently set to expire on July 1, 2022. Absent enactment of this extension, it would not be financially feasible for DASNY to continue to lend money to Article 28 hospitals.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2021 Executive Budget, which assumes that DASNY will continue to be a financing vehicle for not-for-profit hospitals and health care facilities across the State.

Effective Date:

This bill would take effect immediately.

PART EE – Authorize the dormitory authority to provide its services to not-for-profit corporations

Purpose:

This bill would provide the Dormitory Authority of New York State (DASNY) with authorization to provide finance, design, and construction services to not-for-profit organizations for capital infrastructure projects.

Summary of Provisions and Statement in Support:

Sections 1 and 2 of this bill would amend the definitions of the terms “dormitory” and “educational institution” contained in Public Authorities Law sections 1676(2)(b) and 1680(1), respectively, to include any not-for-profit corporations for capital infrastructure projects with a total cost of not less than \$5 million. The inclusion of such entities with the definitions of “dormitory” and “educational institution” would authorize such entities to access DASNY’s finance and/or construction services. Any such not-for-profit corporation entities seeking financing through DASNY would need to be sufficiently creditworthy to secure funding in the private or public markets.

Section 3 of the bill would make clear that the legislative intent of this additional authorization would not, in any way, impact DASNY’s existing legal authorities under any other provision of law.

There is a widely acknowledged need to advance critical capital projects that improve infrastructure for all New York residents. DASNY, as a leading state authority in the areas of construction and finance, is well-positioned to assist in meeting this need. The expansion of DASNY’s authority to provide finance, design, and construction services to all not-for-profit organizations working on such capital projects would provide another means by which the State could immediately help to advance this important goal.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget.

Effective Date:

This bill would take effect immediately.

PART FF – Expand prequalification program to include Dormitory Authority of the State of New York

Purpose:

This bill would expand New York’s prequalification program to include the Dormitory Authority of the State of New York (DASNY).

Summary of Provisions and Statement in Support:

Section 1 of the bill would amend section 1678 of the public authorities law authorizing DASNY to establish a prequalification program and identifying the requirements for such a program, including publication requirements for solicitations to be on a prequalified list and an appeal and review process.

The use of prequalification programs in New York State and across the country creates efficiencies in the selection of construction resources. The application of a prequalification program saves time, and for DASNY, which has managed over 600 construction projects at a time, this would translate into significant savings on its projects.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget.

Effective Date:

This bill would take effect immediately.

PART GG – Authorize downtown communities to utilize the Dormitory Authority of the State of New York’s planning, design, procurement, and construction management services to facilitate and support the New York State Downtown Revitalization Initiative program.

Purpose:

This bill would authorize Dormitory Authority of the State of New York (DASNY) to provide planning, design, procurement, and construction management services to downtown communities that have been selected as part of the New York State Downtown Revitalization Initiative (DRI) program.

Summary of Provisions and Statement in Support:

Sections 1 and 2 of the bill would amend the definition of the terms “dormitory” and “educational institution” contained in Public Authorities Law (“PAL”) §§ 1676(2)(b) and 1680(1), respectively, to include any recipient of a loan or grant from the New York State downtown revitalization program. The inclusion of such entities within the definitions of “dormitory” and “educational institutions” would operate to authorize DASNY to finance and construct facilities for such entities.

New York’s Downtown Revitalization Initiative (DRI) transforms downtown neighborhoods into vibrant centers that are magnets for redevelopment, business, job creation, and economic and housing diversity. These projects are a key to helping New York rebuild its economy from the effects of the COVID-19 pandemic. DASNY has completed thousands of construction projects and has proven expertise in successfully overseeing a multitude of construction projects, which include cost control analysis, building code compliance, and state-of-the-art analytical tools that assist in the management of construction schedules to ensure the timely completion of projects that are within budget and code requirements.

DASNY’s authority to provide construction, procurement, and design services is currently limited to those entities or projects that have been explicitly authorized by the legislature.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget, which includes funding for the DRI initiative.

Effective Date:

This bill would take effect immediately.

