

# NEW YORK STATE ASSEMBLY

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Committee On  
Governmental Operations

Carl E. Heastie • Speaker  
Kenneth P. Zebrowski • Chairperson



# ANNUAL REPORT



KENNETH P. ZEBROWSKI  
Assemblyman 96<sup>th</sup> District  
Rockland County

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIRMAN  
Committee on  
Governmental Operations

COMMITTEES  
Rules  
Ways and Means  
Judiciary  
Governmental Employees  
Ethics and Guidance

December 15, 2022

The Honorable Carl E. Heastie  
Speaker of the Assembly  
Legislative Office Building, Room 932  
Albany, NY 12248

Dear Speaker Heastie,

It is my pleasure to submit to you the 2022 Annual Report of the Assembly Standing Committee on Governmental Operations. Contained within are descriptions of the Committee's significant legislation, other notable activities from 2022, and an overview of the Committee's outlook for the upcoming 2023 session.

I am proud to report that throughout 2022, the Committee successfully enacted many important pieces of legislation and helped secure critical funding for various endeavors in the State budget. The Governmental Operations Committee was instrumental in working on updates to the Open Meetings Law, contained in Article 7 of the New York State Public Officers Law, in response to a permanently changed landscape after the COVID-19 pandemic. The Committee remains dedicated to protecting gender equality in the State of New York despite challenges on the federal level, as we supported the passage of the Equality Amendment and passed several bills through the Committee intended to combat sexual harassment. The Committee also focused its efforts on ethics reform and the creation of the new Commission on Legislative Ethics in Government, furthering our mission to promote good government.

In 2023, the Committee will continue to focus on improving the efficiency and fairness of government in New York State. Disaster and emergency preparedness, government transparency, and equal protection under the law for all New Yorkers will remain top priorities. It is also a goal of the Committee to promote proper and cost-efficient procurement practices and to encourage greater participation by small, minority- and women-owned businesses in State contracting. In addition, the Committee is dedicated to ensuring that everyone in New York State, regardless of their background, is treated with dignity and respect.

I would like to take this opportunity to thank you, your staff and the Committee members for their continued support. I look forward to meeting the challenges ahead in the 2023 Legislative Session.

Sincerely,

Kenneth P. Zebrowski, Chair  
Assembly Standing Committee on Governmental Operations

**MEMBERS OF THE NEW YORK STATE ASSEMBLY**  
**STANDING COMMITTEE ON**  
**GOVERNMENTAL OPERATIONS**

Kenneth P. Zebrowski, *Chair*

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Ron Kim  
Rodneyse Bichotte Hermelyn  
Alicia Hyndman  
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Harvey Epstein  
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*Ranking Minority Member*  
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Kieran Michael Lalor  
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Aubree Heydrick, Assistant Secretary for Program and Policy  
Emily Van De Loo, Committee Analyst  
Nathan Kerstein, Associate Counsel  
Chris Bresnan, Committee Clerk  
Sierra Stevenson, Administrative Assistant

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## I. INTRODUCTION

The Governmental Operations Committee's jurisdiction encompasses a broad spectrum of legislative and regulatory issues. The issue areas of the Committee include: governmental reform, lobbying and ethics laws, crime victims' rights, human rights, rights of individuals with disabilities, State procurement and technology policies, Freedom of Information and Open Meetings Laws, disaster preparedness, homeland security, State police, public lands and buildings, redistricting and reapportionment, and the organization and operation of the executive and legislative branches of State government.

The Committee also acts on legislation proposed to it by the Assembly Ethics and Guidance Committee, the Assembly Committee on Oversight, Analysis and Investigation, the Administrative Regulation Review Commission, and the Legislative Commission on Government Administration. In addition, the Committee oversees the Subcommittee on the Oversight of Minority- and Women-Owned Business Enterprises (MWBES), and the Subcommittee on Emergency Response/Disaster Preparedness.

The pages that follow will detail significant legislation that the Governmental Operations Committee has advanced throughout the 2022 session, highlighting the following topic areas:

- Public safety, disaster preparedness, and the Uniform Fire Prevention and Building Code
- Fair treatment of crime victims
- Human rights
- Open Government
- Governmental Administration and Reform
- State procurement

In addition, this report will outline significant legislation negotiated in the State Fiscal Year 2022-23 Enacted Budget and issues discussed at public hearings hosted by the Committee in 2022. This report will conclude with a look ahead at the upcoming 2023 Legislative Session.

## **II. PUBLIC SAFETY, DISASTER PREPAREDNESS, AND THE UNIFORM FIRE PREVENTION AND BUILDING CODE**

Legislation related to the delivery of emergency services and public safety is often referred to the Governmental Operations Committee. The Committee examines the activities of the Division of Homeland Security and Emergency Services (DHSES), which includes the Office of Fire Prevention and Control, the State Emergency Management Office, the Office of Counterterrorism and the Office of Interoperability and Emergency Communications. The Committee is also concerned with the Office of Cyber Security within the Office of Information Technology Services, the New York State Police and the Municipal Police Training Council and reviews the State Uniform Fire Prevention and Building Code.

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### **Exempting Certain Essential Workers from Travel Bans** **(A.25, Cahill)**

This law exempts certain utility and other workers from state and local travel bans during declared emergencies so as to allow such workers to carry out their job responsibilities related to essential restoration and/or maintenance.

### **Chapter 724 of 2022**

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### **Minimum Standards for Code Enforcement Personnel Training** **(A.276-A, Zebrowski)**

This law creates a timeline for the completion of mandatory training for code enforcement personnel and requires such personnel to complete a minimum amount of basic training prior to carrying out code enforcement activities. As passed, it heightens continuing education requirements for such personnel. However, changes to such legislation were subsequently agreed upon pursuant to Approval Memorandum No. 82.

### **Chapter 797 of 2022**

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### **Interagency Task Force on Hate Crimes and Domestic Terrorism** **(A.393-A, Zebrowski)**

This bill would establish a temporary interagency task force on hate crimes and domestic terrorism. It would require such task force to provide an annual report to the Governor and leaders of the legislature including information on the nature, extent and incidence of hate crimes and domestic terrorism in the state as well as a summary of any recommendations developed over the year to strengthen state and local prevention efforts and any other information deemed necessary to protect the safety of New Yorkers.

### **Reported to the Rules Committee**

**Automatic License Plate Reader Guidelines**  
**(A.940-B, Paulin)**

This bill would require the Municipal Police Training Council to develop standards and recommend rules and regulations to the Governor with respect to the establishment and implementation of a training program for all current and new law enforcement officers regarding automatic license plate readers. All law enforcement agencies would be required to post such license plate reader policy on their website.

**Passed the Assembly**

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**Accounting for Medical Supplies Delivery in Disaster Preparedness Planning**  
**(A.1905, Dinowitz)**

This legislation requires the State Disaster Preparedness Plan to include provisions to ensure that medical supplies may be delivered to pharmacies, hospitals and nursing homes within an area declared to be experiencing a disaster emergency. A chapter amendment to this legislation has been subsequently agreed upon pursuant to Approval Memorandum No. 47.

**Chapter 726 of 2022**

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**Agricultural Representation on the State Fire Prevention and Building Code Council**  
**(A.2562, Woerner)**

This bill would call for the Governor to appoint a member from the State's largest agricultural advocacy organization to the Fire Prevention and Building Code Council.

**Passed the Assembly**

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**Electric Vehicle Charging Stations and Parking Spaces in New Private Construction**  
**(A.3179-D, Fahy)**

This bill would amend the building code to require a certain amount of electric vehicle charging stations and electric vehicle-capable parking spaces in new private construction of one- to three-family homes, multi-family homes, and privately-owned commercial buildings. A waiver may be applicable in certain instances, including if the owner demonstrates that such requirements would present an undue hardship due to limitations of the local utility provider or that the geographic location of the site is such that compliance would result in a significant burden on the owner. Such provisions would apply to new construction contracts entered into after the effective date.

**Reported to the Codes Committee**

**Electric Vehicle Charging Stations in State-Funded Parking Facilities**  
**(A.4386-B, O'Donnell)**

This legislation requires certain parking garages and parking lots that receive state capital funding to be constructed with infrastructure to support electric vehicle charging stations. It applies to new construction undertaken after the effective date. A chapter amendment to this legislation has been subsequently agreed upon pursuant to Approval Memorandum No. 92.

