

2017

ANNUAL REPORT



New York State Assembly

Carl E. Heastie

Speaker

Committee on

Codes

Joseph R. Lentol

Chair



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Committee on Codes
COMMITTEES
Rules
Ways & Means
Election Law

JOSEPH R. LENTOL
Assemblyman 50th District
Kings County
LentolJ@nyassembly.gov

December 15, 2017

Honorable Carl Heastie
Speaker of the Assembly
932 Legislative Office Building
Albany, New York 12248

Re: Annual Report of the Standing Committee on Codes - 2017

Dear Speaker Heastie:

It is with great pleasure that on behalf of the Standing Committee on Codes, I submit to you the committee's 2017 Annual Report highlighting its activities during the first half of the 2017-2018 Legislative Session.

Among the committee's many accomplishments was the enactment of several bills related to the reform of our state's criminal justice system- most notably legislation to increase the age of criminal responsibility and to improve the quality of the public defense system. The Assembly also approved a series of bills to provide further protections to victims of domestic violence, sex crimes, and human trafficking. Further, the committee worked with other standing committees to enact legislation to protect children and other vulnerable populations.

The Assembly can be justly proud of our legislative accomplishments which are set forth in this report.

The committee extends its appreciation to you for your support. In addition, I would like to thank the committee members and staff for their hard work during the 2017 Legislative Session.

Sincerely,

A handwritten signature in black ink that reads "Joseph R. Lentol".

Joseph R. Lentol, Chair
Standing Committee on Codes

**2017 ANNUAL REPORT
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON CODES**

Joseph R. Lentol, Chair

MEMBERS OF THE STANDING COMMITTEE

Majority

Robin Schimminger
Helene E. Weinstein
J. Gary Pretlow
Vivian E. Cook
Steven Cymbrowitz
Michele R. Titus
Daniel J. O'Donnell
Charles D. Lavine
N. Nick Perry
Kenneth Zebrowski
Thomas J. Abinanti
David I. Weprin
Walter T. Mosley
Andrew Hevesi
Patricia Fahy

Minority

Al Graf, Ranking Member
Joseph M. Giglio
Tom McKeivitt
Michael Montesano
Edward P. Ra
Angelo J. Morinello

PROGRAM AND COUNSEL STAFF

Daniel Salvin, Assistant Secretary for Program and Policy
Marty Rosenbaum, Senior Team Counsel
Jonathan Bailey, Associate Counsel
Mary D'Allaird, Associate Counsel
Maura McNamara, Associate Counsel
Nathaniel Jenkins, Principal Analyst
Katherine Kurtessis, Senior Analyst
Joann Butler, Executive Secretary

CHAIR'S STAFF

Cathy Peake
Jayne LaVigna-Jesmain
Carolyn Wildman
Marcy Feinman
Kathie Lyons

Table of Contents

I.	Committee Jurisdiction.....	1
II.	Summary of Significant Legislation Reported by the Committee on Codes and Enacted in 2017.....	2
	A. Protecting Vulnerable Populations.....	2
	B. Sex Crimes.....	2
	C. Protecting Victims.....	3
	D. Safety.....	3
	E. Health.....	3
	F. Additional Penal and Criminal Procedure Laws.....	4
	G. Protecting Consumers.....	5
	H. Protecting Animals.....	5
	I. Miscellaneous Legislation.....	5
III.	Summary of Significant Legislation Reported by the Committee on Codes in 2017 that the Assembly Approved.....	7
	A. Reforming the Criminal Justice System.....	7
	B. Protecting Vulnerable Populations.....	10
	C. Sex Crimes.....	12
	D. Protecting Victims of Domestic Violence.....	12
	E. Protecting Victims.....	14
	F. Ensuring Equality and Fairness.....	16
	G. Weapons.....	18
	H. Safety.....	19
	I. Health.....	20
	J. Substance Abuse Prevention.....	21
	K. Additional Penal and Criminal Procedure Law Bills.....	21
	L. Protecting Consumers.....	22
	M. Protecting Animals.....	23
	N. Miscellaneous Legislation.....	23
IV.	Summary of Significant Bills that the Governor Vetoed.....	24
V.	Codes Committee Participation in Hearings in 2017.....	25
	A. Government oversight of forensic science laboratories.....	25
	B. Services for victims of human trafficking.....	26
	Appendix A: 2017 Committee Workload Summary.....	27
	Appendix B: Schedule of 2017 Codes Committee Meetings.....	28

Appendix C: Codes Laws of 2017.....	29
Appendix D: Dual Referenced Laws of 2017.....	31
Appendix E: 2017 Codes Bills that Passed the Assembly.....	36
Appendix F: 2017 Dual Referenced Bills that Passed the Assembly.....	39
Appendix G: 2017 Codes Bills Vetoed by the Governor.....	52
Appendix H: 2017 Dual Referenced Bills Vetoed by the Governor.....	53
Appendix I: 2017 Committee Hearings.....	54

I. Committee Jurisdiction

The New York State Assembly Standing Committee on Codes considers issues and legislation regarding the State's criminal and civil justice system. Much of the legislation considered by the members of the Codes Committee amends the Criminal Procedure Law, the Penal Law, the Civil Practice Law and Rules, as well as selected articles of the Executive Law.

In addition, the Committee's dual reference authority, pursuant to Rule IV § 6 (i) of the Rules of the Assembly of the State of New York, places within its jurisdiction legislation initiated in any of the other Assembly standing committees which imposes or changes any fine, term of imprisonment, forfeiture of rights or property, or other penal sanction, as well as legislation related to the procedure by which such fine, term of imprisonment, forfeiture, or other penal sanction is imposed or changed.

II. Summary of Significant Legislation Reported by the Committee on Codes and Enacted in 2017¹

A. Protecting Vulnerable Populations

Provides Child Abuse Information Sharing across Agencies Addresses situations where a child is placed out-of-county, generally in foster care, and a report call is received by the Statewide Central Register (SCR) of Child Abuse and Maltreatment. The “report,” meaning the SCR report, is sent by the state to the county where the child is located (placement county). The legislation provides that if the placement county is not the county of the custody order, the placement county will notify the custody-order county of the “report.” Thereafter, the placement county will notify the custody-order county, following investigation, as to whether the report is founded or unfounded. (A.2965/S.4172; Chapter 281; Children and Families)

Ensures Homebound Patients Receive Services during Emergencies This law ensures certain medical personnel, home health care aides, and hospice personnel have access to homebound patients during an emergency or disaster in the City of New York, including during curfew hours. (A.6549-A/S.5016-A; Chapter 385; Governmental Operations)

Ensures Children in Foster Care have Visitation with Siblings This was an Office of Court Administration proposal. This legislation broadens applicable statutes to ensure that youths in foster care and youths in child protective proceedings may seek court-ordered visitation with their siblings. It enacts a rebuttable presumption favoring keeping siblings together when placement decisions are made. (A.7553/S.4835; Chapter 359; Children and Families)

B. Sex Crimes

Clarifies Law Related to Sexual Assault Evidence Kits Makes technical amendments to certain provisions to the law related to rape kits (Chapter 500 of the Laws of 2016), in order to clarify the entities to which the law applies, specify that Combined DNA Index System (CODIS) profiles shall be developed from eligible evidence, include an inventory requirement, and require quarterly reporting to the leaders of the Senate and Assembly. (A.375/S.980; Chapter 6)

¹ Except where noted, legislation cited in this discussion originated in the Committee on Codes. Where such legislation did not so originate, but was dual referenced into the Committee on Codes from another committee and the Codes Committee had substantial impact on such legislation, then the original committee of reference will appear with the bill number. All chapter numbers are chapters of the Laws of 2017. For a complete list of bills that were reviewed by the Committee on Codes that were chaptered, see Appendices C and D.

C. Protecting Victims

Expands Eligible Travel Expenses for Crime Victims Expands the circumstances under which a crime victim may receive reimbursement for travel expenses incurred when traveling to appear in court. This would allow compensation not just to facilitate testimony of the victim, but also to allow victims to attend other scheduled court appearances from arraignment through trial and sentencing. (A.6857/S.3338; Chapter 416; Governmental Operations)

D. Safety

Requires the Use of Seatbelts in Taxis in Certain Instances Amends the Vehicle and Traffic Law to require every New York state taxi cab and livery operator and front seat passenger be restrained with a commissioner-approved safety seatbelt. Failure to comply could lead to a civil fine of up to \$50. A taxi or livery employee shall have an affirmative defense if the vehicle's driver's seat is not equipped with a belt. (A.1258/S.5749; Chapter 340; Transportation)

Clarifies Legislation Related to TNCs and Raise the Age Makes technical amendments to clarify two provisions enacted as part of the 2017-18 state fiscal year budget. First, it clarifies that persons required to register as a sex offender (all three levels) are not eligible to receive a permit to drive a car for a transportation network company (TNC). Second, it specifies that a person applying for sealing of their criminal records pursuant to new section 160.59 of the Penal Law is only required to file one application to seal all eligible convictions. Lastly, the bill fixes a typographical error regarding the sealing provisions in "raise the age." (A.8493/S.6782; Chapter 60)

E. Health

Requires Health Insurance Companies to Cover Breast Tomosynthesis Requires that every insurance policy providing coverage for hospital, surgical, or medical care includes coverage for breast tomosynthesis for mammography screening. Tomosynthesis, or 3-D mammography, has proven to be a more consistent and reliable way of detecting breast cancer and it is currently not covered by most policies. (A.5677/S.4150; Chapter 414; Insurance)

F. Additional Penal and Criminal Procedure Laws

Prohibits Obstruction of a Firefighter Performing Emergency Medical Care Prohibits persons from obstructing a firefighter performing emergency medical care. Such conduct may render a defendant guilty of the crime of obstructing a firefighting operation, a class A misdemeanor. A similar crime and penalty exists when the official obstructed is an EMT. (A.6756/S.1022; Chapter 124)

Protects Community Centers from Threats Adds community centers to the list of places that qualify as a public place in Article 240 of the Penal Law. This will allow for the prosecution of offenses involving bomb threats and placement of a false bomb as offenses against the public order. (A.7198-A/S.5512-A; Chapter 167)