PART HH – Authorize state authorities to utilize DASNY’s design and construction services

Purpose:

This bill would extend authorization to utilize the Dormitory Authority of the State of New York’s (DASNY) design and construction services to include state public authorities

Summary of Provisions and Statement in Support:

The bill would amend section 1678 of the public authorities law to authorize DASNY to provide its design and construction services to state public authorities.

This bill would amend DASNY’s authorizing statute to enable the authority to provide all state public authorities, as defined under section 2 of the PAL, with the option to utilize DASNY’s design and construction services. Eligible state public authorities would include any public benefit corporation that is created by state law and has at least one board member appointed by the Governor. Given that DASNY’s primary mission is

construction project delivery, it would benefit the State to allow any of the state public authorities, particularly those authorities that are not regular builders of construction projects, to leverage DASNY's expertise and services when undertaking capital infrastructure projects.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget, which includes funding for public authorities capital infrastructure projects.

Effective Date:

This bill would take effect immediately.

PART II – Authorize a social equity fund for retail cannabis dispensaries.

Purpose:

This bill would authorize a private debt or equity fund to be created for use in providing financial assistance to socially and economically disadvantaged individuals in relation to establishment of retail cannabis dispensaries. This bill would provide qualifying entrepreneurs with access to capital for purposes of establishing retail dispensaries. A newly created equity fund would allow access to financing in an emerging young market and provide opportunities for economic development in disadvantaged communities across the State.

Summary of Provisions and Statement in Support:

The bill would also amend the state finance law to direct revenues generated from the Social Equity Fund to be used to reimburse the State for deposits into the Social Equity Fund and to support expenditures outlined throughout the bill.

The bill would amend the state finance law to allow to create a cannabis Social Equity Fund, which would support capital and other related costs associated with establishing adult-use cannabis retail dispensaries, for operation by social and economic equity applicants licensed pursuant to article 4 of the cannabis law.

This bill would further amend the public authorities law to authorize the Dormitory Authority of the State of New York's (DASNY) to form one or more subsidiaries and to authorize DASNY to use those subsidiaries to provide services to the Office of Cannabis Management, the Cannabis Control Board, and the Social Equity Fund.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget.

Effective Date:

This bill would take effect immediately.

PART JJ – ConnectALL Initiative

Purpose:

This bill would exempt projects deploying fiber-optic cable in the State right-of-way under the ConnectALL Initiative from the Department of Transportation use and occupancy fees.

Summary of Provisions and Statement in Support:

This bill would amend subdivision 24-e of section 10 of the Highway Law and section 7 of the Transportation Corporations law to eliminate fees on the use and occupancy of the State right-of-way for fiber-optic cable placed in fulfillment of a grant award under the ConnectALL Initiative.

This bill is part of the Governor’s ConnectALL Initiative to connect all New Yorkers to high-speed affordable broadband. This statutory change would ensure that ConnectALL Initiative projects are exempt from use and occupancy fees for fiber optic cables administered by the Department of Transportation. Removing this fee on broadband providers participating in the ConnectALL initiative would prevent State subsidies from being utilized to pay State fees and reduce overall project costs.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2022 Executive Budget due to the necessity of allowing providers the opportunity to connect unserved and underserved areas of the state with cost effective broadband.

Effective Date:

This bill would take effect immediately.

PART KK – Inactive Landfill Initiative - Removal of Program Cap

Purpose:

This bill would remove a \$25 million appropriation funding limit from the Clean Water Infrastructure Act of 2017 to allow additional funding to support the Solid Waste Mitigation Program's Inactive Landfill Initiative.

Summary of Provisions and Statement in Support:

Under the Inactive Landfill Initiative, the Department of Environmental Conservation investigates the quality of groundwater at inactive landfills, as well as private drinking water in residential areas close to inactive landfills. At the current rate of spending on this program, it is anticipated that the appropriation limit would be reached during 2022. Without the removal of this \$25 million funding limit, this program would be unsupported, and would cease to operate. It is the only program of its kind in NYS.

The program spending would remain limited by appropriation language.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget to continue the Inactive Landfill Initiative.

Effective Date:

This bill would take effect immediately.

PART LL – Extend and Enhance the Brownfield Cleanup Program

Purpose:

This bill would extend and update the Brownfield Cleanup Program (BCP) by providing new categories of eligibility for tangible property credits, establishing a program fee to pay for staff, and extending the site preparation and groundwater remediation credits for sites that may have been unable to complete work due to the COVID-19 pandemic. It would also extend the sunset date of the program by ten years, until December 31, 2032.