**Chapter 809 of 2022**

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**Building Codes Relating to Hot Tub or Spa Safety Covers**  
**(A.8646, Thiele)**

This law clarifies under building safety codes, lockable hot tub and spa safety covers may serve as the primary means of a safety barrier for a hot tub or spa, while a swimming pool may have fencing as its primary safety barrier. A chapter amendment to this legislation has been subsequently agreed upon pursuant to Approval Memorandum No. 33.

**Chapter 651 of the Laws of 2022**

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**Securing Grease Traps and Interceptors at Food Service Establishments**  
**(A.8770, Clark)**

This law amends Chapter 753 of the Laws of 2021, which established rules and regulations within the state building code to regulate the security and safety of grease traps and grease interceptors at food service establishments and authorized local public water and sewer authorities to establish their own safety regulations for manhole covers containing grease traps and grease interceptors, by changing certain requirements for the security of grease traps to be considered under the State Building Code Council.

**Chapter 47 of the Laws of 2022**

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**State Agency Data Breach Notification**  
**(A.8793, Otis)**

This law amends Chapter 796 of the Laws of 2021, which required the Office of Information Technology Services to notify the chief information officer or where appropriate the chief information security officer of a state entity within 24 hours following discovery of a data breach, by making changes to the procedure for the notification of a data breach and making conforming changes to definitions.

**Chapter 107 of the Laws of 2022**



**Examining Building Code Requirements for Flood Mitigation**  
**(A.9216-B, Otis)**

This legislation requires the Building Code Council to execute an evaluation of, and provide recommendations for, the standardization of codes to protect against the effects of weather events such as sea level rise, erosion, and flooding. It also requires the development of standards for the construction of buildings near coastlines. A chapter amendment to this legislation has been subsequently agreed upon pursuant to Approval Memorandum No. 108.

**Chapter 831 of the Laws of 2022**

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**Incorporating 2-1-1 into State Disaster Preparedness Planning**  
**(A.9526-A, Lupardo)**

This legislation incorporates 2-1-1, which relieves 911 of calls for non-emergency disaster-related assistance, into state disaster preparedness planning efforts by adding the Chief Professional Officer of 2-1-1 New York to the State Preparedness Commission and including coordination efforts with 2-1-1 as part of the State's emergency disaster plan.

**Chapter 699 of the Laws of 2022**

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**III. CRIME VICTIMS, CRIME PREVENTION AND PROTECTIONS**

The Governmental Operations Committee considers legislation dealing with crime victims and the Office of Victim Services. This agency advocates for, and is responsible for, issuing awards to eligible crime victims. The Committee's interest and commitment to the concerns of crime victims surpasses issues directly relating to the Office itself. The Committee contributed several key bills to various legislative packages that seek to improve the responsiveness of the criminal justice system to victims of sexual harassment, domestic violence and other crime victims.

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**Establishing a Toll-Free Hotline for Complaints of Workplace Sexual Harassment**  
**(A.2035-B, Niou)**

This legislation establishes a toll-free hotline within the New York State Division of Human Rights to provide counsel and assistance to individuals with complaints of workplace sexual harassments. It also provides for the Division to recruit attorneys to provide pro bono assistance via the hotline.

**Chapter 138 of the Laws of 2022**

**Requiring Police to Develop a Policy for the Notification of Next of Kin of a Relative's Death**

**(A.3429-A, Cook)**

This law requires the Municipal Police Training Council and the Superintendent of State Police, in collaboration with the Office of Victim Services, to develop policies and procedures regarding the timely in-person notification to a deceased individual's next of kin. It provides that such policy shall include procedures for training current and new police officers and shall be disseminated to all police departments in the state.

**Chapter 531 of the Laws of 2022**

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**Establishing a Blue Alert System**

**(A.6318-B, Stern)**

This law establishes a Blue Alert System, initiated upon request of the Chief Law Enforcement Officer of the appropriate law enforcement agency, intended to aid in the location and apprehension of an individual suspected of killing or seriously wounding a law enforcement officer.

**Chapter 706 of the Laws of 2022**

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**Prohibiting Retaliatory Action Against Employees that Complain of Unlawful Discriminatory Practices by their Employer**

**(A.7101, Gonzalez-Rojas)**

This legislation amends the Human Rights Law to clarify that disclosure of an employee's personnel file is included under the existing protections for retaliation in the Human Rights Law. In addition, it provides that the Attorney General may commence an action upon belief that an employer has or will in the future violate provisions regarding unlawful retaliation.

**Chapter 140 of the Laws of 2022**

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**Relating to Victim Compensation for Unlawful Surveillance Crimes**

**(A.7489, Wallace)**

This law expands eligibility to crime victims who did not suffer a physical injury but were victims of the crime of unlawful dissemination or publication of an intimate image as defined in section 245.15 of the Penal Law.

**Chapter 239 of the Laws of 2022**

**Expanding Eligibility to Crime Victim Compensation for Certain Crimes**  
**(A.7502, Rajkumar)**

This legislation expands eligibility to crime victims who did not suffer a physical injury but were victims of the crimes of reckless endangerment in the second and first degree as defined in section 120.20 and 120.25, respectively, of the Penal Law.

**Chapter 343 of the Laws of 2022**

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**Expanding Eligibility and Access to Crime Victim Compensation**  
**(A.8619-B, Meeks)**

This bill would expand eligibility for victims and survivors of crime to access victim compensation funds. It would do so by removing the mandatory law enforcement reporting eligibility requirement; permitting alternative forms of evidence to show that a qualifying crime was committed; and increasing the time a victim or survivor has to file a victim compensation claim with the Office of Victim Services from one year to three years after an applicable inciting event. It would provide for the Office of Victim Services to consider evidence in their review of a claim including a written statement from a victim services provider, a statement from the witness of the qualifying crime, a statement from the victim attesting to their physical injury, a restraining order or protective order issued by a court to the victim from the perpetrator of the qualifying crime, a statement from a medical provider, and/or recorded evidence of the qualifying crime in the form of video, audio, or photos.

**Passed the Assembly**

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**Extending Eligibility for the Address Confidentiality Program to Victims of Kidnapping**  
**(A.9594-A, Paulin)**

This law extends eligibility for the Address Confidentiality Program run by the Office of the Secretary of State to victims of kidnapping. The Address Confidentiality Program allows survivors of certain crimes the option to hide their address from public records in order to protect themselves.

**Chapter 521 of the Laws of 2022**

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**Extending Eligibility for the Address Confidentiality Program to Reproductive Health Care Services Providers**  
**(A.9818, Paulin)**

This law extends eligibility for the Address Confidentiality Program run by the Office of the Secretary of State to reproductive health care services providers, employees, volunteers, patients, and/or immediate family members of such reproductive health care providers. Given that reproductive health care services providers receive targeted death threats, this legislation provides them and their families with the opportunity to keep their address confidential and out of any public records.

**Chapter 222 of the Laws of 2022**

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**IV. HUMAN RIGHTS**

The Division of Human Rights is the agency responsible for the enforcement of the State's Human Rights Law, which protects the citizens of New York from discrimination based on race, sex, religion, marital status and several other protected categories.

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**Clarifying State Employers are Subject to the Human Rights Law**  
**(A.2483-B, Niou)**

This legislation clarifies that all state and public employers are subject to the provisions of the Human Rights Law, and therefore state employees, including any staff serving in the executive, judiciary, and legislative branches and the staff of elected officials and judges are protected under the Human Rights Law. In this instance, the State is considered the “employer,” which closes a loophole in employer liability.

**Chapter 139 of the Laws of 2022**

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**Prohibiting Discrimination on the Basis of Citizenship or Immigration Status**  
**(A.6328-A, Cruz)**

This legislation amends the Human Rights Law to add citizenship and immigration status to the list of protected classes under all relevant provisions, including, but not limited to, housing, employment, and education. It also includes discrimination on the basis of citizenship or immigration status on the list of civil and criminal offenses under the Human Rights Law which the Attorney General is authorized to prosecute.