Provides Notice to Victims of Sex Offenses with Notice of Disposition of Cases This was a Board of Parole proposal. Requires a district attorney to provide written notice to the victim of a Penal Law Article 130 sex offense of the final disposition of the case. The district attorney shall also provide written notice to the victim of the right to make a victim impact statement and/or meet with a member of the state board of parole, when applicable. (A.7439/S.6406; Chapter 193)

Provides Cost-Savings to Counties by Limiting Presentencing Reports This was an Office of Court Administration proposal. Provides that a presentence investigation report (PSI) would not be required when a sentence of conditional discharge has been agreed to by the parties and will be imposed. This same exception already applies when a sentence of probation is agreed to and will be imposed. This legislation is expected to save costs for counties. It should be noted that a judge may always order a PSI when the judge believes a PSI would be helpful. (A.7442/S.5071; Chapter 194)

Allows DAs and the Defense to Obtain and Review Electronic Transcripts This was an Office of Court Administration proposal. Amends the Criminal Procedure Law concerning appeals from local criminal courts where the proceedings were recorded by electronic recording instead of by a stenographer. This amendment would allow the district attorney and the defendant sufficient time to obtain a transcript of an electronically recorded proceeding before being required to file the statutorily-required affidavit of errors. (A.7446/S.5069; Chapter 195)

G. Protecting Consumers

Prohibits Inappropriate Storage of Bedding Prohibits the transportation, storage or sale of used bedding with new bedding when the used bedding has not been sanitized by a method approved by the Department of Health. A violation would be a misdemeanor pursuant to existing section 390-d of the General Business Law. In addition, the Attorney General would be able to seek a fine of up to \$1,000 in accordance with existing section 389-c of the General Business Law. (A.5227-A/S.587-A; Chapter 413; Consumer Affairs)

H. Protecting Animals

Increases Penalties for Taking Big Game Out of Season Increases the penalties in the Environmental Conservation Law for the taking of big game, such as deer, out of season or with an artificial light. The minimum criminal fine was increased from \$250 to \$500 and the maximum criminal fine was increased from \$2,000 to \$3,000. It should be noted that the existing criminal misdemeanor remains the same under this legislation. The minimum civil fine is increased from \$100 to \$500 and the maximum civil fine is increased from \$400 to \$1,000. Additionally, this legislation increases possible civil fines for individuals previously found liable for unlawfully taking big game in the preceding five years. (A.556/S.387; Chapter 408; Environmental Conservation)

Wiretapping for Animal Fighting Felonies Adds animal fighting felonies in section 351 of the Agriculture and Markets Law to the extensive list of designated offenses for which investigative authorities may obtain a wiretapping warrant. (A.2806/S.611; Chapter 91)

I. Miscellaneous Legislation

Employment Agencies Makes technical changes to certain provisions of the law related to regulation of employment agencies. It clarifies that the commissioners of both the Department of Labor and the Office of Consumer Affairs have oversight authority, distinguishes which requirements apply to class C theatrical employment agencies, specifies the format of the terms and conditions information pamphlet, requires that forms be provided in languages other than English, and establishes a discretionary cure period for an agency that violates certain provisions of the law. (A.380/S.1069; Chapter 13)

Agricultural Tourism Sets forth certain general safety and public notice requirements for operators of certain agricultural tourism locations, such as farm and winery tours, grounds for hiking and/or hunting, and pick-your-own farms. The legislation also sets forth in law certain duties for visitors to agricultural tourism sites, to enable visitors to make informed decisions as to the advisability of their participation in agricultural tourism activity. (A.559-A/S.1152-A; Chapter 338; Judiciary)

Rochester Traffic Violation Agency This bill would create a traffic violation agency for the City of Rochester, to assist the Rochester City Court by adjudicating traffic infractions. Currently, Rochester is under the Department of Motor Vehicles Traffic Violations Bureau, which generally does not permit plea negotiations. Such negotiations could occur in this new forum. (A.1501-B/S.6456-A; Chapter 157; Transportation)

III. Summary of Significant Legislation Reported by the Committee on Codes in 2017 that the Assembly Approved²

A. Reforming the Criminal Justice System

Expands the Definition of Solitary Confinement This bill would expand the definition of segregated confinement to include inmates in non-disciplinary confinement, such as administrative segregation. The bill would also provide that solitary housing unit (SHU) confinement should be used as a measure of last resort, that such confinement must be reviewed by the commissioner and that confinement should be for the shortest period necessary to maintain order and discipline. The bill would also prohibit the placement of inmates under 21, mentally ill inmates, or disabled inmates in SHU. This bill would adopt recommendations made by the United Nations Committee against Torture in the use of solitary confinement in New York prisons and jails. (A.1905-A/S.5241; Passed Assembly; Correction)

Provides for Sealing of Records in Marijuana Possession Cases This bill would amend section 221.05 of the Penal Law, the basic possession of marijuana statute. It would provide that a previous small-quantity marijuana possession conviction under subdivision one of section 221.10 of the Penal Law would not result in an increase in the maximum fine for a subsequent conviction. Subdivision one of section 221.10 prohibits the knowing and unlawful possession in a public place of small amounts of marijuana that is burning or open to public view. The bill would also add such marijuana convictions to the list of offenses included in paragraph (k) of subdivision three of section 160.50 of the Criminal Procedure Law for which sealing of records is required upon conviction. The bill would also prohibit a waiver of sealing in these marijuana cases as part of a plea agreement. Additionally, the bill would allow a person convicted under section 221.10 and in certain circumstances section 221.05 of the Penal Law, prior to the effective date of the bill, to seek to have the record of such conviction sealed. (A.2142/S.3809; Passed Assembly)

“Ban the Box” This bill would establish that a conditional offer of employment must be made prior to an employer inquiring whether an applicant has a criminal conviction history. (A.2343/S.2425-A; Passed Assembly; Correction)

² Except where noted, legislation cited in this discussion originated in the Committee on Codes. Where such legislation did not so originate, but was dual referenced into the Committee on Codes from another committee and the Codes Committee has substantial impact on such legislation, then the original committee of reference will appear with the bill number. Additionally, legislation that was in fact approved by both Houses or delivered to the Governor will be listed as such. For a complete list of bills that were reviewed by the Committee on Codes that were approved by the Assembly, see Appendices E and F.

Transfers the Approval of Plans from the Chief Administrator to ILS This bill would have two aims. First, to transfer authority to approve bar association plans for operation of an assigned counsel program or office of conflict defender from the Chief Administrator of the Courts to the Office of Indigent Legal Services (ILS), while ensuring that any plan approved on or before April 1, 2018 would remain in effect unless and until superseded by a plan approved or disapproved by ILS. Second, to require indigent legal service providers and counties to provide ILS with copies of annual reports required to be filed with the Chief Administrator and State Comptroller. This measure is supported by the Office of Court Administration and ILS, and it was included in the Assembly's one-house budget resolution of 2017. (A.3048-B; Passed Assembly)

Speedy Trial Reform This bill would enact a modest reform to the speedy trial provisions of the Criminal Procedure Law, primarily by incentivizing the court to inquire as to whether the prosecution is, in fact, ready for trial when the prosecution claims readiness, and thereby stops the speedy trial clock. This bill also would eliminate generalized court congestion, in most circumstances, as a basis for further delay. (A.3055-A; Passed Assembly)

Discovery Reform This bill would establish the power of a court to order disclosure by the prosecution of relevant property that is shown to be material to preparation of the defense, whether or not the prosecution intends to introduce the property at trial. The bill would address court rulings that have limited such court-ordered disclosure. Under the bill, the government would continue to have effective tools to bar disclosure when needed, such as a motion for a protective order. (A.3056/S.6847-A; Passed Assembly)

Wrongful Conviction Reform This bill would require the recording of interrogations in certain cases and enacts a series of new requirements for photographic arrays and live-lineup procedures designed to protect against suggestiveness and help assure the accuracy of eyewitness identification. (A.4239/S.4826; Passed Assembly)

Raise the Age This bill would raise the age of criminal responsibility from sixteen to eighteen. It would also prohibit the placement of anyone under the age of eighteen in any adult jail or prison. Youth charged with juvenile offenses would start in a newly established youth part within the adult criminal court. The bill would provide for conditional sealing of certain criminal convictions. The bill would also raise the age of juvenile delinquency to twelve (unless the charge is murder, in which case, ten). The previous age was seven. The bill would also make more services available for youth in family court, require probation to seek adjustment of juvenile delinquency cases, and require family support centers to be available throughout the state. (A.4876/S.4157; Passed Assembly)

Grand Jury Reform This bill would seek to increase transparency and assure additional involvement of the judge court in grand jury proceedings. Specifically, the bill would assure that the judge may be present in the grand jury room, and may assign an interpreter to interpret testimony for grand jury witnesses who are not proficient in the English language. In well publicized cases that do not result in indictment (including but not limited to those involving law enforcement officer defendants), the bill would make it easier for the press and members of the public to obtain records of the criminal charges submitted, legal instructions and testimony of witnesses before the grand jury, subject to certain limitations and requests for protective orders. (A.4877/S.5424; Passed Assembly)

Prohibits Law Enforcement from Using Racial or Ethnic Profiling This bill would prohibit law enforcement from using racial or ethnic profiling during the performance of their duties. Specifically, it requires law enforcement agencies to adopt written policies prohibiting such profiling and develop procedures to review and take corrective action as well as comply with certain data collection practices. It would also allow the Attorney General and private individuals to seek injunctive relief and/or damages against a law enforcement agency for engaging in prohibited profiling. (A.4879/S.6555; Passed Assembly)

Expands Charitable Bail This bill would enable more charitable bail organizations to provide assistance to indigent persons in need of such services. This bill would reduce the certification fee required for non-profit organizations from \$1,000 to \$500, would raise the monetary amount that such organizations may provide in bail assistance to \$5,000, would clarify that organizations may contribute bail for additional defenses defined in the Penal Law, and remove the geographical restriction that an organization may only offer bail in one county. (A.4880/S.4776; Passed Assembly)

Reduces By One Day Maximum Sentences for Conviction of Certain Crimes This bill would reduce the maximum length of sentences in class A misdemeanors and a number of unclassified misdemeanors from one year to 364 days, in order to mitigate certain harsh immigration consequences under federal law. Current federal law provides for deportation for convictions on many misdemeanors that are punishable by a sentence of one year or more, even if the actual sentence received is less than one year in length. (A.4881/S.4294; Passed Assembly)