Summary of Provisions and Statement in Support:

The BCP is designed to encourage private-sector cleanups of brownfields and to promote their redevelopment as a means to revitalize economically blighted communities. The BCP is intended to remove some of the barriers to, and provide tax incentives for, the redevelopment of urban brownfields. To further promote redevelopment in disadvantaged communities, this bill would expand tangible property tax credit eligibility for certain areas.

This bill would extend the eligibility for the BCP tax credit to sites accepted into the program through December 31, 2032. It would also require payment of a non-refundable program fee of \$50,000 after acceptance into the BCP.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget as it is in the economic interest of New Yorkers for the BCP to continue delivering the economic and public health benefits it offers. The program fee would provide financial support to ensure that the Department of Environmental Conservation has the resources it needs to adequately manage and oversee the program.

Effective Date:

This bill would take effect immediately.

PART MM – Extend the Waste Tire Management and Recycling Fee for five years and modify associated administrative provisions

Purpose:

This bill would extend the waste tire management and recycling fee for five years and align its filing requirements and administrative provisions with that of sales tax.

Summary of Provisions and Statement in Support:

This bill would amend Environmental Conservation Law extending the waste tire recycling program to December 31, 2027.

Under existing law, businesses that sell new tires must collect a waste tire management fee from customers and must file returns and remit the fee to the Department of Taxation and Finance. These businesses also are required to collect and remit sales tax. Although waste tire fee returns are based on sales tax, waste tire fee returns are currently filed separately. This bill aligns the quarterly filing of requirements of this fee with that of sales tax so the fee can be reported and remitted on the entity's sales tax return, reducing an administrative burden on businesses.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because the \$2.50 fee supports the abatement of waste tire sites and associated staff at the Department of Environmental Conservation.

Effective Date:

This bill would take effect immediately provided that sections three and four of this act shall take effect on March 1, 2023, provided further that the return for the quarterly period ending on the last day of February 2023 shall be due on March 31, 2023, and any fees required to be collected and paid for such period must be remitted with such return.

PART NN – Financing the Clean Water, Clean Air, and Green Jobs Bond Act of 2022

Purpose:

This bill would authorize issuance of \$4 billion of general obligation bonds to preserve, enhance, and restore the quality of the state's environment through Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022.

Summary of Provisions and Statement in Support:

This bill would authorize the issuance of \$4 billion of bonds to finance environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change. Furthermore, the bill would authorize the State to incur \$4 billion of debt in the form of tax-exempt general obligation bonds to finance capital projects to restore habitats and reduce flood risk; improve water quality; protect open space and invest in recreational infrastructure; expand the use of renewable

energy to mitigate climate change; and other such projects that preserve, enhance, and restore the quality of the state's environment.

Budget Implications:

Enactment of this bill is necessary to implement the FY23 Executive Budget as it authorizes the issuance of bonds required to finance projects supported by the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022.

Effective Date:

This bill would take effect immediately except section 1 of the bill which would not take effect until November 2022, if approved by the voters at the general election.

PART OO – Implementation of the Clean Water, Clean Air, and Green Jobs Bond Act of 2022

Purpose:

This bill would establish the \$4 billion Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022.

Summary of Provisions and Statement in Support:

This bill would allocate funding for approved projects to finance environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change throughout the New York State.

The funds received from the sale of general obligation bonds would be used for projects to: restore habitats and reduce flood risk; improve water quality; protect open space and invest in recreational infrastructure; expand the use of renewable energy to mitigate climate change; and such other projects that preserve, enhance, and restore the quality of the state's environment.

The bill would also amend the State Finance Law, by establishing a new fund, the Clean Water, Clean Air, and Green Jobs Bond Fund, to hold the bond proceeds and by directing the State Comptroller to issue the bonds based on the projects' weighted average life.

Budget Implications:

Enactment of this bill is necessary to implement the FY23 Executive Budget as it authorizes the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022, to be financed with \$4 billion of bond proceeds.

Effective Date:

This bill would take effect immediately.