**Chapter 748 of the Laws of 2022**

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**Clarifying Workers Shall Not be Retaliated Against for Lawful Absences**  
**(A.8092-B, Reyes)**

This legislation ensures that it shall be retaliation for an employer to discipline workers by assessing point or deductions from a timebank when an employee has used any legally protected absence.

**Chapter 604 of the Laws of 2022**

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**Disciplining Real Estate Appraisers for Violations of the Human Rights Law**  
**(A.9264, Jean-Pierre)**

This bill would include any violation of the Human Rights Law committed while acting in one's professional capacity as a real estate appraiser to the list of violations that may trigger a revocation of a real estate license.

**Reported to the Rules Committee**

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**Prohibiting Discrimination on the Basis of Status as a Victim of Domestic Violence**  
**(A.9601-B, Lucas)**

This law amends the Human Rights Law to broaden protections for victims of domestic violence beyond the category of employment. It adds status as a victim of domestic violence to the list of protected classes under all relevant provisions, including, but not limited to, housing and education.

**Chapter 202 of the Laws of 2022**

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## V. OPEN GOVERNMENT

The Freedom of Information Law (FOIL) governs the public's right to know about governmental decision-making by allowing for review of documents that form the basis of governmental decisions and actions. The Open Meetings Law enables the public to monitor the performance of public officials by observing the deliberations and decisions that go into the making of public policy. Changes to the Open Meetings Law have been particularly relevant in recent years to ensure that government can continue running smoothly by conducting meetings remotely. FOIL and the Open Meetings Law, as well as other laws in the jurisdiction of the Governmental Operations Committee, help to ensure governments' accountability and accessibility to the people.

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### **Public List of All State Boards** **(A.843-A, Paulin)**

This legislation requires the Commissioner of the Office of General Services to compile, publicize, and maintain certain information about state boards in order to provide the public with an understanding of the breadth of existing New York State boards, their membership, purpose, and legal responsibilities. A chapter amendment to this legislation has been subsequently agreed upon pursuant to Approval Memorandum No. 71.

### **Chapter 773 of 2022**

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### **FOIL Request Fees** **(A.1756, Rosenthal L)**

This bill would prohibit New York city or state agencies from imposing charges for processing a FOIL request made by state and local agencies or the state legislature.

### **Reported to the Ways and Means Committee**

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### **Charging FOIL Request Fees for Subsequent Identical Electric Copies** **(A.4677-A, Paulin)**

This legislation specifies that if a FOIL request is made for an electronic copy and an identical record has been produced within the past 6 months and such electronic copy is available, an agency shall not charge a fee. A chapter amendment to this legislation has been subsequently agreed upon pursuant to Approval Memorandum No. 60.

### **Chapter 745 of the Laws of 2022**

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**Relating to Defining the Terms “Retiree” and “Beneficiary” within FOIL**  
**(A.5469, Englebright)**

This law clarifies that the name of a retiree in a public employees’ retirement system is subject to disclosure under FOIL.

**Chapter 482 of the Laws of 2022**

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**Authorizing Remote Meetings During the COVID-19 State Disaster Emergency**  
**(A.8591, Thiele)**

This law extended the provisions of the Open Meetings Law related to suspending in-person meeting requirements for public bodies and allowing such entities to meet remotely by conference call or a similar medium that provided the public with the ability to view and/or listen to the proceedings. It permitted this while the declared state of emergency was in effect.

**Chapter 1 of the Laws of 2022**

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**Expanding the Definition of Public Body in the Open Meetings Law**  
**(A.8703, Paulin)**

This law amends Chapter 676 of the Laws of 2021, which changed the definition of the term “public body” in the Public Officers Law to include any entity created or appointed to perform a necessary governmental function in the decision-making process, unless the provision of recommendations or guidance are purely advisory and do not require further action, by clarifying that entities created by public bodies are captured in the Open Meetings Law if they have two or more members and require a quorum to do business.

**Chapter 115 of the Laws of 2022**

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**Open and Transparent Public Records**  
**(A.8734, Englebright)**

This law amends Chapter 808 of the Laws of 2021, which required a specific justification for the denial of access to records under FOIL. Such law provided that when an agency is considering denying access to records under the law enforcement exception to FOIL because disclosure would interfere with a judicial proceeding, then the decision of whether to grant access will be made by the judge presiding over that judicial proceeding. Such law also clarified that a denial of access to records under FOIL does not prevent a person from obtaining records under any other law, and that parties to any civil or criminal action or proceeding can use FOIL to obtain records concerning the action or proceeding. Furthermore, this law clarified that access to a record cannot be withheld due to the type

or category of record or solely because it relates in some manner to an investigation or criminal proceeding. This bill made technical changes to Chapter 808 of the Laws of 2021 to clarify that an entity would be required to release information related to an investigation.

## **Chapter 155 of the Laws of 2022**

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### **VI. GOVERNMENTAL ADMINISTRATION AND REFORM**

The Governmental Operations Committee has jurisdiction over bills that seek to amend the Public Officers Law, the Legislative Law and other laws that regulate many of the actions of state government and public employees. Many of these laws are important components of efforts to make government more open and responsive.

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#### **The Legislative Process Regarding a Law that Sunsets** **(A.42, Gottfried)**

This bill would allow for the repeal, suspension, and amendment of contrary regulations prior to the effective date of a new law to allow for preparation prior to a law taking effect.

**Passed the Assembly**

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#### **Sexual Orientation and Gender Identity Expression Data Collection** **(A.2632-A, Bronson)**

This bill would require state agencies, boards and commissions to collect information regarding sexual orientation and gender identity expression when collecting data, in order to better capture and identify the needs of the state's LGBTQ+ population. It would also require public annual reporting of such data.

**Veto Memo 71**

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#### **Expanding Census Language Translation Services** **(A. 7132-A, Reyes)**

This bill would require the Department of State to provide census-related translation services for state agencies and localities. It would require the Department to identify existing translation services and coordinate with state agencies and any relevant state institutions to see if such services may be utilized for census purposes. The Department would be required to pursue an expansion of translation services to include as many languages as possible.

**Veto Memo 98**



**Authorizing Electronic Notarizations**  
**(A.8691, Rozic)**

This law amends Chapter 767 of the Laws of 2021, which set forth registration requirements for electronic notaries public, by establishing a temporary program for remote notarization while the Department of State funds and establishes new registration software. This law also makes technical changes and adds a later effective date to such law.

**Chapter 104 of the Laws of 2022**

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**Implementing Translation Technology on State Websites**  
**(A.8742, Niou)**

This law amends Chapter 785 of the Laws of 2021, which required the Office of Information Technology Services to assist state agencies in implementing language translation technology on their websites within 30 days for all sites containing information about COVID-19 or programs, benefits or services related to COVID-19, by making changes to the implementation timeframe in which agencies need to provide translation service information on their websites.

**Chapter 108 of the Laws of 2022**

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**Demographic Information Collection by State Agencies**  
**(A.8743, Niou)**

This law amends Chapter 745 of the Laws of 2021, which required every state agency, board, or commission that directly, or by contract, collects data about the ethnic origins of New York state residents to use separate categories for a number of major Asian groups, by clarifying the groups that are to be included and the process to undertake and extending the time frame requirement for agencies to comply and the methods by which demographic information is collected and decided upon.

**Chapter 123 of the Laws of 2022**

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**Innovation within the Rulemaking Process**  
**(A.8796, Mamdani)**

This law amends Chapter 801 of the Laws of 2021, which enhanced public participation in the rule-making process by permitting agencies to utilize innovative techniques in organizing public hearings on proposed rules, by adjusting the number of petitions required to hold a hearing on a regulation and changing the effective date.

**Chapter 116 of the Laws of 2022**

## **VII. PROCUREMENT AND STATE CONTRACTS**

One important function of the Governmental Operations Committee is to review procurement laws and regulations. The Committee is also interested in monitoring the contracts of the state, for example, to ensure there is proper oversight in the procurement process. Further, the Committee is dedicated to increasing participation of Minority- and Women-Owned Business Enterprises (MWBE's) in state procurement and oversees legislation related to the MWBE Program.

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### **Equal Pay Disclosure in State Contracting** **(A.5773, Glick)**

This bill would require equal pay disclosure with respect to state contracts. State contractors would be required to submit a dated report on employee compensation to the New York State Comptroller, authorizing the Comptroller to promulgate regulations to require contracting agencies to take the equal pay reports into consideration when determining the award of a state contract.