Creates an Investigative Unit in the AG's Office This bill would provide for an Office of Special Investigation within the Attorney General's office with exclusive jurisdiction to investigate and, when appropriate, prosecute cases involving the death of a person as well as the investigation of such death as a result of an encounter with a police officer or peace officer. Additionally, the bill would amend the Criminal Procedure Law to require the court, upon request, to disclose to the public the charges and legal instructions to the grand jury in these specific cases where the grand jury considered charges against the police officer or peace officer but did not indict. The court would provide the prosecution an opportunity to be heard on the matter of disclosure and would be authorized to redact information when appropriate. (A.5617; Passed Assembly)

Increases Law Enforcement Transparency This bill would increase transparency and accountability by requiring that records of routine law enforcement activity and certain law enforcement interactions with the public be maintained. Under the bill, the Chief Administrator of the Courts would be required to compile and publicly publish data on misdemeanor and petty offenses charged in all courts, by county. The data would be available on the Office of Court Administration website on a monthly basis and provided to the Governor and the Legislature in an annual report. The bill would also require the chief of every police department, each county sheriff, and the Superintendent of State Police to promptly report to the Division of Criminal Justice Services (DCJS) any arrest-related death. Under the measure, DCJS would be required to post this information on a monthly basis on its website and also provide the data to the Governor and the Legislature in an annual report. (A.5946/S.147; Passed Assembly)

B. Protecting Vulnerable Populations

Expands Reporting Requirements for Adult Homes This bill would require certain adult home operators to report any death, attempted suicide, or felony crime committed against a resident. The bill expands the current reporting requirement to include operators of enriched housing programs, and it requires such report concerning a felony crime be made to law enforcement as soon as possible, but in any event within 24 hours, rather than the current 48 hours. Under the bill, an operator that intentionally fails to make such a timely report would be guilty of a class A misdemeanor. Additionally, a civil penalty of up to \$1,000 per day could be imposed. (A.2702/S.787-A; Delivered to the Governor; Health)

Provides Services for Immigrants This bill would set forth provisions regarding access to services, law enforcement, and right to counsel in certain immigration related matters. The bill would ensure that people are not unnecessarily questioned about their immigration status when seeking state or local services, benefits or assistance; establish that state or local law enforcement agencies shall not stop, question, investigate or arrest a person based on perceived immigration status or suspected violation of federal immigration law; generally prohibit law enforcement agencies from inquiring about the immigration status of persons contacting such agencies when in need of assistance, including victims and witnesses; require state and local agencies, employees, and health care providers to maintain the confidentiality of immigration status information, unless acting in accordance with 8 U.S.C. 1373, and other information absent valid consent of the individual; prohibit the detention of individuals based on administratively-issued federal immigration warrants and require notification to an individual if a civil immigration warrant or related request has been filed; limit the use of state and local facilities for the purposes of federal immigration enforcement; establish a right to legal representation for persons subject to removal or deportation proceedings; and prohibit state and local agencies from expending resources to assist the federal government in the creation or maintenance of any database or registry based on race, color, creed, gender, sexual orientation, religion, or national or ethnic origin. This bill would comply with existing federal law and set forth state and local procedures. (A.3049-B/S.4075-A; Passed Assembly)

Requires Certain Evacuation Procedures for Persons with Disabilities This bill would require the State Fire Protection and Building Code Council to require evacuation plans for certain buildings, which must include planned procedures for the evacuation of persons with disabilities. A knowing failure to comply with any provision of the bill would be punishable by a civil penalty of up to \$500. (A.6287/S.768; Passed Assembly; Governmental Operations)

Requires Counties to Create Registries of Persons with Disabilities for Use during Emergencies This bill would assist and prepare emergency first responders in disaster situations by requiring counties to maintain a confidential and voluntary registry of people of all ages with a disability. There are requirements in the bill that the list would be kept confidential and used only for disaster preparedness purposes. (A.6865; Passed Assembly; Governmental Operations)

C. Sex Crimes

Removes the Requirement of Victims of Sex Trafficking to Provide DNA This bill would eliminate the requirement that a defendant provide a DNA sample if the court finds the defendant's participation in the offense was a result of having been a victim of sex trafficking under New York State or federal law. This bill would likewise eliminate the DNA sample requirement where the defendant was convicted of offering or providing prostitution services or loitering for the purpose of offering or providing prostitution services. This bill follows-up on recent laws that waived the required payment of a DNA collection fee from such defendants under such circumstances. (A.1030/S.5145; Passed Assembly)

Clarifies Statutes Related to Rape This bill would bring the elements of rape in line with other unlawful sexual acts by removing the penetration requirement in the rape statute. The bill would also expand the definition of rape to include oral and anal sexual contact, which are currently known as "criminal sexual acts." (A.4249; Passed Assembly)

Allows Victims of Trafficking to Seek to Vacate Convictions in Certain Circumstances This bill would allow persons who are victims of sex trafficking or labor trafficking to move to vacate a criminal conviction that resulted from such status. Current law, enacted in 2015, allows persons to move to vacate in such circumstances, but only applies to prostitution convictions. (A.4540/S.4997; Passed Assembly)

Extends the Statute of Limitation in Allegations of Sex Offenses Involving Minors This bill would extend certain unexpired criminal statutes of limitation and eliminate the civil statute of limitations in certain actions and proceedings that allege a sex offense against a minor. Significantly, the bill would also permit revival, under certain circumstances, of the right to bring such a civil action that would otherwise be unavailable due to an expired civil statute of limitation. It would also waive the requirement of the timely filing of a notice of claim when a defendant in such a civil action is a governmental entity. (A.5885-A/S.6575; Passed Assembly)

D. Protecting Victims of Domestic Violence

Provides for Separation from Mobile Phone Contracts in Domestic Violence Situations This bill would require wireless cell phone providers to release victims of domestic violence from their service contracts, including family plans, upon written application by the victim and receipt of documentation of the abuse. The bill would also require the cell phone companies to provide such victims an alternate phone number if requested. (A.946/S.2436; Passed Assembly; Consumer Affairs)

Surrender of Weapons in Domestic Violence Cases This bill would require a court to direct the immediate surrender of handguns and long arms to a law enforcement agency upon a conviction of a misdemeanor crime of domestic violence. The policy basis and constitutionality of this legislation was affirmed by the recent United States Supreme Court decision in *Voisine v. United States* (2016). (A.980/S.5963; Passed Assembly)

Releasing Victims of Domestic Violence from Service Contracts This bill would permit victims of domestic violence to break service contracts with telephone, cable, and television providers without incurring a cancellation fee when they provide a copy of an order of protection, a domestic incident report, a police report, or a signed affidavit. (A.1056/S.2711; Passed Assembly; Corporations)

Expands the Definition of “Victim of Domestic Violence” This bill would expand the definition in the Social Services Law of “victim of domestic violence” to include victims of identity theft, grand larceny, and coercion. This would conform to a recent change in the Criminal Procedure Law and assure that these persons are eligible for certain crime victim services. (A.1330/S.6293; Passed Assembly; Social Services)

Allows Victims of Domestic Violence to Recover Damages from Defendants Failing to Enforce Orders of Protection This bill would permit a domestic violence victim to recover non-economic as well as economic damages from any or all defendants found liable for failing to obey or enforce an order of protection. Current law, as interpreted by the New York State Court of Appeals, does not allow recovery for non-economic damages. This bill would remove from the limited liability provisions within the civil practice law those parties determined to be liable for failing to obey or enforce orders of protection. (A.1390; Passed Assembly)

Prohibits Employers from Discriminating against Victims of Domestic Violence This bill would amend the Human Rights Law to prohibit employers from discriminating against victims of domestic violence. It would also require employers to make reasonable accommodations, unless the employer would incur undue hardship, for employees with such protected status. An employer who would willfully violate this bill’s provisions would be subject to the general penalty within the Human Rights Law of a misdemeanor and a fine not to exceed \$500. (A.1481-A/S.5565-A; Passed Assembly; Governmental Operations)

Allows Victims of Domestic Violence to Seek Action to Recover Damages This bill would amend the Civil Practice Law and Rules by adding a new section 215-a relating to actions to recover damages for injuries arising from acts of domestic violence. It would lengthen the statute of limitations for such actions from one year to two years. (A.1516/S.5231; Passed Assembly; Judiciary)

Discretionary Sentencing for Victims of Domestic Violence This bill would authorize a judge to use discretion in sentencing and resentencing defendants who demonstrate that they were victims of domestic violence and that such victimization was a substantial factor in the commission of the offense. (A.3110/S.5116; Passed Assembly)

Privacy Protection of Victims of Domestic Violence This bill would require insurance companies to allow victims of domestic violence to provide an alternate mailing address to receive health insurance-related information and would prohibit insurance companies from disclosing to the policy holder the location where such victim, or the child or children of such victim, are receiving health care services. (A.4060/S.5396; Passed Assembly; Insurance)

Domestic Violence Escalation Prevention Act This bill would amend the definition of “serious offense” within Article 265 of the Penal Law to include specific domestic violence offenses. The term serious offense is used in section 400.00 of the Penal Law with respect to the determination of eligibility for a license to carry, possess, repair, or dispose of firearms. (A.5025; Passed Assembly)

Clarifies the Rights of Victims of Domestic Violence This is an Office of Court Administration bill. This bill would clarify the notice of rights and expectations that is required to be provided by law enforcement to persons believed to be victims of domestic violence. (A.5921; Passed Assembly; Judiciary)

E. Protecting Victims

Establishes a Tenant’s Right to Call for Emergency Assistance This bill would amend the Civil Rights Law to expressly recognize an affirmative right for crime victims and victims of domestic violence to access law enforcement or emergency assistance, without fear of losing their housing by eviction for a nuisance violation. This bill would provide protections for landlords from penalties for the violation of nuisance ordinances when this right is utilized. This bill would also create a private right of action for anyone aggrieved by a violation of the provisions. (A.2919/S.405; Passed Assembly; Judiciary)

“Carlos’ Law” This bill would amend the Penal Law by creating new offenses, increasing the restitution amounts for victims, and substantially increasing the fines that could be imposed upon corporate defendants convicted of criminally negligent conduct towards workers to whom they owe a duty of care. Section five of the bill would add a new article 122 to the Penal Law that would create misdemeanor and felony offenses related to endangering the welfare of a worker. (A.2966-B/S.4373-B; Passed Assembly)