PART PP – Increased Support to the Environmental Protection Fund from the Real Estate Transfer Tax

Purpose:

This bill would increase the amount of Real Estate Transfer Tax (RETT) utilized to support the Environmental Protection Fund (EPF).

Summary of Provisions and Statement in Support:

This bill would increase the annual amount of RETT used to support the EPF from \$119.1 million to \$257.4 million. This additional revenue will ensure that the fund has sufficient resources to finance its annual level of commitments.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget as this level of RETT support is directly related to EPF spending levels.

Effective Date:

This bill would take effect immediately.

PART QQ – Improvements to the Freshwater Wetlands Regulatory Program

Purpose:

This bill would update and improve New York’s Freshwater Wetlands Act to provide better public service by making outdated maps educational rather than jurisdictional and focusing conservation efforts on important wetlands.

Summary of Provisions and Statement in Support:

This bill would make strategic changes to update and improve the State’s freshwater wetlands program. It will support efforts to conserve and restore critically important natural resources, including at-risk species and the wetlands that provide habitats for these species. A central piece of this proposal is to reform wetland maps to ensure their accuracy and utility to address climate risks identified in the Community Risk and Resiliency Act and the Climate Leadership and Community Protection Act. This bill would also update the freshwater wetland and coastal hazardous erosion area permitting fees and penalties.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because this legislation would support the wetland program through increased permit application fees. This proposal would also eliminate the costly statutory requirements for map

amendments under the Freshwater Wetlands Act that include certified mailing and other publication costs.

Effective Date:

This bill would take effect immediately, except that sections one through eight would take effect on January 1, 2023.

PART RR – Extended Producer Responsibility

Purpose:

This bill would create an Extended Producer Responsibility program for packaging and paper products. The bill would define the products and entities covered, establish producer responsibility organizations, and create minimum convenience standards. The intent of this bill is to reduce waste at its source, promote more sustainable product design and support the achievement of recycling and materials management goals by placing responsibility for the collection and management of post-consumer packaging and paper products on the producers of such products.

Summary of Provisions and Statement in Support:

The bill would require producers or one or more producer responsibility organizations (PRO) in the state to develop and implement a program to provide for the collection and recycling of packaging and paper products. The program would be comprised of a collection network providing consumers ample opportunity to responsibly manage waste product packaging and paper products at the end of their useful lives, to be fully financed by product manufacturers. Producers would be prohibited from selling products into the state unless they were either implementing their own individual approved extended producer responsibility program or participating in an approved PRO. The bill would also require the producer or PRO to consult with the advisory committee established by the Department of Environmental Conservation (DEC) to help inform the producer's or PRO's program plan, and sets forth enforcement provisions and penalties for noncompliance.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because the proposal will create a fund to receive revenues collected by producers for DEC to administer and enforce the program. The proposal would require an estimated four new FTEs in DEC to implement the program at an estimated cost of \$300,000 annually, which would be supported by the new fund.

Effective Date:

This bill would take effect immediately.

PART SS – Reduce Toxics in Packaging

Purpose:

This bill would replace the existing hazardous packaging statute in Environmental Conservation Law to update the law to restrict lead, cadmium, hexavalent chromium, per-and polyfluoroalkyl substances (PFAS), and phthalates in packaging.

Summary of Provisions and Statement in Support:

Packaging makes up nearly 30 percent of municipal solid waste. When packaging containing toxic substances is disposed of at a landfill or composting facility, these toxic substances may transfer to surface water, groundwater, or may even end up applied to land as biosolids. This bill would restrict the sale, offering for sale, or distribution of packaging with heavy metals, PFAS, and phthalates at levels above 100 parts per million (ppm). Implementing these restrictions would support a reduction in the presence of these harmful substances from commerce and the environment, and address contamination issues associated with composting and recycling of packaging materials.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because the revenue from the penalties in this bill will help to support program staff at the Department of Environmental Conservation who implement this legislation.

Effective Date:

The original provisions that are applicable to heavy metals in packaging would take effect immediately as they are already restricted under the current law. Restrictions on PFAS in food packaging would take effect December 31, 2022, as they would under current law. New restrictions applicable to all packaging would take effect December 31, 2024.