### **Veto Memo 144**

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### **Restoring the State Comptroller's Pre-Audit Authority** **(A.7925-A, Zebrowski)**

This legislation, as passed, restores the State Comptroller's pre-audit authority over certain contracts to what it was prior to 2011 when the authority began to be chipped away during the budget. This captures Office of General Services centralized contracts, SUNY and CUNY contracts, SUNY Health Care Facility contracts, and SUNY and CUNY Construction Fund contracts over certain dollar amounts, respectively. Changes to such legislation were subsequently agreed upon pursuant to Approval Memorandum No. 114.

### **Chapter 839 of the Laws of 2022**

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### **Buy American Salt Act** **(A.7919-A, Bronson)**

This legislation, as passed, establishes a Buy American requirement for rock salt, requiring each contract for purchase or procurement made by a state or local public agency or public authority to contain a provision that rock salt used or supplied in the performance of such contract be mined or hand harvested in the United States. However, changes to such legislation were subsequently agreed upon pursuant to Approval Memorandum No. 50.

### **Chapter 729 of the Laws of 2022**

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**Cost Effectiveness of Consultant Contracts**  
**(A.8159, Bronson)**

This bill would require state agencies to conduct a cost comparison review before entering into contracts for consultant services which are estimated to cost in excess of \$1 million within a 12-month period in order to determine whether such services can be performed at an equal or lower cost by utilizing State employees.

**Veto Memo 166**

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**Accessibility of State Contractors' Websites**  
**(A.8453-A, Simon)**

This law requires state contractors, vendors, and consultants to maintain websites in compliance with the most up to date version of the Web Content Accessibility Guidelines adopted by the World Wide Web Consortium for Accessibility.

**Chapter 658 of the Laws of 2022**

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**Preferred Source Procurement**  
**(A.8549-C, Burdick)**

This law updates provisions of the preferred source statute, which has not been substantially changed since its enactment. It replaces terms of “severely disabled” persons with “disabled” and “workshop” with “entity” to accurately reflect the current reality of the preferred source program. It provides for a discretionary purchasing threshold of \$100,000 and sets the requirement for the utilization of preferred source workforce to 50%. Additionally, it requires the State Procurement Council to submit a report regarding the direct labor workforce employed in the provision of preferred source commodities and services, including a breakdown of the participation levels of veterans, persons who are blind or who have other disabilities captured under the preferred source program. A chapter amendment to this legislation has been subsequently agreed upon pursuant to Approval Memorandum No. 17.

**Chapter 565 of the Laws of 2022**

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**Disclosure of Incumbent Contractors in Procurement Notices**  
**(A.8696, Zebrowski)**

This law amends Chapter 662 of the Laws of 2021, which required the disclosure of any incumbent awarded an identical or substantially similar procurement contract within the past five years in the procurement opportunities newsletter published by the Commissioner

of Economic Development, by clarifying that if there is a multiple award contract, the agency may simply provide a link to a website that lists the identical or similar contract rather than including all awardees in its report.

## **Chapter 82 of the Laws of 2022**

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### **Construction Industry Advisory Council on Public Contracting Reform** **(A.8831, Bichotte Hermelyn)**

This law amends Chapter 782 of the Laws of 2021, which established an independent advisory council to examine public contracting, by changing the makeup of such council, adding a reporting requirement to include a summary of the positions advanced by the members of the council regarding relevant subject matters, and establishing the provisions shall expire and be deemed repealed two years after enactment, February 24, 2022.

## **Chapter 98 of the Laws of 2022**

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### **Increasing Transparency in the Minority- and Women-Owned Business Enterprise Program** **(A.9259-A, Peoples-Stokes)**

This law increases transparency in the Minority and Women-Owned Business Enterprise Program by requiring records of certifications, recertifications, and waivers of compliance, including information related to denials of certification or recertification, to be made publicly available, provided that any personally identifying information or business trade secrets are removed. It also incorporates a standardized prepayment declaration in compliance reports to be completed by the contractor and the Minority and Women-Owned business itself attesting that such business performed on the contract, as intended. A chapter amendment to this legislation has been subsequently agreed upon pursuant to Approval Memorandum No. 18.

## **Chapter 567 of the Laws of 2022**

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### **Publicly Accessible Electric Vehicle Charging Stations** **(A.9361-A, Epstein)**

This bill would require a commercial garage owner or operator that has received state funds or other forms of state assistance related to the installation of electric vehicle charging stations to develop and implement a policy to ensure public access to such garage's electric vehicle charging stations.

## **Reported to the Ways and Means Committee**

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**Contract Cost Adjustments due to the COVID-19 Pandemic**  
**(A.10109, Zebrowski)**

This bill would allow contractors to apply for an adjustment to certain contracts whereby bids were submitted prior to April 1, 2020 (the onset of the COVID-19 pandemic) and materials were purchased after March 1, 2020, and such materials increased in cost in excess of 5% from the original bid. Provisions would also apply if there was a decrease in costs since the original bid. This bill would also provide that in no event shall direct labor costs, additional profit, or overhead be part of such adjustment, and the escalation or de-escalation of the price of materials would be determined by information such as a nationally recognized economic index published by the United States Department of Labor. Provisions for review of the contract adjustment by the Comptroller are included.

**Veto Memo 186**

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**Office of General Services Discretionary Buying Threshold**  
**(A.10424, Anderson)**

This bill would increase the discretionary purchasing limit for transactions processed by OGS or on behalf of its customer agencies from \$50,000 to \$85,000.

**Reported to the Rules Committee**

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**Increasing the New York City Discretionary Purchasing Threshold**  
**(A.10459, Bichotte Hermelyn)**

This law authorizes the City of New York and its agencies to make procurements of goods, services, and construction up to \$1 million from businesses certified as MWBE's without a formal competitive bidding process.

**Chapter 569 of the Laws of 2022**

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**VIII. MISCELLANEOUS**

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**Mobile-Friendly State Agency Websites**  
**(A.2157-A, Fernandez)**

This bill would require all state agencies to maintain mobile-friendly platforms for their existing websites, navigable via smartphone, tablet, or similar mobile device.

**Passed the Assembly**

**Zero Emission Vehicles for State-Owned Vehicle Fleets**  
**(A.2412-B, Fahy)**

This legislation directs the Office of General Services to prepare a state fleet procurement plan in consultation with the Department of Environmental Conservation and the New York State Energy Research and Development Authority. A chapter amendment to this legislation has been agreed upon pursuant to Approval Memorandum No. 75.

**Chapter 789 of 2022**

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**Establishing the Office of Racial Equity and Social Justice**  
**(A.2358-B, Peoples-Stokes)**

This bill would establish an Office of Racial Equity and Social Justice within the Executive Branch. It outlines what the makeup of employment in such office should be as well as duties and responsibilities, including serving as the official state coordinating office for changes in policy to support racial equity and social justice.

**Veto Memo 163**

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**Gender-Neutral Terminology on State Websites**  
**(A.3037-A, Rosenthal L)**

This bill would require state agencies and authorities to use gender-neutral terminology on state websites. Gender-neutral terminology is defined for the purposes of this legislation as words or expressions that cannot be taken to refer to one gender only, such as “police officer” as opposed to gender-biased terminology, such as “policeman.”

**Advanced to Third Reading**

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**Land Transfer**  
**(A.4017, Abinanti)**

This bill would authorize the Commissioner of General Services to transfer and convey certain state land to the county of Westchester to be used as a pedestrian and non-motorized bicycle trailway.

**Veto Memo 156**

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**Awarding Grant Funds to Law Enforcement Agencies**  
**(A.4649, Woerner)**

This bill would require the Division of Criminal Justice Services to give preference to accredited law enforcement agencies when awarding grant funding.

**Passed the Assembly**

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**Requirements of State and City University Employee Disclosures**  
**(A.5321, Sillitti)**

This bill would exclude faculty at SUNY and CUNY, whose only state employment is through the university as a professor, lecturer, instructor, assistant professor, associate professor, or similar teaching role, from the scope of state employees captured under Legislative Law that requires the disclosure of any “reportable business relationship” between any lobbyist and any state employee.