Protects Victims of Human Trafficking This bill would increase access to safe houses and social and legal services for victims of human trafficking. The bill would also establish an affirmative defense for human trafficking victims charged with prostitution. (A.3223; Passed Assembly)

Directs Funds Derived from Antitrust Fines to the OVS This bill would provide that, in the court's discretion, fines and penalties ordered for monopolistic practices in violation of the state's anti-trust law (General Business Law sections 340-47) may be directed in whole or in part to the state Office of Victim Services (OVS), rather than the state's general fund. (A.3555/S.58; Passed Assembly; Governmental Operations)

Provides Crime Victims' Compensation to Domestic Partners This bill would amend the Executive Law to include domestic partners among the persons eligible for compensation by the Office of Victim Services when a person dies as a result of the crime. The law currently permits compensation to be awarded to other family members including spouses, children, parents, brothers, sisters, and grandparents. (A.3920/S.153; Passed Assembly; Governmental Operations)

Authorizes the Crime Victims Board to Accept other Documentation for Compensation Eligibility The bill would authorize the Crime Victims Board to accept other official documents in lieu of police reports for documentation of eligibility for compensation for rape, sexual assault, child abuse, and domestic violence. The other documents are limited to those from family court, child protective services, and forensic labs. Studies show that many victims need time to deal with the effects of the crime and are not emotionally ready to go to law enforcement immediately after the crime has been committed. Additionally, victims sometimes choose not to report the crime to law enforcement out of a sense of fear or shame. (A.3936; Passed Assembly; Governmental Operations)

Requires State Contractors to Affirm they Use Supplies not Provided by any Entity Utilizing Human Trafficking This bill would amend the State Finance Law to require all parties submitting bids for state procurement contracts to affirm under penalty of perjury that the goods, work or services provided through the contract will not be supplied to or used in business with any organization, person, or entity engaging in human trafficking, and to submit their written anti-human trafficking policy as a part of the bid if such policy exists. This bill is designed to incentivize companies receiving state contracts to look at their supply chains and adopt policies to ensure that the parties and goods involved are not engaging in human trafficking. False statements may be prosecuted as a class E felony. (A.6380-C/S.5486-B; Passed Assembly; Governmental Operations)

F. Ensuring Equality and Fairness

Prohibits Workplace Discrimination based upon Reproductive Health Choices This bill would prohibit retaliation against employees for their reproductive health choices or the choices of such employee's dependent. An employee would be able to bring a civil cause of action against an employer who retaliates against the employee under these proposed provisions. (A.566-A/S.3791-A; Passed Assembly; Labor)

Comprehensive Contraception Coverage Act This is an Attorney General's program bill. This bill would require health insurance policies to include coverage for contraceptive drugs, devices, and products, as well as voluntary sterilization procedures, contraceptive education and counseling, and related follow up services. It would prohibit insurance companies from establishing any cost-sharing requirements or other restrictions with respect to this coverage. This bill would codify aspects of the U.S. Department of Health and Human Services guidelines regarding the Patient Protection and Affordable Care Act into New York law. (A.1378/S.3668; Passed Assembly; Insurance)

Reproductive Health Act This bill would update New York's abortion statutes to address constitutional flaws in state laws enacted before *Roe v. Wade* (1973) and its progeny and recognize a woman's fundamental right to access safe, legal abortion. It would repeal sections of the Penal Law to clarify that neither a pregnant woman nor another person could be convicted under the homicide statutes for submitting to or performing an abortion. Any such act committed without the woman's consent could be prosecuted as an assault of the woman or, if maternal death resulted, homicide of the woman. (A.1748/S.2796; Passed Assembly; Health)

"Equal Pay for Equal Work" This bill would create parity between public and private employees by creating a private right of action for public employees who are discriminated against in terms of compensation. It would not be a violation to pay different compensation to employees based on bona fide factors other than sex, race, or national origin. (A.2425; Passed Assembly; Governmental Employees)

The Gender Expression Non-discrimination Act This bill would enact the Gender Expression Non-discrimination Act (GENDA) which would add the category of gender identity and expression to the existing prohibitions against discrimination in the Human Rights Law. Current law makes it unlawful to discriminate on the basis of age, race, creed, color, national origin, sexual orientation, gender, marital status, and certain other categories in employment, housing, public accommodations, education, and the extension of credit. The bill would also add offenses motivated based on the victim's gender identity or expression to the list of offenses that are subject to harsher potential penalties under the state's hate crime law. A finding of discrimination could result in civil penalties under the Human Rights Law. Under the bill, the actor would also be subject to a civil lawsuit seeking damages, court costs, and attorney's fees. It should be noted that under the hate crimes statute, felony crimes such as assault are considered one felony level higher than the traditional offense when the crime is prosecuted as a hate crime. (A.3358/S.502; Passed Assembly; Governmental Operations)

New York State Fair Pay Act This bill would prohibit employers from discriminating on the basis of race, sex, or national origin, between employees who work in equivalent jobs (includes jobs that, while dissimilar, have requirements that are the same when viewed as a composite of skills, effort, responsibility, and working conditions) by paying a lower wage rate. Under the bill, a court or jury would award to any affected employee monetary relief, including back pay (difference between actual earnings and proper wages), compensatory and punitive damages, attorney's fees, expert witness fees, and other costs. Also under the bill, a court would enjoin an employer from continuing to discriminate against affected employees and could order reinstatement or reclassification of affected employees. (A.4696/S.4482; Passed Assembly; Labor)

IDNYC Confidentiality This bill would provide an explicit statutory framework to protect the confidentiality of information submitted in applications for the New York City identification card (IDNYC) program. Records submitted by applicants for the IDNYC program are accepted on a promise of confidentiality. This bill seeks to ensure that protection by explicitly providing that access to this information is not available under the state's Freedom of Information Law (FOIL). (A.4882; Passed Assembly; Cities)

Prohibits Discrimination based upon Religious Attire This bill would protect individuals from discrimination based on clothing or the presence of facial hair, where the garment or facial hair is worn in accordance with the requirements of the person's religion. An exception applies when, after engaging in a bona fide effort, the employer demonstrates that it is unable to reasonably accommodate the employee's or prospective employee's sincerely held religious observance or practice without undue hardship on the conduct of the employer's business. Violation of a provision in this bill would be an unlawful discriminatory practice under the Human Rights Law. An aggrieved individual could bring an administrative complaint before the state Division of Human Rights. In such a proceeding or in a related lawsuit brought in the state Supreme Court, the individual could seek civil penalties, costs, and attorney's fees. (A.4977/S.1503; Passed Assembly; Governmental Operations)

"Bill of Adoptee Rights" This bill would allow an adopted person who is at least eighteen years of age to apply to the court for a copy of his or her original birth certificate and/or a medical history form if available. The court would then direct the Department of Health to locate the birth parent, or parents, to notify such parent, or parents, of the application. The bill would provide the biological parent with the option to consent, or object, to the release of the original birth certificate. Where the parent objects, a redacted copy of the birth certificate would be released to the adopted person. If a parent cannot be located, the court would release an unredacted birth certificate unless there is good cause to believe that releasing the birth certificate may cause harm to the adopted person or biological parent. (A.5036-B/S.4845-B; Passed both Houses; Health)

G. Weapons

Bans Undetectable Knives This bill would define an "undetectable knife" as a knife or other instrument designed for use as a weapon that cannot be detected by a metal detector. The bill would also prohibit possession of such knives with the intent to use unlawfully against another, the manufacture of such knives, and the transportation or shipment of such knives. (A.3729; Passed Assembly)

Extreme Risk Order Protection This bill would amend the Civil Practice Law and Rules, the Criminal Procedure Law, and the Penal Law to establish an “extreme risk protection order” (ERPO). An ERPO would be a state Supreme Court-issued order of protection to prohibit a person from purchasing, possessing, or attempting to purchase or possess a firearm, rifle, or shotgun. Only police officers and family or household members would be able to file an application for an ERPO. Once the petitioner files the application the court would review the application to determine whether to issue a temporary ERPO. A temporary ERPO would be issued if there is probable cause to believe the respondent is likely to engage in conduct that would result in serious harm to himself, herself, or others, based on a series of relevant factors set forth in the bill. The temporary ERPO would be served on the respondent and would be grounds to require the respondent to temporarily surrender firearms, rifles and shotguns, with a hearing to be held within three to six business days. At the final ERPO hearing, the court would determine if a final order should be issued, considering the previous factors as well as evidence from the petitioner and/or the respondent. If a final order were not granted, the firearms would be returned. If granted, a final ERPO would last for one year during which the respondent would be able to submit one written request to change the order. Prior to the expiration of an order, a petitioner would be able to submit a request for a renewal and a hearing must be held. Upon expiration of an ERPO, the records would be sealed. The bill would also set forth provisions regarding who must be notified of an ERPO, how firearms would be seized and how firearms would be returned to the respondent. (A.6994/S.5447; Passed Assembly)

H. Safety

Creates Fines for Landlords who Violate the Uniform Fire Code This bill would create a civil penalty of up to \$7,500 for a building owner who knowingly alters a building in violation of the Uniform Fire Code and such alteration impedes a person’s egress from the building during an emergency. (A.1226/S.6178; Passed Assembly; Governmental Operations)

Lowers the BAC Level for Hunting This bill would revise the definition of “intoxicated condition” for the purposes of hunting to be a blood alcohol content (BAC) of .08 percent rather than the existing .10 percent. It should be noted that the maximum BAC for driving and boating is .08 percent. (A.1525; Passed Assembly; Environmental Conservation)

Requires Day Care Centers to Anchor Certain Furniture This bill would require child day care centers, group homes, and other public institutions serving children to anchor to a wall or floor furniture and appliances that may tip over and endanger a child. The bill would further require any agency inspecting the facility to notify the Office of Children and Family Services (OCFS) and the provider of a violation within ten days. Upon notification, the violation would have to be corrected immediately. If the violation were not corrected, OCFS would be able to take enforcement action consistent with current law. (A.5284-B/S.3667-B; Passed Assembly; Children and Families)

I. Health

Prohibits the Sale of Health Information without Written Consent This bill would prohibit emergency medical service providers from selling patient health information without written consent. (A.328-A/S.4372-A; Passed Assembly; Health)