PART TT – Suffolk County Water Quality Restoration Act

Purpose:

This bill would give Suffolk County Legislature the authority to establish a wastewater management district to protect the Long Island aquifer and marine environments. The intent of a cohesive management district is to reduce nitrogen discharge from local septic systems, thereby preserving and improving drinking water quality, mitigating harmful algae blooms, and protecting local ecosystems.

Summary of Provisions and Statement in Support:

This bill would amend County Law to enact the Suffolk County Water Quality Restoration Act. Suffolk County currently has 27 fragmented sewer systems. The intent of this bill is to provide the Suffolk County Legislature with the option of establishing a consolidated, single, county-wide wastewater management district in accordance with the Suffolk County subwatershed wastewater plan. With county legislative approval, this district would have the authority to collect charges, rates, and taxes, and would, by local law and subject to a mandatory referendum, establish a new county fund for these purposes. A fee of \$5 per month would be collected for all Suffolk County residential

properties. The bill would also provide Suffolk County the authority, by local law, to create two oversight entities, the District Board of Trustees and the Water Quality Restoration Citizens Advisory Committee, to prepare and implement the subwatershed wastewater plan.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget to proactively protect the Long Island's sole-source aquifer and marine ecosystems to avoid future remediation efforts and adverse impacts to public health and the environment.

Effective Date:

This bill would take effect immediately.

PART UU – Providing Public Schools Access to the Clean Water State Revolving Fund

Purpose:

The bill would allow the Environmental Facilities Corporation (EFC) to offer school districts financing through the Clean Water State Revolving Fund (CWSRF) and harmonize the definition of "municipality" between the CWSRF and the Drinking Water State Revolving Fund (DWSRF).

School districts are currently unable to access critical wastewater infrastructure funds because they are not currently included in the definition of municipality. This amendment would allow school districts to have access to the CWSRF for low-cost financial assistance and potential grant funding to address wastewater and storm water infrastructure needs.

Summary of Provisions and Statement in Support:

This bill would amend paragraph (h) of subdivision 1 of section 17-1909 of the environmental conservation law to expand the definition of "municipality" to include school districts.

Budget Implications

Enactment of this bill is necessary to implement the FY 2023 Executive Budget as it would allow school districts to be the beneficiaries of CWSRF financing and grants.

Effective Date:

This bill would take effect immediately.

PART VV – Strengthen Code Enforcement Standards

Purpose:

This bill would amend the Executive law, relating to administration and enforcement of the New York State Uniform Fire Prevention and Building Code (Uniform Code) and State Energy Conservation Construction Code (Energy Code).

Summary of Provisions and Statement in Support:

Currently, the Department of State (DOS) oversees the administration and enforcement of the Uniform Code and Energy Code by local governments. However, the DOS has few non-compliance options to address local government. Proper and effective code enforcement practices are necessary to protect health, safety, and security of the public.

This proposed bill would strengthen the State's oversight authority over local governments' administration and enforcement of the Energy Code by increasing penalties on local government for failure to enforce the Energy Code, expanding DOS enforcement and authorizing DOS to delegate Energy Code enforcement powers to neighboring jurisdictions.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget.

Effective Date:

This bill would take effect immediately.

PART WW – I Love NY Waterways Vessel Access Account

Purpose:

This bill would repeal the vessel surcharge associated with the vessel registration fee, in order to comply with Federal law.

Summary of Provisions and Statement in Support:

This bill would amend Vehicle and Traffic Law and State Finance Law to remove reference to and end collection of the vessel surcharge attached to vessel registration and renewal of a vessel. The surcharge was recently found to be noncompliant with Federal law. This bill is necessary and critical to conform to federal law and assure that the Office of Parks, Recreation and Historic Preservation (OPRHP) continues to receive critical Federal funding.

Section 1 of this bill amends subdivision 3 Section 2251 of the Vehicle Traffic Law to repeal the vessel surcharge attached to vessel registration fees. This section would also redact language which directs the surcharge to be deposited into the "I Love NY waterways" vessel access account.

Section 2 of this bill amends subdivision 2 of Section 97-nn of State Finance Law to repeal the "I Love NY waterways" vessel access account.

Section 3 of this bill repeals subdivision 4 of Section 97-nn of State Finance Law to repeal requirements on the revenues deposited into the “I Love NY waterways” vessel access account.