**Veto Memo 38**

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**Land Transfer**  
**(A.5338, Giglio JM)**

This law relates to the sale of certain lands in the towns of Cuba. Allegany County and Ischua, Cattaraugus County, and the disbursement of monies from the Cuba lake management fund.

**Chapter 602 of the Laws of 2022**

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**Guidelines for the Procurement of Healthy Food Served on State Property**  
**(A.5682-B, Gottfried)**

This bill would require the Department of Health to develop guidelines including healthy food standards for food purchased, served, sold, and promoted by state agencies, programs, institutions, and on state property. Such guidelines would need to be consistent with or go beyond the recommendations in the most recent edition of the federal Dietary Guidelines for Americans. This bill would set forth a timeline for reviewing and updating the guidelines and would provide for the Department of Health to develop a plan to support state agencies implement the recommendations included in their guidelines.

**Reported to the Ways and Means Committee**

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**Statewide Campaign for Inclusion and Understanding of Diversity**  
**(A.5913-A, Lavine)**

This law requires the Division of Human Rights to develop and implement a statewide campaign to increase awareness and promote the acceptance, inclusion, tolerance and understanding of the diversity of all people in the state of New York. The mission of this campaign is to combat bias, hatred and discrimination in all forms and to prevent discrimination on the basis of religion, race, color, creed, sex, ethnicity, national origin, age, disability, sexual orientation, and gender identity or expression. The Division of Human Rights is required to post educational materials supporting such campaign on their website.

**Chapter 626 of the Laws of 2022**

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**Study of Issues Related to Caregiving**  
**(A.6202-A, Barrett)**

This bill would direct a multi-agency study to identify and examine issues impacting caregiving and caregivers in the State. Such study should examine issues falling under the umbrella of caregiving, including, but not limited to, the caregiving workforce shortage.

**Veto Memo 75**

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**Commission of the Deaf, Deafblind, and Hard of Hearing**  
**(A.6710-B, Zebrowski)**

This bill would establish the Commission of the Deaf, Deafblind, and Hard of Hearing. Such Commission would be responsible for guiding policy and providing recommendations as to how the state can adequately meet the needs of the deaf, deafblind, and hard of hearing population in the state and further would be a resource for deaf, deafblind, and hard of hearing individuals, as needed. In addition, the bill would outline the responsibilities of the Commission, including, but not limited to, creating a comprehensive statewide plan for delivering services, maintaining a website, and expanding employment opportunities for deaf, deafblind, and hard of hearing New Yorkers.

**Veto Memo 54**

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**Public Awareness of COVID-19 Resources**  
**(A.7808-A, Simon)**

This bill would require the Secretary of State to compile a comprehensive list of all state COVID-19 related programs and resources available to consumers, student loan debtors, senior citizens, small businesses, renters, and homeowners. Such list would be required to be posted on the Department of State website.

**Passed the Assembly**

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**Land Transfer**  
**(A.7952, Lalor)**

This law authorizes the Commissioner of General Services to grant an easement for certain lands to the Central Hudson Gas and Electric Corporation.

**Chapter 475 of the Laws of 2022**

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**Updating Terminology for Menstrual Products throughout Law**  
**(A.8264-B, Rosenthal L)**

This bill would replace all instances of the term “feminine hygiene products” with the term “menstrual products” throughout applicable sections of state law.

**Advanced to Third Reading**

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**Land Transfer**  
**(A.8296, Vanel)**

This law authorizes the Commissioner of General Services to sell or lease certain lands in Queens to the Hollis-Bellaire-Queens Village Athletic Association to be used as a venue for various non-professional sporting events and/or other community activities.

**Chapter 318 of the Laws of 2022**

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**Residency Exemption**  
**(A.8404, Smullen)**

This law amends the Public Officers Law in relation to the residency requirements of the person holding the office of city attorney in the city of Johnstown.

**Chapter 320 of the Laws of 2022**

**Rural Ambulance Services Task Force**  
**(A.8790, Santabarbara)**

This law amends Chapter 778 of the Laws of 2021, which directed the Department of Health to establish a Rural Ambulance Services Task Force, by making changes to the membership of the task force and extending the deadline for the task force to report.

**Chapter 84 of the Laws of 2022**

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**Gender Recognition Act**  
**(A.8827, O'Donnell)**

This law amends Chapter 158 of the Laws of 2021, which enacted the Gender Recognition Act, by making technical changes including clarifying which documents will qualify, how records are handled and distributed during the process of a petition, and by changing the effective date of certain provisions of the Vehicle and Traffic Law.

**Chapter 163 of the Laws of 2022**

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**Land Transfer**  
**(A.8895-A, Paulin)**

This law extends the authority of the Commissioner of General Services to transfer and convey certain state land to the city of New Rochelle until December 31, 2022.

**Chapter 195 of the Laws of 2022**

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**Gender Neutral Language in the Public Officers Law**  
**(A.8934-B, Sayegh)**

This law replaces gendered language in reference to the Governor's authority within a section of the Public Officers Law with gender neutral language

**Chapter 408 of the Laws of 2022**

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**Establishing the Office of the Chief Disability Officer**  
**(A.9277, Steck)**

This law amends Chapter 834 of the Laws of 2021 to establish the Office of the Chief Disability Officer within the Executive Chamber. It provides that such Officer shall be appointed by the Governor and is responsible for reviewing and reporting on proposed legislation and regulations impacting persons with disabilities in the State.

## **Chapter 170 of the Laws of 2022**

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### **Gender Neutral Language**

**(A.9428, Kelles)**

This bill would require gender-neutral terms to be used throughout any law, rule, regulation, ordinance or resolution. Specifically, this would encompass the replacement of any gendered terms with gender-neutral terms including but not limited to “they”, “them” and “theirs.”

### **Advanced to Third Reading**

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### **Establishing the Commission on Reparations Remedies**

**(A.9435, Solages)**

This bill would establish a commission to examine the injustices of the institution of slavery in the State, including, but not limited to, discrimination against freed enslaved Africans and their descendants. This commission would also be tasked with recommending appropriate remedies.

### **Passed the Assembly**

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### **Residency Exemption**

**(A.9528, Buttenschon)**

This law amends the Public Officers Law in relation to the residency requirements of the person holding the office of Assistant District Attorney in Oneida County.

## **Chapter 334 of the Laws of 2022**

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### **Volunteer Firefighter Recruitment and Retention Report**

**(A.9597, Thiele)**

This law extends the deadline for the submission of the Volunteer Firefighter Recruitment Report, called for in Chapter 258 of the Laws of 2020, to December 31, 2022.

## **Chapter 335 of the Laws of 2022**

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**Public Officers Oath of Office or Official Undertaking**  
**(A.9607, Heastie)**

This law extended the time within which certain elected and appointed officers may take or file their oaths of office or official undertakings.

**Chapter 173 of the Laws of 2022**

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**Establishing the LGBTQ+ Advisory Board**  
**(A.9648-A, Kelles)**

This bill would establish a LGBTQ+ Advisory Board to advise the Executive Chamber and the Legislature on LGBTQ+ issues. It would also provide for the membership requirement, powers, and duties of such Advisory Board.

**Veto Memo 77**

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**Residency Exemption**  
**(A.9694, Zebrowski)**

This law amends the Public Officers Law in relation to the residency requirements of the person holding the office of Assistant District Attorney in Rockland County.

**Chapter 271 of the Laws of 2022**

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**Land Transfer**  
**(A.9742, Galef)**

This bill would authorize the Commissioner of General Services to lease and convey certain lands to the Sing Sing Prison Museum, subject to certain conditions.

**Veto Memo 174**

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**Land Transfer**  
**(A.9756-A, Jean-Pierre)**

This law authorizes the use of design-build for a construction project for a Health and Wellness Center in Wyandanch, New York. Such project is required to be undertaken pursuant to a project labor agreement.

**Chapter 716 of the Laws of 2022**

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**Residency Exemption**  
**(A.9785, Gunther)**

This law amends the Public Officers Law in relation to the residency requirements of the person holding the office of Assistant District Attorney in Orange County.

**Chapter 275 of the Laws of 2022**

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**Public Officers Oath of Office or Official Undertaking**  
**(A.9862, Hawley)**

This law extended the time within which certain elected and appointed officers may take or file their oaths of office or official undertakings.