Designates Sexual Orientation Change Efforts as Professional Misconduct This bill would provide that it would be professional misconduct for a mental health professional to engage in any sexual orientation change efforts upon any patient less than eighteen years of age. Under this bill, if a mental health professional is found by the Board of Regents or the State Board for Professional Medical Conduct to have engaged in sexual orientation change efforts, such professional would be subject to possible censure and reprimand; suspension, revocation, or annulment of their license or registration; limitation on registration or issuance of any further license; a fine not exceeding \$10,000; a requirement that a licensee pursue a course of education or training; and a requirement that a licensee perform up to 100 hours of public service. (A.3977/S.263; Passed Assembly; Higher Education)

Establishes the New York Health Program This bill would establish the New York Health program, a comprehensive system of access to health insurance for New York state residents. Provisions in the bill state that information provided to the Department of Health under certain provisions of the bill would not be subject to the Freedom of Information Law (FOIL) or to discovery in civil proceedings. (A.4738/S.4840; Passed Assembly; Health)

“Shannon’s Law” This bill would require health insurance companies to cover annual mammograms for persons aged 35-39 if it is upon the recommendation of the individual’s physician. Current law only requires health insurance to cover the single baseline mammogram for individuals of such age. This bill would require an expansion of that coverage if a physician recommends it. (A.6731-B/S.6586; Passed Assembly; Insurance)

J. Substance Abuse Prevention

Bans Synthetic Cannabimimetic Agents This bill would add synthetic cannabimimetic agents, commonly referred to as “synthetic marijuana,” to the list of controlled substances in the Public Health Law. For the purposes of crimes related to possession and sale of controlled substances, these cannabimimetic agents would be considered a general controlled substance. (A.1384; Passed Assembly; Health)

Bans the Use of and Possession of Certain Opioid Antagonists as Evidence This bill would amend the Criminal Procedure Law and the Civil Practice Law and Rules to prohibit the receipt into evidence of possession of opioid antagonists, such as naloxone, in a criminal or civil case alleging unlawful possession of a controlled substance. Further, this bill would amend the Executive Law to require police and peace officers to receive appropriate training regarding the prohibition against receiving such information in evidence in such circumstances. Opioid antagonists like naloxone help prevent overdose-related deaths. Recent laws (Chapter 42 of 2014) and actions by law enforcement and chemical dependence prevention and treatment providers have increased the availability of naloxone to the public. (A.3573; Passed Assembly)

Expands Drug Diversion This bill would expand the eligible crimes for possible diversion for treatment under the Criminal Procedure Law. This bill would also include some wording changes in the diversion criteria and procedures in the drug courts. Currently, the statute refers to drug “abuse.” This bill would change the term “abuse” to “use,” to align it with current terminology defined in the DSM-V. One effect of the change may be to encourage judges to order treatment to persons who use alcohol or drugs in excess, even if the person is not yet addicted. (A.4237; Passed Assembly)

K. Additional Penal Law and Criminal Procedure Law Bills

Creates the Crime of Staging a Motor Vehicle Accident This bill would create the new crimes of staging a motor vehicle accident in the first and second degrees. The second degree crime would require that the person, with intent to commit and in furtherance of a fraudulent insurance act, intentionally causes an accident with another vehicle. The first degree crime would require committing the second degree crime and causing serious physical injury or death. The second degree crime would be a class E felony- up to four years imprisonment and up to a \$5,000 fine. The first degree crime would be a class D felony- up to seven years imprisonment and up to a \$5,000 fine. (A.5073; Passed Assembly)

Allows the Court to Use its Discretion in Suspending Jury Deliberations This is an Office of Court Administration bill. This bill would allow the court to suspend jury deliberations and allow jurors to separate until the close of business on the next day, or “for good cause shown,” until the close of business on the third day following the recess. By requiring “good cause” for any suspension longer than one business day, the measure insures that lengthy suspensions of jury deliberations will not become routine. (A.7448/6562; Passed Assembly)

L. Protecting Consumers

Requires Consumers be made Aware of Voice Recognition Features This bill would require a person or entity that provides a device with voice recognition capabilities to notify consumers of the existence of such voice recognition software. Manufacturers and third parties contracting with the manufacturer would be prohibited from selling or using recordings for any advertising purpose. The bill would authorize the Attorney General to bring a suit for violation of its provisions and seek a penalty of up to \$2,500 per violation, in addition to any other remedies that may exist under law. (A.724-A/S.6116; Passed Assembly; Consumer Affairs)

Bans Consumer Reporting Agencies from Selling Employment Information This bill would prohibit consumer reporting agencies from selling or reselling, offering for sale or resale, or distributing employment data reports, including, but not limited to, payroll and earnings information, hours worked, consumer history, and health insurance information to a third party without written consumer consent in a separate, stand-alone document; provide for enforcement by the Attorney General, including authorizing courts to assess a civil penalty of up to \$2,000 for each violation; and provide a private right of action to any person injured by a violation, and allow recovery of actual damages or \$1,000, whichever is greater; allow a court, in its discretion, to increase the award to \$5,000 for willful violations and award reasonable attorney’s fees to a prevailing plaintiff. (A.859-A/S.6577; Passed Assembly; Consumer Affairs)

Requires Notification of Possible Lead in Seasonal and Decorative Lighting Products This bill would require a notification tag on seasonal and decorative lighting products manufactured and distributed in this state, warning consumers of the possible presence of lead. The notice must state as follows: “Warning: Handling the coated electrical wire of this product may expose you to lead. Wash hands thoroughly after use.” Manufacturers and distributors that knowingly violate this requirement would be subject to a civil penalty of up to \$1,000. (A.4345/S.4465; Passed Assembly; Consumer Affairs)

M. Protecting Animals

Prohibits the Taking of Zoo or Circus Animals This bill would prohibit the taking of zoo, petting zoo, carnival, or circus animals. It would also stipulate that no zoo, petting zoo, carnival, or circus can sell or offer for sale, distribute, barter, or donate any animal where the animal may be intentionally killed. Additionally, no person who operates or manages a facility including, but not limited to, a facility that harbors non-native big game mammals, or any other facility that permits the taking of animals would be permitted to purchase, accept or receive any animal such person knows or has reason to know is presently or was formerly a part of a zoo, petting zoo, carnival, or circus. A violation under this bill would be punishable by a fine of not less than \$500 and not more \$2,000. Further, nothing in this bill would preempt a municipal corporation from enacting more restrictive laws, ordinances or regulation governing animals in zoos, petting zoos, carnivals, or circuses. (A.4186/S.2471; Passed Assembly; Environmental Conservation)

N. Miscellaneous Legislation

Requires Nurses to Obtain Bachelor's Degrees This bill would require nurses to obtain a bachelor's degree within ten years of their initial licensure. The State Education Department could issue conditional registrations to individuals who fail to obtain a bachelor's degree, but agree to meet the additional requirement within one year. The bill would exempt from these provisions a student entering a general bachelor's program preparing registered practical nurses (RPN) after the effective date of this act, students currently enrolled in, or having an application pending in, a program preparing registered nurses as of the effective date of this act, and any person already licensed as a RPN or an unlicensed graduate practical nurse who is eligible to take the National Council Licensure Examination as of the effective date of this act. (A.1842-B/S.6768; Delivered to the Governor; Higher Education)

Requires the Licensing of Elevator Workers This bill would establish a licensing mechanism for elevator contractors, mechanics and inspectors and prescribes the application procedure and requirements to obtain such licenses. It would also require a permit to be issued for work on elevators. There are exemptions from the licensing or permitting requirements in the case of an emergency when the public is put at risk. The penalty for a violation of this article is a \$1,000 civil penalty for a first violation or \$2,000 penalty for a second or subsequent violation within three years or, if the violation resulted in a serious risk to the health or safety of an individual or individuals, the civil penalty may be increased to \$5,000. (A.5815-B/S.5137-A; Passed Assembly; Labor)

IV. Summary of Significant Bills that the Governor Vetoes³

1. **Clarifies the Possession of Gravity Knives** Provides that possession of a gravity knife shall constitute criminal possession of a weapon in the fourth degree only if the defendant has intent to use the same unlawfully against another. A gravity knife is a knife with a blade contained in its handle, and which opens its blade by the force of inertia or gravity. (A.5667-A/S.4769-A; Veto 171)

³ Veto Memo numbers refer to those issued in 2017. For a complete list of bills that were reviewed by the Committee on Codes and that were vetoed by the Governor, see Appendices G and H.

V. Codes Committee Participation in Hearings in 2017

A. Government oversight of forensic science laboratories

On February 8 in New York City, the standing committee on Codes, together with the standing committees on Judiciary and Oversight, Analysis, and Investigation held a hearing to examine forensic science oversight in New York and help determine whether additional steps should be taken to assure the reliability and effectiveness of our state's practices. The hearing examined the state's forensic laboratories and related policies to help increase understanding of the reliability and challenges in the operations of this important component of New York's criminal justice system.

Forensic science (also known as forensics) has been defined as the application of a broad spectrum of sciences and technologies to investigate events, after the fact, and establish what occurred based on collected evidence. This is especially important in law enforcement. New York State and local crime laboratories serve as the scientific bulwark of our criminal justice system. Across this State, in these forensic laboratories, the examination of evidence, testing of evidence, analysis of test results and reports prepared from such results often form the basis of verdicts determining the guilt or innocence of defendants in the criminal courts. The administration of justice, in many cases, rests on the work performed by these forensic laboratories. Since 1999, New York has utilized a state oversight board comprised of fourteen persons, including stakeholders from within the criminal justice and forensic science community. The Commission on Forensic Science is based in the Office of Forensic Science, which is part of the Division of Criminal Justice Services (DCJS), an executive agency. Since the Commission's creation, the field of DNA science has seen significant advances which have enabled closed cases to be re-opened, guilty parties to be convicted, and, as importantly, innocent individuals to be exonerated and freed from wrongful convictions. However, in this same time period, some analysts and laboratories in New York have been found to have engaged in misconduct resulting in errors and falsified results involving trace evidence, DWI analysis and controlled substance reports, among others.