Budget Implications:

While this bill would result in a revenue loss of \$1.4 million annually, enactment of this bill is necessary as part of the FY 2023 Executive Budget because it will allow OPRHP to continue to receive and utilize Federal grants from the National Recreational Boating Safety Program.

Effective Date:

This bill would take effect immediately except that section 2 and 3 of this act shall take effect on April 1, 2024.

PART XX – Hudson River-Black River Regulating District - Real Property Tax Obligation

Purpose:

This bill would treat State lands under the purview of the Hudson River-Black River Regulating District (HRBRRD) in the same manner as State lands subject to taxation pursuant to title 2 of article 5 of the Real Property Tax Law.

Summary of Provisions and Statement in Support:

This bill would shift the responsibility for paying real property taxes from the HRBRRD to the State. The land was acquired by HRBRRD for regulatory purposes but is owned by the State. The land managed by HRBRRD should be treated the same as other state lands in relation to the payment of property taxes.

Section 1 of this bill would amend article 15, section 15-2115 of the environmental conservation law to repeal HRBRRD as the entity responsible for paying real property taxes on the land acquired under its authority.

Section 2 would amend title 2, section 532 of the real property tax law by establishing a new subdivision to include land established by section 15-2115 of the environmental conservation law and owned by the State as state land subject to taxation.

Section 3 establishes the effective date.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because it maintains a consistent real property tax structure for state land. The impact of this bill

to the state financial plan is approximately \$3.4M. This increase will be to the General State Charges budget.

Effective Date:

This bill would take effect immediately.

PART YY – Removes the functional oversight of the State Council of Parks, Recreation and Historic Preservation and the Regional Park, Recreation and Historic Preservation Commissions to accurately reflect their advisory role.

Purpose:

This bill would remove certain obsolete powers and duties of the State Council of Parks, Recreation and Historic Preservation (SCOP) and the Regional Park, Recreation and Historic Preservation Commissions (Regional Commissions).

Summary of Provisions and Statement in Support:

Prior to the creation of the Office of Parks, Recreation and Historic Preservation (OPRHP), parks and historic sites were operated by separate regional officers and led by regional state park commissions. The SCOP was created to centralize the management of the state park system. With the creation of OPRHP and the unified statewide park system, the powers and duties of the SCOP and Regional Commissions were no longer needed, as they solely act as advisory commissions to OPRHP.

Section 1 of this bill would repeal section 5.09 of the parks, recreation, and historic preservation law (PRHPL), which allows the SCOP to enter into contracts with federally funded non-profit organizations for the purpose of improving highways and parks.

Section 2 would repeal section 7.11 of PRHPL, which allows the Regional Commissions to create regional budgets and review the policies and procedures of OPRHP.

Section 3 would repeal section 7.13 of PRHPL, which permits the Long Island Park, Recreation and Historic Preservation Commission to prepare an annual plan for the Jones Beach Theatre and select the theatre's producer and events.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget because it would accurately reflect the advisory role of the SCOP and Regional Commissions. This bill would create minimal savings for the OPRHP.

Effective Date:

This bill would take effect immediately.

PART ZZ – New York Power Authority Captive Insurance

Purpose:

This bill would authorize the New York Power Authority (NYPA) to create a captive insurance company to manage risk and provide NYPA with related tax exemptions.

Summary of Provisions and Statement in Support:

A captive insurance company would enable NYPA to effectively provide coverage for risks that are not currently insured, not insurable on the traditional commercial markets, or prohibitively expensive to insure through the commercial markets. These include risks related to terrorism, cyber-technology, hydropower flows and other forms of business interruption, and environmental damage.

A captive insurer would also provide NYPA with more flexibility to manage risk. Furthermore, as a captive matures, it can assume additional types of risk. The Port Authority of New York and New Jersey created a captive insurer initially to cover terrorism-related risk. Today, its captive holds multiple risks including an "owner-controlled insurance program" related to construction projects as well as workers compensation.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget as NYPA anticipates this proposal could result in substantial cost savings to the authority.

Effective Date:

This bill would take effect immediately.