**Chapter 457 of the Laws of 2022**

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**Residency Exemption**  
**(A.10004, Woerner)**

This law amends the Public Officers Law in relation to the residency requirements of the person holding the office of City Attorney in Saratoga Springs.

**Chapter 284 of the Laws of 2022**

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**Residency Exemption**  
**(A.10133, Smullen)**

This law amends the Public Officers Law in relation to the residency requirements of the person holding the office of information services director for Herkimer County.

**Chapter 458 of the Laws of 2022**

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**Clarifying the Process by which a Vacancy in Public Office is Triggered**  
**(A.10144-B, McDonald)**

This bill would clarify that a vacancy in Public Officer occurs when a public officer enters a guilty plea in federal court to a felony or crime involving his or her oath of office.

**Chapter 757 of the Laws of 2022**

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**Value of State Lands the Office of General Services May Sell and Convey**  
**(A.10146, Woerner)**

This bill would increase the maximum value of unappropriated state land that the Office of General Services may sell and convey from \$20,000 to \$50,000.

**Chapter 702 of the Laws of 2022**

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**Updating Terms Related to Citizenship Status Throughout Law**  
**(A.10147, Davila)**

This legislation replaces the terms “alien” and “illegal alien” with the terms “noncitizen” and “undocumented noncitizen” throughout relevant sections of consolidated law.

**Chapter 669 of the Laws of 2022**

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**Land Transfer**  
**(A.10225-A, McDonald)**

This law authorizes the Commissioner of General Services to transfer and convey certain state land in Albany, New York to KIPP: Albany Community Public Charter Schools.

**Chapter 434 of the Laws of 2022**

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**Collection Fee Charges on Outstanding Student Debt**  
**(A.10261, Zebrowski)**

This law removes a 22% fee imposed when a student has defaulted on student loan payments owed to the State University of New York.

**Chapter 570 of the Laws of 2022**

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**Establishing the New York Asian American and Pacific Islander Commission**  
**(A.10387-A, Rajkumar)**

This bill would establish the New York Asian American and Pacific Islander Commission. It would also provide for the makeup of such commission and its duties and responsibilities, including developing policies to address the needs of the Asian American and Pacific Islander communities in the State.

**Veto Memo 84**

**Residency Exemption**  
**(A.10400-B, Lawler)**

This law amends the Public Officers Law in relation to the residency requirements of the person holding the office of Village Justice in Chestnut Ridge, located in Rockland County.

**Chapter 354 of the Laws of 2022**

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**State Fleet Electric Vehicles Transition**  
**(A.10450, Fahy)**

This legislation provides requirements and protections for workers impacted by the impending transition to purchase or lease of zero-emission vehicles for state-owned fleets.

**Chapter 836 of the Laws of 2022**

**IX. REDISTRICTING**

This past year, the committee advanced legislation to establish new Congressional districts for the State of New York based on updated population figures from the 2020 Federal Census. Such legislation is necessary to ensure that the population of New York is accurately captured and represented in government. The committee reported Assembly bills 8587, 8588, 8589, and 8590 in January of 2022.

## **X. STATE FISCAL YEAR 2022-23 ENACTED BUDGET**

Each year during budget negotiations, the Committee advocates for proposals promoting good government, transparency, oversight, public safety, and protecting human rights.

The Committee also works closely with the Assembly Standing Committee on Ways and Means to secure funding for various programs and initiatives to protect and provide for all New Yorkers, regardless of sex, gender identity, language, citizenship, or status as a victim of violent crime, across the following agencies:

- Division of Human Rights
- Division of Homeland Security and Emergency Services
- Department of State
- Office of General Services
- Office for the Prevention of Domestic Violence
- Office of Victim Services

This past year, the Committee successfully negotiated numerous proposals ultimately included as legislation in the State Fiscal Year (SFY) 2022-23 Enacted Budget.

### **A. Language Access**

The SFY 2022-23 Enacted Budget included legislation codifying the State Language Access Policy. Such legislation requires state agencies that interact with the public to provide interpretation and translation services for vital documents in the twelve most spoken non-English languages in New York based on the United States Census Data, and based upon agencies' discretion, translation may be offered in up to four additional languages. The additional languages shall be decided based factors such as the number of limited-English proficient immigrants of five years or less in need of language translation services according to the American Community Survey, the growth of recent arrival populations in the geographic regions in which the agency's services are offered, and the population the agency serves. The Office of General Services is charged with coordinating and overseeing the implementation of the Language Access Policy, including coordination of designated Language Access Coordinators from each relevant agency. In addition, the Office of General Services is required to publicly post an annual report detailing agencies' progress and compliance with this program.

### **B. Commission on Ethics and Lobbying in Government**

The SFY 2022-23 Enacted Budget included legislation to establish the Commission on Ethics and Lobbying in Government. The new 11-member Commission replaced the former Joint Commission on Public Ethics (JCOPE) and implements several key reforms to the Commission overall. Members of the commission are nominated by the Governor, the Temporary President of the Senate, the Speaker of the Assembly, the State Comptroller, the Attorney General, the Minority Leader of the Senate, and the Minority Leader of the Assembly. Members are subject to approval by an Independent Review



Committee composed of accredited law school deans who vote to approve or reject the nominee. This legislation also eliminates special voting rules that existed under JCOPE, instead requiring all votes to be by majority vote. Investigations are to remain confidential until there is a substantial basis finding, and there are notification requirements outlined, including that the commission would acknowledge receipt of an initial complaint, provide notice to the subject if an investigation is opened, giving the subject up to 15 days to provide an initial response. The Committee is dedicated to promoting good government and transparency, and this ethics reform represents a step in the right direction to hold government officials accountable and to earn the public's trust in the legislature.

### **C. Open Meetings**

The SFY 2022-23 Enacted Budget included legislation allowing public bodies to partake in open meetings in the form of videoconferencing under certain conditions, as follows. A minimum number of members must still attend in-person to fulfill quorum requirements, unless a declared state or local disaster emergency is in effect which would make holding an in-person meeting impossible. A local law or resolution must be adopted authorizing the use of videoconferencing, therefore it is up to the discretion of each public body to take action if they choose to opt in to participation in open meetings. Further, if a public body does adopt a local law or resolution to authorize the use of remote meetings, they must establish written procedures governing member and public attendance, which must be posted on their website. Certain meeting requirements are predetermined by this legislation, including that the public must be able to hear, see, and identify all the members while the meeting is being conducted. Videoconferencing is subject to existing notice and broadcasting requirements under Open Meetings Law, and public bodies utilizing videoconferencing are required to maintain an official website to support the requirements associated with remote meetings. Members can participate remotely if they are unable to be physically present due to certain extraordinary circumstances and the public must be given the opportunity to view open meetings conducted via videoconference and participate in proceedings where public comment or participation is authorized.

### **D. Gender X**

The SFY 2022-23 Enacted Budget included legislation requiring all State agencies to update all applicable forms and data systems related to collecting gender data to include a gender "x" option by January 1, 2024. It gives flexibility to agencies that are unable to comply with the deadline yet requires such agencies to post a written report every six months detailing the specific impediments to compliance and the steps they have taken to overcome them. The Governor is required to publicly post a report detailing any agencies not in compliance, as well. Given the signing of the Gender Recognition Act in June 2021, New Yorkers have the option to select gender "x" on their driver's licenses. This legislation, in its widespread application across agencies, marks an important step to ensure that all New Yorkers, including transgender and non-binary individuals, can accurately express their gender identity. This is particularly important when accessing

state services and further provides the state with more accurate data and information about the communities it serves.