The committees heard testimony from representatives of the Innocence Project, the District Attorneys Association, the Legal Aid Society, ANSI-ASQ National Accreditation Board (ANAB), the Software Freedom Conservancy, the Data and Society Research Institute, and private practicing attorneys and professors specializing in forensics. Additionally, the Executive Deputy Commissioner of DCJS, the Chief Medical Examiner of the City of New York, and the New York Civil Liberties Union submitted written testimony.

B. Services for victims of human trafficking

On June 7 in Albany, the standing committee on Social Services, together with the standing committees on Codes and Labor and the Puerto Rican/Hispanic Task Force held a hearing to examine the effects of recently enacted laws intended to improve awareness and provide services for victims of human trafficking.

Human trafficking is major problem in New York as well as nationally. In 2015, New York enacted the Trafficking Victims Protection and Justice Act which aimed in part to improve the awareness and treatment of human trafficking victims. In addition, the Assembly has passed legislation that would make services for trafficking victims more accessible and require law enforcement personnel who encounter a victim to advise the victim about the availability of assistance through legal and social service providers. This hearing examined the effects the Trafficking Victims Protection and Justice Act has had on current service delivery models in order to gain a better understanding of the additional programs and services that may be needed to better address the complex needs of trafficking victims.

The committees and task force heard testimony from representatives of the New York State Office of Temporary and Disability Assistance, the District Attorneys Association, the Legal Aid Society, Sanctuary for Families, My Sisters' Place, and Covenant House New York.

See Appendix I

Appendix A: 2017 Committee Workload Summary

<u>Final Action</u>	<u>Assembly Bills</u>	<u>Senate Bills</u>	<u>TOTAL</u>
Bills Reported with or without Amendment			
To Floor; Not Returning to Committee	174	0	174
To Ways and Means	114	0	114
To Rules	176	0	176
TOTAL	464	0	464
<hr/>			
Bills Having Committee Reference Changed			
To Corrections Committee	1	0	1
TOTAL	1	0	1
<hr/>			
Senate Bills Substituted or Recalled			
Substituted	-	28	28
Recalled	-	0	0
TOTAL	-	28	28
<hr/>			
Bills Never Reported, Held in Committee	703	174	877
Bills Never Reported, Held for Consideration (with roll call vote)	41	0	41
Bills Having Enacting Clauses Stricken	4	0	4
TOTAL BILLS IN COMMITTEE	1,213	202	1,415
<hr/>			

Total Number of Committee Meetings Held: 23

Appendix B: Schedule of 2017 Codes Committee Meetings

<u>Month</u>	<u>Date</u>	<u>Day</u>
January	10	Tuesday
January	17	Tuesday
January	24	Tuesday
January	30	Monday
February	6	Monday
February	7	Tuesday
February	14	Tuesday
March	1	Wednesday
March	7	Tuesday
March	13	Monday
March	22	Wednesday
April	4	Tuesday
April	25	Tuesday
May	2	Tuesday
May	16	Tuesday
May	23	Tuesday
June	6	Tuesday
June	7	Wednesday
June	13	Tuesday
June	14	Wednesday
June	19	Monday
June	20	Tuesday
June	21	Wednesday

Total Number of Committee Meetings Held: 23

Appendix C: Codes Laws of 2017

<u>Bill Number</u>	<u>Chapter</u>	<u>Sponsor</u>	<u>Summary</u>
A.375	6	Simotas	Relates to the processing and maintenance of sexual offense evidence kits
A.380	13	Moya	Relates to employment agencies
A.2290-C	371	Morelle	Relates to authorizing the sale and possession of sparkling devices outside of the City of New York
A.2806	91	Lavine	Relates to adding certain animal fighting conduct as a designated offense for an eavesdropping or video surveillance warrant
A.3022-A	270	Friend	Relates to the establishment of a single town court to serve the towns of Erin and Chemung
A.6756	124	Morelle	Relates to when a person is guilty of obstructing firefighting operations
A.7198-A	167	Paulin	Includes community centers in the definition of "public place"
A.7439	193	Walker	Relates to the duties of the district attorney in cases in which the final disposition includes convictions of certain felonies
A.7442	194	Buchwald	Relates to waiver of pre-sentence reports
A.7446	195	Brindisi	Relates to procedures for taking an appeal from a court that is not designated a court of record
A.8335	160	Magee	Relates to authorizing the Otsego County jail to also be used for the detention of persons under arrest being held for arraignment in any court located in the County of Otsego

<u>Bill Number</u>	<u>Chapter</u>	<u>Sponsor</u>	<u>Summary</u>
A.8493	60	Lentol	Relates to criminal history of transportation network drivers and juvenile justice

Appendix D: Dual Referenced Laws of 2017

<u>Bill Number</u>	<u>Chapter</u>	<u>Sponsor</u>	<u>Summary</u>
A.117-A	274	Cahill	Relates to continuing education for agents, brokers, and adjusters
A.371	18	Mayer	Requires telemarketers to transmit to consumers the correct caller identification information
A.378	4	Abinanti	Relates to the state medical indemnity fund; repealer
A.464-B	333	Paulin	Enacts the "elephant protection act" to prohibit the use of elephants in entertainment acts
A.516-A	335	Rosenthal	Includes vaping in provisions restricting smoking in certain public areas
A.556	408	Woerner	Relates to the illegal taking of deer
A.559-A	338	Woerner	Relates to the inherent risks of operating agricultural tourism areas and participating in activities in agricultural tourism areas
A.611	102	Rosenthal	Prohibits possession of e-cigarettes on school grounds
A.861-A	169	Braunstein	Establishes a private right of action for owners and tenants of residential premises against persons videotaping recreational activities in the backyard of such premises
A.1258	340	Pretlow	Relates to the use of safety belts in taxicabs and liveries
A.1501-B	157	Gantt	Relates to the adjudication of traffic infractions in the County of Monroe

<u>Bill Number</u>	<u>Chapter</u>	<u>Sponsor</u>	<u>Summary</u>
A.1584-C	341	Woerner	Amends the definition of "snowmobile" to exclude certain other vehicles with aftermarket ski and track configurations
A.1809-A	411	Dinowitz	Requires the commissioner of health to take action when areas of lead poisoning are designated
A.2093-B	170	Paulin	Prohibits the alteration of a student's official records, files and/or data
A.2750-A	453	Paulin	Relates to freedom of information requests and attorney's fees
A.2784-B	342	McDonald	Relates to the placing of a lien for unpaid property taxes against the proceeds of a fire insurance policy on certain real property located within a municipality
A.2802	126	Stec	Authorizes health care professionals licensed in other jurisdictions and appointed by the World Triathlon Corporation to practice in this state at a triathlon
A.2965	281	Paulin	Relates to sharing reports of child abuse with agency charged with care of child
A.2994	103	Fahy	Relates to the tastings of and selling at retail for consumption on or off the premises of certain beverages
A.2996-A	125	Crouch	Relates to hunting in the County of Broome west of the Susquehanna River
A.3824	234	Brindisi	Relates to allowing the Oneida County sheriff and correctional facility to hold detained persons prior to arraignment
A.4140-A	381	Crespo	Requires a study on the feasibility of implementing an emergency alert notification system

<u>Bill Number</u>	<u>Chapter</u>	<u>Sponsor</u>	<u>Summary</u>
A.5227-A	413	Dinowitz	Provides for the sanitization of every used mattress or bedding material transported, stored or sold in the state
A.5287	29	Glick	Extends health care professionals' authorizations to practice in this state at an event sanctioned by New York Road Runners
A.5524-B	35	Paulin	Relates to the age of consent for purposes of marriage
A.5670	113	Gunther	Relates to the qualifications for holding the office of assistant district attorney in the County of Sullivan
A.5677	414	Seawright	Requires certain health insurance policies to include mammography screening by breast tomosynthesis
A.6424	239	Mayer	Requires telemarketers to disclose that a call is being recorded
A.6549	385	Cusick	Relates to comprehensive emergency management provisions for home care and hospice in counties and in cities with a population of one million or more
A.6655	229	Titone	Relates to out of state hospital records produced pursuant to subpoena
A.6857	416	Ortiz	Defines necessary court appearance for purposes of determination of crime victim's award
A.6917	146	Magnarelli	Authorizes the City of Syracuse to adopt a local law establishing an administrative adjudication hearing procedure for certain code and ordinance violations
A.7195	168	Zebrowski	Exempts certain entities from the definition of pet dealer

<u>Bill Number</u>	<u>Chapter</u>	<u>Sponsor</u>	<u>Summary</u>
A.7391	47	Lupardo	Relates to licenses to sell liquors at retail for consumption on certain premises
A.7394-A	320	Paulin	Relates to funding the sustainable energy loan program and disbursements therefrom
A.7503	356	Woerner	Relates to giving the Malta Town Board the discretion to change speed limits
A.7553	359	Buchwald	Relates to contact by siblings in foster care, surrender, destitute child and permanency proceedings
A.7567	233	Gunther	Adds adult siblings to those who may have access to clinical records
A.7604	198	Gunther	Relates to involuntary care and treatment and to whom an application for such admission is made
A.7646-A	96	Jones	Relates to the jurisdiction of St. Regis Mohawk tribal police officers
A.7688	67	Gunther	Extends the expiration of Kendra's law
A.7714-A	248	Hyndman	Relates to adding members to the advisory council and the domestic violence fatality review team
A.7793-A	396	Paulin	Relates to the confidentiality of registration records for victims of domestic violence
A.7846	206	Gottfried	Relates to requiring that a hospice program providing hospice care in a patient's home shall comply with the home care services worker registry
A.7878	362	Morinello	Relates to a license to sell liquor at retail for consumption on certain premises

<u>Bill Number</u>	<u>Chapter</u>	<u>Sponsor</u>	<u>Summary</u>
A.7942	155	Gunther	Relates to authorizing firefighters who are members of a fire company or department of another state to provide assistance to volunteer fire companies or departments in this state
A.8051	389	Gottfried	Prohibits requiring prior authorization for the provision of coverage of services in a neonatal intensive care unit
A.8064	97	Zebrowski	Extends provisions of law relating to removing special powers granted to the society for the prevention of cruelty to children
A.8100	393	Galef	Relates to requiring a child under the age of two in certain circumstances to be secured in a rear-facing child restraint system
A.8127	99	Weinstein	Relates to the use of electronic means for the commencement and filing of papers in certain actions and proceedings
A.8249	446	Harris	Relates to protecting tenants from illegally converted dwellings
A.8251	422	Weprin	Requires state oversight agencies to ensure that facilities and provider agencies have policies and procedures to identify and report possible crimes against a service recipient by a custodian
A.8259	89	De La Rosa	Relates to powers of the New York State Housing Finance Agency