PART AAA – Continue to authorize the New York State Energy Research and Development Authority special assessment

Purpose:

Provide the New York State Energy Research and Development Authority (NYSERDA) with continued authorization to finance all or a portion of: the energy research, development and demonstration program; the energy policy and planning program; climate change related expenses of the Department of Environmental Conservation (DEC); and the Department of Agriculture and Markets' (DAM) Fuel NY program, from an assessment on gas and electric corporations.

Summary of Provisions and Statement in Support:

The bill would authorize NYSERDA to finance its energy research, development and demonstration program, its energy policy and planning program, climate change related expenses of the Department of Environmental Conservation (DEC) and the Department of Agriculture and Markets' (AGM) Fuel NY program, from a special assessment on gas and electric corporations. This special assessment is in addition to the special assessment under Section 18-a of the Public Service Law which authorizes the

Department of Public Service to assess gas and electric corporations for expenses related to administering Public Service Law programs.

A similar bill has been proposed annually as an Article VII provision and was last enacted as Part W of Chapter 58 of the Laws of 2021. Without this authorization, NYSERDA, DEC and AGM would not be able to continue to implement necessary programs in the 2023 State Fiscal Year.

Budget Implications:

Enactment of this bill is necessary to implement the 2023 Executive Budget because it authorizes the collection of assessments in an amount not to exceed \$22,875,000 that would fund NYSERDA's energy research, development and demonstration program and its energy policy and planning program, climate change related expenses of DEC and AGM's Fuel NY program.

Effective Date:

This bill would take effect immediately.

PART BBB – To authorize the use of utility and cable television assessments for public health campaigns and regulatory oversight to the Department of Health from cable television assessment revenues and to the departments of Agriculture and Markets, Environmental Conservation, and State, and the Office of Parks, Recreation and Historic Preservation from utility assessment revenues

Purpose:

This bill would authorize certain state agencies to finance public health campaigns and utility oversight related costs from assessments on cable television companies and public utilities, respectively.

Summary of Provisions and Statement in Support:

Sections one through four would authorize utility oversight related expenditures of the departments of Agriculture and Markets, Environmental Conservation, State, and the Office of Parks, Recreation and Historic Preservation as eligible expenses of utility assessment revenues.

Section five would authorize certain expenditures of the Department of Health as eligible expenses for cable television assessment revenues.

Section 18-a of the Public Service Law (PSL) authorizes the Department of Public Service (DPS) to assess public utilities for costs associated with the regulation of utilities. PSL § 217 authorizes the DPS to assess cable television companies for costs associated with the regulation of cable television companies.

This bill would ensure that the affected agencies will continue to be able to expend utility assessment funds on agency activities related to utility oversight and public health initiatives. Chapter 58 of the Laws of 2021 provided similar authorizations.

Budget Implications:

Enactment of this bill is necessary to implement the FY 2023 Executive Budget as its provisions ensure the recovery of public health and utility oversight related expenses incurred by the departments of Health, Agriculture and Markets, Environmental Conservation, State, and the Office of Parks, Recreation and Historic Preservation.

Effective Date:

This bill would take effect immediately.

PART CCC – Gas Service

Purpose:

To discourage the use of natural gas as a fuel of choice.

Summary of Provisions and Statement in Support:

This bill would authorize the Public Service Commission (PSC) to disallow gas corporations from covering the costs of the first 100 feet of infrastructure between a natural gas main and a building proposed to be served by natural gas. Eliminating this requirement for gas corporations to pay these costs, commonly referred to as “100-foot rule,” would increase costs to the applicant developer and require them to consider alternative, cleaner, fuel sources. However, the bill would continue to permit the 100-foot rule in limited circumstances where electrification of a building is not a practical alternative.

The bill would also allow facilities providing geothermal energy to be owned by or operated by gas and/or electric corporations. Currently, such corporations can only own or operate gas or electric plants, and not geothermal facilities. Parties in various proceedings before the PSC have raised the possibility of owning and operating shared geothermal loops serving multiple customers. This bill would allow the PSC to consider such proposals, balancing their potential environmental benefits against potential costs to ratepayers.

Lastly, this bill would allow a gas corporation to charge customers for the geothermal service it may provide.