The SFY 2022-23 Enacted Budget also included legislation that:

- Extends the Infrastructure Investment Act, which authorizes certain State entities to utilize Design-Build contracts for capital projects related to the state’s infrastructure, for an additional eight years and includes provisions that authorized state entities may only utilize Design-Build on projects with a total cost of not less than \$25 million and undertaken pursuant to a Project Labor Agreement.
- Extends the suspension of the annual transfer of \$1.5 million from the Public Safety Communications Account to the Emergency Services Revolving Loan Fund for two fiscal years.
- Expands benefits for victims of hate crimes by increasing the cap for, and changing the definition of, items of essential personal property eligible for reimbursement by the Office of Victim Services through the Criminal Justice Improvement Account.
- Extends the authority for the Office of General Services to perform emergency construction without competitive bidding until June 30, 2025.
- Establishes the Legislative Commission on the Future of the Long Island Power Authority (LIPA), which shall investigate and report to the legislature on the establishment of a public power model for the operation of LIPA, including specific actions, legislation, and timeline necessary to restructure LIPA into a publicly owned power authority.
- Extends the provisions of law related to the authority of legislative commissions for one year, until June 30, 2023.
- Streamline public service loan forgiveness for New York State employees by explicitly stating that a state agency may share records to officers or employees of the United States Department of Education for purposes of processing credit for qualifying employment and loan forgiveness under the Public Service Loan Forgiveness Plan.

## **XI. COMMITTEE HEARINGS AND ROUNDTABLES**

### **Examining the Feasibility and Timing of Requiring New Construction to be All-Electric**

New York State is committed to advancing climate goals, including those set forth in the Climate Leadership and Community Protection Act (CLCPA) of 2019. The CLCPA touches on many aspects related to the multi-faceted issue of climate change, one of which being emissions levels. Given that buildings are significant contributors of greenhouse gas emissions, the question is raised as to how to move forward towards our climate goals when it comes to future construction projects. On May 12<sup>th</sup>, 2022, the committees on Energy, Environmental Conservation, and Governmental Operations gathered to examine the feasibility and timing of the implementation of all-electric requirements in new construction, as well as potential impacts to energy infrastructure and ratepayers. This

hearing brought together various stakeholders to discuss the issue at hand from all perspectives.

### **Examining the Administration and Enforcement of the Uniform Fire Prevention and Building Code**

The New York State Department of State oversees the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (Uniform Code) by local governments. Under current law, the Department of State also approves code enforcement training programs and minimum qualifications for code enforcement personnel in order to help ensure effective code enforcement practices. On November 1<sup>st</sup>, 2022, the committees on Governmental Operations, Local Governments, and Cities gathered to examine the administration and enforcement practices for the Uniform Code, including the role of the Department of State in the oversight of local government code enforcement activities and requirements for code enforcement officer certification. Input from relevant stakeholders was received and shed light on best practices and considerations to follow in the interest of protecting the health, safety, and security of all New Yorkers.

## **XII. OUTLOOK FOR THE 2023 LEGISLATIVE SESSION**

During the 2023 legislative session, the Committee on Governmental Operations will continue to focus on protecting the safety and rights of New Yorkers and increasing the government transparency and oversight of State procurement. The Committee will continue to investigate solutions to adapt our infrastructure in alignment with our climate goals. In addition, the Committee will continue to advance legislation advocating more effective building code enforcement, adequate disaster preparedness, well-equipped homeland security, and greater fairness for crime victims.

APPENDIX A

**2022 SUMMARY SHEET**

SUMMARY OF ACTION ON ALL BILLS  
REFERRED TO THE COMMITTEE ON

Governmental Operations

**TOTAL NUMBER OF COMMITTEE MEETINGS HELD** 9

ASSEMBLY SENATE TOTAL  
BILLS BILLS BILLS

**BILLS REPORTED FAVORABLE TO:**

Codes	10	0	10
Judiciary	0	0	0
Ways and Means	20	0	20
Rules	32	0	32
Floor	25	0	25
<b>TOTAL</b>	<b>87</b>	<b>0</b>	<b>87</b>

**COMMITTEE ACTION**

Held For Consideration	57	0	57
Defeated	0	0	0
Enacting Clause Stricken	18	0	18
<b>REMAINING IN COMMITTEE</b>	<b>614</b>	<b>69</b>	<b>683</b>

**BILLS REFERENCE CHANGED TO:**

Energy 1  
Ways and Means 5

<b>TOTAL</b>	<b>6</b>	<b>0</b>	<b>6</b>
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**APPENDIX B**  
**CHAPTERS OF 2022**

A.25	Cahill	Exempts certain utility and other workers from state and local traveling bans during declared emergencies <b>Chapter 724 of the Laws of 2022</b>
A.276-A	Zebrowski	Relates to minimum standards for code enforcement personnel <b>Chapter 797 of the Laws of 2022</b>
A.843-A	Paulin	Requires the commissioner of the office of general services to compile, make public, and keep current certain information about state boards <b>Chapter 773 of the Laws of 2022</b>
A.1905	Dinowitz	Relates to disaster preparedness <b>Chapter 726 of the Laws of 2022</b>
A.2035-B	Niou	Establishes a toll free confidential hotline for complainants of workplace sexual harassment <b>Chapter 138 of the Laws of 2022</b>
A.2412-B	Fahy	Relates to the purchase or lease of zero emission vehicles for state-owned vehicle fleets <b>Chapter 789 of the Laws of 2022</b>
A.2483-B	Niou	Relates to including the state and all public employers as subject to the human rights law <b>Chapter 139 of the Laws of 2022</b>
A.3429-A	Cook	Relates to the development of policies for in-person notification to relatives of deceased individuals <b>Chapter 531 of the Laws of 2022</b>
A.4386-B	O'Donnell	Requires the construction of certain parking facilities to be capable of supporting electric vehicle charging stations <b>Chapter 809 of the Laws of 2022</b>
A.4677-A	Paulin	Prohibits agencies from charging a fee for records where an electronic copy is already available from a previous request made within the past six months <b>Chapter 745 of the Laws of 2022</b>
A.5338	Giglio JM	Relates to the sale of certain lands in the towns of Cuba, Allegany county and Ischua, Cattaraugus county, and the disbursement of monies from the Cuba lake management fund <b>Chapter 602 of the Laws of 2022</b>

A.5469	Englebright	Relates to defining the terms "retiree" and "beneficiary" within the freedom of information law <b>Chapter 482 of the Laws of 2022</b>
A.5913-A	Lavine	Establishes a statewide campaign for the acceptance, inclusion, tolerance and understanding of diversity <b>Chapter 626 of the Laws of 2022</b>
A.6318-B	Stern	Establishes a blue alert system to aid in the apprehension of any individuals suspected of killing or seriously wounding any law enforcement officer <b>Chapter 706 of the Laws of 2022</b>
A.6328-A	Cruz	Prohibits discrimination based on citizenship or immigration status <b>Chapter 748 of 2022</b>
A.7101	Gonzalez-Rojas	Relates to prohibiting certain retaliatory action against unlawful discriminatory practices by employers <b>Chapter 140 of the Laws of 2022</b>
A.7489	Wallace	Relates to victim compensation for unlawful surveillance crimes <b>Chapter 239 of the Laws of 2022</b>
A.7502	Rajkumar	Relates to award to victims of certain crimes <b>Chapter 343 of the Laws of 2022</b>
A.7919-A	Bronson	Relates to enacting the New York State Buy American Salt Act <b>Chapter 729 of the Laws of 2022</b>
A.7925-A	Zebrowski	Relates to restoring the oversight of certain contracts by the state comptroller <b>Chapter 839 of the Laws of 2022</b>
A.7952	Lalor	Relates to the description of lands for which the Commissioner of General Services is authorized to grant an easement to the Central Hudson Gas and Electric Corporation pursuant to chapter 476 of the laws of 1957 <b>Chapter 475 of the Laws of 2022</b>
A.8092-B	Reyes	Clarifies that workers shall not be punished or subjected to discipline by employers for lawful absences <b>Chapter 604 of the Laws of 2022</b>
A.8296	Vanel	Broadens the permissible scope of use of certain property conveyed to the Hollis-Bellaire-Queens Village Athletic Association, Inc. <b>Chapter 318 of the Laws of 2022</b>