Appendix E: 2017 Codes Bills that Passed the Assembly⁴

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.210**	Lupardo	Relates to the payment of certain fines and mandatory surcharges
A.980	Paulin	Relates to orders to surrender eligible weapons; requires the surrender of weapons following a conviction in certain misdemeanor cases
A.1030	Paulin	Relates to the definition of designated offender
A.1390	Weinstein	Exempts parties liable for failure to obey or enforce domestic violence orders of protection or temporary orders of protection from limited liability provisions
A.2142	Peoples-Stokes	Relates to sealing records for certain proceedings
A.2966-B	Moya	Enacts Carlos's law; relates to crimes involving the death or injury of a worker
A.3048-B	Lentol	Relates to plans for representation of persons accused of a crime or certain parties in family or surrogate's court
A.3049-B	Moya	Relates to providing access to services and law enforcement in certain immigration related matters
A.3055-A	Aubry	Relates to time limits for a speedy trial
A.3056	Lentol	Relates to discovery
A.3110	Aubry	Relates to sentencing and resentencing in domestic violence cases
A.3223	Lentol	Relates to prostitution offenses and services to human trafficking victims
A.3573	Lentol	Relates to the possession of opioid antagonists

⁴ Bill numbers with an asterisk (*) next to such bill number indicates that such bill was approved by both Houses. Bill numbers with two asterisks (**) next to such bill number indicates that such bill was delivered to the Governor.

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.3729	Colton	Prohibits the manufacture, transport, shipment or possession of an undetectable knife
A.4237	Richardson	Relates to a judicial diversion program for certain felony offenders
A.4239	Lentol	Relates to enhancing criminal investigations and prosecutions
A.4249	Simotas	Relates to the offenses of rape in the first, second and third degrees; repealer
A.4540	Gottfried	Relates to confidentiality of records in proceedings to vacate convictions for offenses resulting from sex trafficking, labor trafficking and compelling prostitution
A.4876	Lentol	Relates to raising the age for prosecution of certain crimes
A.4877	Heastie	Relates to grand jury proceedings
A.4879	Bichotte	Prohibits law enforcement officers from using racial and ethnic profiling
A.4880	Blake	Relates to charitable bail organizations
A.4881	Crespo	Relates to sentences of imprisonment for misdemeanors
A.5025	O'Donnell	Enacts the domestic violence escalation prevention act
A.5073	Weprin	Creates the crime of staging a motor vehicle accident
A.5617	Perry	Establishes the office of special investigation within the Department of Law
A.5885-A	Rosenthal	Provides for the timeliness of commencing criminal and civil action for sexual offenses committed against children
A.5946	Lentol	Relates to the functions of the Chief Administrator of the Courts

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.5959-B	Lupinacci	Relates to local civil administrative enforcement procedures in the Town of Huntington and other municipalities
A.6928-A	Galef	Designates uniformed court officers in the Town of Ossining, County of Westchester as peace officers
A.6994	Kavanagh	Establishes extreme risk protection orders as a court-issued order of protection prohibiting a person from purchasing, possessing or attempting to purchase or possess a firearm, rifle or shotgun
A.7200**	Kolb	Grants uniformed marine patrol officers in Seneca County peace officer status
A.7448	Lentol	Permits suspension of jury deliberations for a certain period of time
A.7621	Lavine	Permits the court to grant post-conviction motions to vacate a judgment when the issue raised upon such motion is ineffective assistance of counsel
A.7638**	Bronson	Relates to the jurisdiction of University of Rochester peace officers
A.8177	Skartados	Relates to justices presiding in an off-hours arraignment part
A.8215**	Garbarino	Grants uniformed members of the bureau of fire prevention of the Town of Islip peace officer status
A.8514**	Bronson	Relates to reciprocity of debarments imposed under the federal Davis-Bacon Act
A.8516*	Weinstein	Relates to accrual of causes of action for medical, dental and podiatric malpractice

Appendix F: 2017 Dual Referenced Bills that Passed the Assembly⁵

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.62-A	Paulin	Relates to the proper venue for an impounding organization to file a petition for a security
A.215-A	Lupardo	Relates to home inspection professional licensing
A.236	Paulin	Requires the commissioner of health to establish and publish a list of generic drug products; repealer
A.255	Dinowitz	Establishes time restrictions for court issued consent orders for work performance to remove or remedy conditions in such petition
A.284-A	Paulin	Provides for the licensing and regulation of pet groomers; establishes standards of care, training and testing
A.313	Bichotte	Authorizes expedited partner therapy for certain sexually transmitted infections
A.328-A	Braunstein	Prohibits emergency service providers from selling patient health information without written consent
A.353	Braunstein	Relates to ground leases
A.433	Rosenthal	Makes conforming technical changes to the New York City administrative code and the emergency tenant protection act relating to vacancy decontrol; repealer
A.467	Paulin	Relates to reporting requirements for various classifications of gas leaks by utility corporations
A.566-A	Jaffee	Relates to the prohibition of discrimination based on an individual's or a dependent's reproductive health decision making

⁵ Bill numbers with an asterisk (*) next to such bill number indicates that such bill was approved by both Houses. Bill numbers with two asterisks (**) next to such bill number indicates that such bill was delivered to the Governor.

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.702	Rodriguez	Relates to minority and women-owned business enterprises post completion certification, duties of the director and creating the minority and women-owned business enterprise fund
A.724-A	Gunther	Relates to the use of voice recognition features on certain products
A.859-A	Braunstein	Bans the use of employer data information
A.946	Rozic	Requires wireless telephone companies that offer shared or family plans to allow victims of domestic violence to be released from the account without penalty in instances of domestic violence
A.979	Thiele	Relates to zone pricing of gasoline
A.1012	Kavanagh	Authorizes shareholders to attend meetings via remote communication and to be deemed present for voting purposes
A.1030	Paulin	Relates to the definition of designated offender
A.1056	Rozic	Requires companies to allow victims of domestic violence to cancel contracts when there is a domestic violence incident report, a police report, an order of protection or a signed affidavit
A.1226	Zebrowski	Relates to violations of the uniform fire prevention and building code
A.1300	Kavanagh	Relates to making the provisions governing liquor licenses consistent with respect to public interest factors
A.1310**	Zebrowski	Establishes a process for the revocation of a code enforcement officer's certificate
A.1330	Weinstein	Expands the crimes included in domestic violence to include identity theft, grand larceny and coercion, for purposes of assistance to victims thereof

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.1378	Cahill	Enacts the “comprehensive contraception coverage act” to provide insurance coverage for FDA-approved contraceptive drugs, devices and products
A.1384	Zebrowski	Adds cannabimimetic agents to the schedule of controlled substances
A.1396-B	Zebrowski	Authorizes treatment of workers’ compensation injuries by an occupational therapy assistant
A.1401	Zebrowski	Authorizes the attorney general to bring an action for violation of the prohibitions concerning unlawful selling practices and specifies damages awardable
A.1408	Weinstein	Provides for the regulation of distressed home loans
A.1481-A	Weinstein	Relates to domestic violence; repealer
A.1511	Buchwald	Relates to licenses to purchase, use or store certain compounds
A.1516	Zebrowski	Establishes a time period in which an action to recover damages for injury arising from domestic violence must be brought
A.1525	Zebrowski	Decreases the amount of alcohol in a person’s system necessary to be considered to be intoxicated while hunting
A.1533	Weinstein	Relates to court ordered forensic evaluations and reports in child custody and visitation proceedings
A.1610	Rozic	Relates to the segregated confinement of pregnant inmates
A.1656	Mosley	Relates to the use and sale of tobacco at state-operated institutions of the State University of New York
A.1748	Glick	Enacts the reproductive health act; repealer

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.1773	Fahy	Relates to financial liability for major facilities, vessels, and railroads
A.1839-B**	Rosenthal	Relates to standardization of microchip technology used for animal identification; registering microchips; examining rescued companion animals
A.1842-B**	Morelle	Relates to requiring that all RPNs either have or obtain a bachelor's degree within ten years of initial licensure
A.1845	Bronson	Relates to reciprocity of debarments imposed under the federal Davis-Bacon Act
A.1853-A	Weinstein	Relates to enacting the uniform voidable transactions act; repealer
A.1905-A	O'Donnell	Relates to segregated confinement
A.1926	Kavanagh	Relates to political contributions
A.1982**	Paulin	Provides restroom access to persons with certain medical conditions
A.2023-A	Bronson	Relates to authorizing the care and treatment of injured employees by duly licensed or certified acupuncturists under the workers' compensation program
A.2040-C	Crespo	Prohibits employers from seeking salary history from prospective employees
A.2158-A	Zebrowski	Relates to disclosure of the identities of political committees making certain expenditures for political communications
A.2303-A	Pretlow	Relates to electronic bell jar games
A.2320	Dinowitz	Relates to requiring gas corporations to file annual gas safety reports

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.2336	Thiele	Relates to liability insurance rate reductions upon completion of a boating safety course or an advanced boating safety course
A.2343	Aubry	Requires employers to make a conditional offer of employment before inquiring about any criminal convictions of a prospective employee
A.2425	Simotas	Relates to fair, non-biased compensation
A.2426	Skartados	Prohibits the imposition of any charge or fee on the telephone bill of a consumer when such fee is imposed by a third party, without the consent of the consumer
A.2585	Pretlow	Relates to the jurisdiction of a coroner or medical examiner
A.2611	Gottfried	Provides for clarification of the disposition of human remains
A.2646-A	Simotas	Relates to insurance coverage of in vitro fertilization and other fertility preservation treatments
A.2688-A	Steck	Relates to solicitation used by or on behalf of any charitable organization
A.2702**	Gottfried	Relates to death and felony crime reports in certain adult care facilities
A.2704	Lavine	Relates to health care professional applications and terminations
A.2723	Gottfried	Relates to conforming the definition of palliative care throughout the public health law
A.2855	Steck	Defines certain terms in standard form contracts as unconscionable
A.2856	Peoples-Stokes	Relates to destruction of personal information stored on copiers, facsimile machines or multifunction devices