Budget Implications:

This bill is necessary for passage of the FY 2023 budget as it would encourage cleaner alternatives to natural gas and is necessary in meeting the ambitious goals of the Climate Leadership and Community Protection Act.

Effective Date:

This bill would take effect immediately.

PART DDD – Allow Hospitals to Benefit from Services Provided by the New York Power Authority.

Purpose:

This bill would authorize the New York Power Authority (NYPA) to finance and design, develop, construct, implement, provide and administer energy-related projects, programs and services (collectively, “Energy Services”) for general hospitals in the state.

Summary of Provisions and Statement in Support:

Currently, unless a general hospital is a government entity or a NYPA power customer, it is not eligible to access NYPA Energy Services.

This bill would authorize NYPA Energy Services for any general hospital in New York State, thereby helping these hospitals to reduce energy usage, reduce greenhouse gas emissions associated with hospital operations, and otherwise “green” their hospital operations.

Budget Implications:

General hospitals are intensive energy users and allowing more of these institutions to access NYPA Energy Services would advance Climate Leadership and Community Protection Act goals and help these institutions reduce energy costs, especially as they attempt to recover from the fiscal impacts of the COVID-19 pandemic.

Effective Date:

This bill would take effect immediately.

PART EEE – Advanced building codes, appliance and equipment efficiency standards, and the Building Benchmarking Act of 2022.

Purpose:

To help meet the clean energy and climate policies of the state, this bill would enact building benchmarking, remove current barriers in the Energy Law that could impede the adoption of updates to the State Energy Conservation Construction Code (Energy Code), require zero on-site greenhouse gas emissions for new construction no later than 2027, and increase the state’s efficiency standards for appliances and equipment.

Summary of Provisions and Statement in Support:

The bill is necessary to implement the State’s energy efficiency and climate change mitigation goals, to reduce energy consumption by 185 trillion BTUs below forecasted levels by 2025, as set forth within the Climate Leadership and Community Protection Act (CLCPA).

Specifically, this bill would provide authority and mechanisms with respect to benchmarking building energy and water data. Equipped with this information, property owners and government agencies would make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

Additionally, this bill would update building energy codes, which govern new buildings and modifications to existing buildings and require no on-site emissions of greenhouse gases for new construction by 2027, directly impacting a building's energy load and carbon footprint. Increasing the efficiency of buildings would have a significant impact on New York's energy use and have a major impact in achieving our energy and climate goals. Increasing the efficiency of buildings would also reduce our power demand and decrease our environmental impact while lowering the cost of operating a building. Furthermore, this bill proposes product and appliance standards that would set performance and efficiency standards that reduce energy and water use. Adoption of energy efficiency and greenhouse gas standards would conserve energy and water, reduce pollution, and save money.

Budget Implications:

The legislative changes within this bill would help us to reach our CLCPA goals as well as generate savings for ratepayers.

Furthermore, the monetary penalties authorized within this legislation due to violations or failure to comply with rules and regulations adopted pursuant to this act would be deposited into accounts to be utilized by the New York State Energy Research and Development Authority and the Department of State. The funds generated by these fees/fines would support enforcement activities, the performance of studies and reporting, investigations, administration, legal fees, etc.

Effective Date:

This bill would take effect immediately however the amendments regarding appliance and equipment efficiency standards shall take effect 180 days after it shall have become law.

PART FFF - Broadband Technologies and Infrastructure

Purpose:

This bill would authorize the New York Power Authority (NYPA) to dispose of excess capacity in its broadband technologies and infrastructure.

Summary of Provisions and Statement in Support:

During the 2022 State of the State, Governor Hochul announced that the state will conduct a pilot to leverage existing State fiber assets to support middle-mile broadband. NYPA is helping to carry out this pilot and requires legislation to authorize NYPA, notwithstanding any provision of law, to lease or otherwise dispose of interests in excess capacity of the authority's broadband technologies and infrastructure to other

instrumentalities of the state, as deemed feasible and advisable by the NYPA Board of Trustees.

Budget Implications:

Enactment of this bill is necessary to execute the Governor's ConnectALL initiative.

Effective Date:

This bill would take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2022.

The provisions of this act shall take effect immediately, provided, however, that the applicable effective date of each part of this act shall be as specifically set forth in the last section of such part.