A.8404	Smullen	Waives the residency requirement for the city attorney in the city of Johnstown, Fulton county <b>Chapter 320 of the Laws of 2022</b>
A.8453-A	Simon	Requires state contractors and vendors to comply with the Web Content Accessibility Guidelines <b>Chapter 658 of the Laws of 2022</b>
A.8591	Thiele	Relates to preferred source status for entities that provide employment to certain persons <b>Chapter 1 of the Laws of 2022</b>
A.8646	Thiele	Exempts hot tubs or spas with safety covers from certain provisions of law <b>Chapter 651 of the Laws of 2022</b>
A.8691	Rozic	Provides for electronic notarization <b>Chapter 104 of the Laws of 2022</b>
A.8696	Zebrowski	Relates to including the name of the individual or business enterprise that has been awarded an identical or substantially similar procurement contract in certain notices of procurement contract opportunities <b>Chapter 82 of the Laws of 2022</b>
A.8703	Paulin	Amends the definition of a "public body" <b>Chapter 115 of the Laws of 2022</b>
A.8734	Englebright	Relates to freedom of information law disclosures related to law enforcement related records and records identifying victims <b>Chapter 155 of the Laws of 2022</b>
A.8742	Niou	Requires the Office of Information Technology Services to advise all state agencies in the implementation of language translation technology <b>Chapter 108 of the Laws of 2022</b>
A.8743	Niou	Relates to the collection of certain demographic information by certain state agencies, boards and commissions <b>Chapter 123 of the Laws of 2022</b>
A.8770	Clark	Relates to securing grease traps and interceptors at food establishments <b>Chapter 47 of the Laws of 2022</b>
A.8790	Santabarbara	Relates to the New York State Rural Ambulance Services Task Force <b>Chapter 84 of the Laws of 2022</b>

A.8827	O'Donnell	Relates to changes of name and sex designation <b>Chapter 163 of the Laws of 2022</b>
A.8831	Bichotte Hermelyn	Relates to a construction industry advisory council on public contracting reform <b>Chapter 98 of the Laws of 2022</b>
A.8895-A	Paulin	Extends the authority of the commissioner of General Services to transfer and convey certain lands to the city of New Rochelle <b>Chapter 195 of the Laws of 2022</b>
A.8934-B	Sayegh	Corrects gendered language <b>Chapter 408 of the Laws of 2022</b>
A.9216-B	Otis	Requires the examination of current and the recommendation of future standardized building code requirements for flood mitigation <b>Chapter 831 of the Laws of 2022</b>
A.9526-A	Lupardo	Relates to the activation of 2-1-1 New York state upon declaration of a state disaster emergency <b>Chapter 699 of the Laws of 2022</b>
A.9259-A	Peoples- Stokes	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 <b>Chapter 567 of the Laws of 2022</b>
A.9277	Steck	Establishes the chief disability officer <b>Chapter 170 of the Laws of 2022</b>
A.9528	Buttenschon	Relates to the qualifications for holding the office of assistant district attorney in the county of Oneida <b>Chapter 334 of the Laws of 2022</b>
A.9594-A	Paulin	Relates to enrollment eligibility for certain persons in the address confidentiality program <b>Chapter 521 of the Laws of 2022</b>
A.9597	Thiele	Relates to the submission date for a report relating to volunteer firefighter recruitment and retention <b>Chapter 335 of the Laws of 2022</b>
A.9601-B	Lucas	Prohibits discrimination based on status as a victim of domestic violence <b>Chapter 202 of the Laws of 2022</b>
A.9607	Heastie	Extends the time for certain public officers to take or file their oaths of office or official undertakings



		<b>Chapter 173 of the Laws of 2022</b>
A.9694	Zebrowski	Relates to exempting the Rockland County ADA from certain residency requirements <b>Chapter 271 of the Laws of 2022</b>
A.9756-A	Jean-Pierre	Establishes the "Wyandanch Health and Wellness Center Design-Build Act" <b>Chapter 716 of the Laws of 2022</b>
A.9785	Gunther	Permits residents of Orange County and adjoining counties to hold the position of assistant district attorney in Orange county <b>Chapter 275 of the Laws of 2022</b>
A.9818-A	Paulin	Provides address confidentiality to protect reproductive health care services providers, employees, volunteers, or patients <b>Chapter 222 of the Laws of 2022</b>
A.9862	Hawley	Extends the time within which certain elected officials may file their oaths of office <b>Chapter 457 of the Laws of 2022</b>
A.10004	Woerner	Provides for a waiver of the residency requirement for the city attorney in the city of Saratoga Springs, Saratoga County <b>Chapter 284 of the Laws of 2022</b>
A.10144-B	McDonald	Relates to the creation of vacancies in a public office upon entering a guilty plea in federal court to a felony or crime or state offense involving a violation of an oath of office <b>Chapter 757 of the Laws of 2022</b>
A.10146	Woerner	Relates to the maximum value of unappropriated state land that the commissioner of General Services may sell and convey <b>Chapter 702 of the Laws of 2022</b>
A.10147	Davila	Replaces the terms "alien" and "illegal alien" with the terms "noncitizen" and "undocumented noncitizen" <b>Chapter 669 of the Laws of 2022</b>
A.10225-A	McDonald	Relates to authorizing the commissioner of the Office of General Services to convey certain unappropriated state land to KIPP: Albany Community Public Charter Schools <b>Chapter 434 of the Laws of 2022</b>
A.10261	Zebrowski	Prohibits state agencies from assessing certain additional collection fee charges on certain outstanding student debts <b>Chapter 570 of the Laws of 2022</b>
A.10400-B	Lawler	Relates to the residency requirements for village justice of Chestnut Ridge

		<b>Chapter 354 of the Laws of 2022</b>
A.10450	Fahy	Relates to the purchase or lease of zero emission vehicles for state-owned vehicle fleets <b>Chapter 836 of the Laws of 2022</b>
A.10459	Bichotte-Hermelyn	Provides for opportunities for businesses owned by women and minorities <b>Chapter 569 of the Laws of 2022</b>

## APPENDIX C

### BILLS VETOED IN 2022

<b>VETO MEMO</b>	<b>ASSEMBLY BILL (SPONSOR)</b>	<b>SENATE BILL (SPONSOR)</b>	<b>DESCRIPTION</b>
186	A.10109 (Zebrowski)	S.8844 (Reichlin-Melnick)	Relates to state construction and commodity contracts
174	A.9742 (Galef)	S.9425 (Reichlin-Melnick)	Authorizes the commissioner of General Services to transfer and convey certain unappropriated state land to the Sing Sing Prison Museum
163	A.2358-B (Peoples-Stokes)	S.3468-B (Kennedy)	Relates to establishing the Office of Racial Equity and Social Justice
166	A.8159 (Bronson)	S.5356 (Breslin)	Relates to the cost effectiveness of consultant contracts by state agencies
156	A.4017 (Abinanti)	S.1138 (Harckham)	Authorizes the commissioner of general services to convey real property in Westchester County to the county of Westchester
144	A.5773 (Glick)	S.2239 (Hoylman)	Relates to equal pay disclosure with respect to state contracts
98	A.7132 (Reyes)	S.6777-A (Salazar)	Relates to providing language translation services to accommodate census self-reporting
84	A.10387-A (Rajkumar)	S.9177-B (Cooney)	Would establish the New York Asian American and Pacific Islander Commission
77	A.9648-A (Kelles)	S.6501-B (May)	Would establish the LGBTQ+ Advisory Board
75	A.6202-A (Barrett)	S.5734-A (Ryan)	Would require a study of the issues impacting the continuum of caregiving in the state

71	A.2632-A (Bronson)	S.774-B (Hoylman)	Would require the collection of certain demographic information by certain state agencies, boards and commissions
54	A.6710-B (Zebrowski)	S.1852-B (Skoufis)	Would establish the Commission of the Deaf, Deafblind, and Hard of Hearing
38	A.5321 (Sillitti)	S.202 (Kaplan)	Relates to the term “reportable business relationship” as it relates to certain employees of the State University of New York and the City University of New York

## APPENDIX D

### BILLS THAT PASSED THE ASSEMBLY IN 2022

A.42	Gottfried	Relates to adoption of rules and regulations by state and local government entities prior to the effective date of legislative acts
A.940-B	Paulin	Relates to automatic license plate readers
A.2157-A	Fernandez	Relates to state agency websites
A.2562	Woerner	Relates to the appointment for agricultural representation on the state Fire Prevention and Building Code Council
A.4649	Woerner	Relates to giving preference to accredited law enforcement agencies when awarding grant funds
A.7808-A	Simon	Relates to public awareness of COVID-19 programs and resources
A.8619-B	Meeks	Expands eligibility for victims and survivors of crime to access victim compensation funds
A.9435	Solages	Establishes the New York State Community Commission on Reparations Remedies