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.2869	Gottfried	Relates to provision of patient health information and medical records
A.2875	Kavanagh	Relates to the reduction of mercury in mercury-added lamps
A.2919	Lavine	Establishes the right of tenants to call police or emergency assistance without fear of losing their housing
A.2924	Peoples-Stokes	Relates to HIV post-exposure prophylaxis and other health care services for sexual assault victims
A.2967-A	Moya	Requires car wash workers in a city of one million or more to be paid the minimum wage without allowance for gratuities
A.3028-A	Fahy	Relates to community preservation funds for the Town of Bethlehem
A.3047	Magnarelli	Relates to comptroller audits of certain organizations controlled by municipal corporations and certain other government entities
A.3246-A	Brindisi	Relates to home improvement contract provisions
A.3349	Englebright	Prohibits persons or business entities from filing unnecessary personal identifying information with an agency
A.3358	Gottfried	Prohibits discrimination based on gender identity or expression and includes offenses regarding gender identity or expression under the hate crimes statute
A.3389	Ortiz	Requires posting notice of the Department of Financial Services toll free consumer's hotline telephone number
A.3463	Englebright	Relates to access to certain records
A.3555	Englebright	Permits antitrust fines or penalties to be paid to the Office of Victim Services in the court's discretion

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.3920	Glick	Expands eligibility for crime victims' compensation to include domestic partners
A.3936	Pretlow	Authorizes the crime victims board to accept other official documents in lieu of police reports for documentation of eligibility for compensation
A.3977	Glick	Designates engaging in sexual orientation change efforts by mental health care professionals upon patients under eighteen years of age
A.4053	Gottfried	Relates to HIV reporting
A.4060	Cymbrowitz	Requires health insurers to provide victims of domestic violence with the option of providing alternative contact information
A.4151-A	Paulin	Relates to prohibiting the sale of crib bumper pads and the restriction of the use of such pads in certain settings
A.4186	Glick	Relates to prohibiting the taking of zoo, petting zoo, carnival, or circus animals
A.4225	Glick	Prohibits insurers from refusing to issue or renew, cancel, or charge or impose an increased premium for certain policies based solely on the breed of dog owned
A.4345	Galef	Relates to the manufacture and sale of seasonal and decorative lighting products containing lead
A.4696	Titus	Enacts the New York state fair pay act
A.4717-A	Rosenthal	Relates to civil penalties for violations concerning the pharmacy benefit manager contract appeals process
A.4738	Gottfried	Provides for establishment of the New York health plan

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.4882	Crespo	Relates to materials submitted in support of applications for an identity card issued by the City of New York
A.4977	Weprin	Prohibits discrimination against religious attire
A.5036-B*	Weprin	Relates to adoptee rights
A.5131	Steck	Relates to liability of members for wages due to laborers, servants or employees by domestic and foreign limited liability companies
A.5284-B	Rosenthal	Requires the anchoring of furniture and electronics in child day care centers, public institutions for children and certain other facilities
A.5292	Weinstein	Requires awarding of costs and attorney fees in frivolous action involving public petition and participation
A.5332	Gottfried	Relates to the use of psychotropic medications in nursing homes and adult care facilities
A.5498-A	Bronson	Relates to hours, wages and supplements in contracts for public work
A.5685-A	Hunter	Relates to allowing a tenant to deduct water payments he or she makes for a deficient landlord from his or her rent
A.5718-B	Skoufis	Prohibits the use of non-disparagement clauses in consumer contracts
A.5744	Zebrowski	Provides that every banking institution maintaining checking accounts for customers shall pay checks in the order received within account balance
A.5757	Benedetto	Provides protection to employees and former employees from retaliatory actions by employers for the reporting of illegal business activities

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.5815-B	Titus	Requires the licensing of persons engaged in the design, construction, operation, inspection, maintenance, alteration and repair of elevators
A.5823-B	Wright	Requires notice to adjoining owners of construction or demolition work
A.5921	Weinstein	Relates to notification of rights of victims of domestic violence in criminal and family court proceedings
A.6028-C	Hunter	Relates to individuals with disabilities being able to terminate their leases when moving to a residence of a family member or entering certain facilities
A.6049	Mayer	Relates to orders for temporary spousal support in conjunction with temporary and final orders of protection in family court and calculation of maintenance cap in family and supreme court
A.6233	Abbate	Requires various public transit authorities and their employees to submit all unresolvable contract negotiations to binding arbitration
A.6280	Englebright	Relates to establishing a product stewardship program for primary batteries
A.6287	Barrett	Establishes emergency evacuation plan for individuals with disabilities; and establishes \$500 fine for failure to comply
A.6314	Thiele	Authorizes the enactment or enforcement of local laws or ordinances requiring the monitoring of groundwater impacts resulting from mining or the reclamation of mines within certain counties
A.6380-C	Titone	Requires state contractors to submit a statement on preventing human trafficking
A.6395	Lupardo	Relates to the report of suspected financial exploitation
A.6396-B	Rozic	Relates to coverage for eating disorders

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.6606	Wright	Relates to the waiver of privileges
A.6659	Dilan	Relates to expanding the scope of unlawful discriminatory practices to include public educational institutions
A.6708-A	Kearns	Requires that closed bow boats shall be equipped with functioning carbon monoxide detectors
A.6731-B	Jean-Pierre	Enacts "Shannon's law"
A.6732	Seawright	Requires campaign finance information of certain candidates or committees to be filed on an electronic reporting system
A.6767	Cook	Requires persons offering weight loss services to provide notice of certain weight loss and dieting information
A.6793**	Pretlow	Relates to approval, denial and renewal of casino and gaming employee licenses and registrations
A.6801-A**	Titone	Examines the need for standards for the designation of therapy dogs
A.6837	Weinstein	Relates to adjournments in contemplation of dismissal and suspended judgments in child protective proceedings in the family court
A.6865	Weprin	Requires counties to maintain a confidential registry of people of all ages with disabilities for disaster preparedness
A.6884-B**	Abbate	Relates to requiring automobile brokers to be licensed and bonded
A.6991	Abbate	Provides paid time off for Port Authority of New York and New Jersey police officers who become ill or injured in the performance of their duties
A.6988	Abbate	Requires the New York State Power Authority and its employees to submit all unresolvable contract negotiations to binding arbitration

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.7004**	Jenne	Relates to an exemption for certain property from the prohibition of alcohol sales within a certain distance from a church
A.7087	Crespo	Relates to price gouging of medicine
A.7218-A	Jaffee	Relates to tanning facilities
A.7241	Weprin	Relates to the establishment of an inmate visitation program
A.7283	Dilan	Requires the provision of reasonable accommodation in the provision of housing to a person with a disability so as to allow the use of a service animal
A.7352	Niou	Requires the collection of certain demographic information by certain state agencies, boards and commissions
A.7370**	Galef	Relates to establishing an energy-related public utility mass real property central assessment pilot program
A.7552	Jaffee	Relates to the sealing and expungement of records in persons in need of supervision cases in family court
A.7556	Jaffee	Relates to permanency planning in juvenile delinquency and persons in need of supervision proceedings in family court
A.7557	Davila	Relates to truancy allegations in persons in need of supervision and child protective proceedings in family court
A.7572**	Benedetto	Provides for mandatory testing of breath, blood or urine in the event of a motor vehicle collision resulting in death or injury
A.7582-A	Zebrowski	Requires the licensure of student loan servicers

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.7611-A	Cahill	Relates to establishing protections from excessive hospital emergency charges
A.7723-A	Ryan	Relates to jewelry containing lead
A.7761	Steck	Relates to specification of objections to designating petitions, independent nominating petitions, certificates of nomination or ballot access documents
A.7798-B	Glick	Relates to photo speed violation monitoring systems program for school speed zones in the City of New York
A.7799	Mosley	Prohibits any person from charging a fee for providing assistance in seeking veterans benefits, except as authorized by federal law, rule or regulation
A.7862-A	Gottfried	Relates to penalties to managed care organizations
A.7886	Crespo	Relates to minimum wage rates for subcontracted transportation center workers
A.7899-A	Rozic	Relates to the appointment of a standby guardian due to administrative separation
A.7979-A	Quart	Prohibits certain insurance policies from requiring prior authorization for certain medications used in the treatment of substance use disorders; repealer
A.7989	Barnwell	Relates to the adjustment of penalties due to inflation
A.8098**	Kavanagh	Limits loan assignee liability with regard to motor vehicle retail installment contracts
A.8120-B	Weinstein	Reforms the statutory short form and other powers of attorney for purposes of financial and estate planning; repealer
A.8141**	Cymbrowitz	Relates to discounting uninsured dental services

<u>Bill Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.8250	Gunther	Authorizes certain reports relating to reportable incidents involving vulnerable persons to be released to officers and employees of the State Comptroller
A.8257-A**	Moya	Relates to certain contracts
A.8409-A	Glick	Relates to interim multiple dwelling units

Appendix G: 2017 Codes Bills Vetoed by the Governor

<u>Bill Number</u>	<u>Veto Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.5667-A	171	Quart	Relates to the definition of a gravity knife

Appendix H: 2017 Dual Referenced Bills Vetoed by the Governor

<u>Bill Number</u>	<u>Veto Number</u>	<u>Sponsor</u>	<u>Summary</u>
A.1644	173	Skoufis	Makes provisions for payment to certain parole officers employed by Department of Corrections and Community Supervision for salary and medical expenses while subject to sickness
A.4032-A	166	Weprin	Relates to duties of certain parole officers
A.4377-A	186	Rosenthal	Requires retailers of electronic cigarettes or liquid nicotine, not otherwise registered with the department of taxation and finance to sell tobacco products, to register with such department
A.6546	197	Lentol	Relates to independent hearing officers for certain disciplinary hearings
A.8160	184	Lupardo	Relates to creating a hotline for the reporting of various forms of abuse which may jeopardize the health or welfare of any person
A.8487	203	Cook	Relates to wireless communications equipment insurance

Appendix I: 2017 Committee Hearings

<u>Title</u>	<u>Committees</u>	<u>Date/Location</u>
Government oversight of forensic science laboratories	Codes Judiciary Oversight, Analysis, and Investigation	February 8 New York City
Services for victims of human trafficking	Codes Labor Puerto Rican/Hispanic Task Force Social Services	June 7 Albany