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FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Freedom 1

Bill #:SF-06

Sponsors: Rohan Sood, Brian Lopez, Leonardo Morales Leon

An Act To: Resolution- Change School lunches to make sure they are healthy for kids to eat and to make sure all kids are healthy

The members of the Senate/Assembly urges Congress to change School lunches to make sure they are healthy for kids to eat and to make sure all kids are healthy

WHEREAS, The purpose of this resolution is to impose schools to make a better, healthier lunch for students to influence them stay healthy throughout their life.

WHEREAS, Studies show that eating healthy food makes them focus better in school and prevent things such as obesity that are one of the major causes of death in the state.

WHEREAS, The reason for this action is lots of people, parents and kids, not only in New York and America but the world as well have concern for their child's health and want to make sure they are receiving and healthy lunch.

WHEREAS, Things we can do to fix this problem is to start giving them very high quality food that contains all the necessary vitamins and minerals, which also contains no trans fats or unnecessary preservatives.

WHEREAS, We could also eliminate greasy food like pizza and french fries and add better things like soup and healthy sandwich on whole wheat bread.

WHEREAS, We can also add more varieties of fruits for students to eat, blueberries, fresh avocados, also with meals including well cooked poached chicken.

Resolved, That the Chief Clerk of the Assembly transmits copies of this resolution to the Speaker of the House of Representatives, the President Pro-Tempore of the United States Senate, and to each Senator and representatives from New York in the Congress of the United States, and to the Chief Clerk of the Legislature in each of the forty-nine States



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Committee Assignment: Senate Freedom 1

Bill #:SF-08

Sponsors: Cassandra Blake, Abby Caci, Claire Minney

An Act To

Amend Agriculture and Markets Law §353 establishing a registry for animal abusers which now only applies to New York City to include all of New York State.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

The purpose of this bill is to expand the law to include all of New York State and to put anyone who is convicted of a misdemeanor within the state on a registry in order to prevent future cases of animal abuse.

Summary of Provisions

Section 1: Definitions

Animal Abuse- The crime of inflicting physical pain, suffering or death on an animal, tame or wild, beyond necessity.

Felony- a crime sufficiently serious to carry a minimum term of one year or more in state prison, since a year or less can be served in county jail.

Misdemeanor- A minor offense, rather than a serious crime.

Section 2

Overdriving, torturing and injuring animals; failure to provide proper sustenance. A person who overdrives, overloads, tortures or cruelly beats or unjustifiably injures, maims, mutilates or kills any animal, whether wild or tame, and whether belonging to himself or to another, or deprives any animal of necessary sustenance, food or drink, or neglects or refuses to furnish it such sustenance or drink, or causes, procures or permits any animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed, or to be deprived of necessary food or drink, or who wilfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal, or any act tending to produce such cruelty, is guilty of a class A misdemeanor and for purposes of paragraph (b) of subdivision one of section 160.10 of the criminal procedure law, shall be treated as a misdemeanor defined in the penal law. Any New York State resident convicted of such crime shall be placed onto a registry which is publicly available and must be checked before the purchase or adoption of an animal.



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Bill #:SF-08

Justification

We feel that it is necessary to expand the animal abuse registry to include all of New York State because New York City is only a small portion of New York State, yet the problem of animal abuse is state-wide. The animal abuse registry will prevent future cases of abuse by disallowing abusers from purchasing or adopting animals. Such registries already exists in many places, for example, Kentucky and Florida.

Fiscal Implications

There would be minimal cost to create and maintain the registry.

Environmental Implications

There would be no environmental impact.

Effective Date

This bill will take effect one year after passage.



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Committee Assignment: Senate Freedom 2

Bill #:SF-09

Sponsors: Lauren Hai, Eadie Brannon, Eric Bush, Brayden Bush

An Act To Amend § 6-104 of the New York State Energy Laws to include trees as a renewable resource in the state energy plan.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose To include trees as a renewable resource for New York State's Renewable Energy Plan (REV).

Summary of Provisions

Section 1: Definitions

Solar energy: radiant light and heat from the Sun that is harnessed using a range of technologies

Section 2:

§ 6-104. State energy plan.

1.The board shall adopt a state energy plan in accordance with the provisions of this article.

2.The state energy plan shall include: (a) forecasts for a minimum period of ten years, and for such other periods as the board may determine, of: (i) demand for electricity, natural gas, coal, petroleum products, including heating and transportation fuels, and alternate fuels, including ethanol and other biofuels, to the extent possible, taking into account energy conservation, load management and other demand-reducing measures which can be achieved in a cost-effective manner, including the basis for such projection, including an examination of possible alternate levels of demand and discussion of the forecasting methodologies and input variables used in making the forecasts;

(b) Identification and assessment of the costs, risks, benefits, uncertainties and market potential of energy supply source alternatives, including demand-reducing measures, renewable energy resources of electric generation, distributed generation technologies, cogeneration technologies, biofuels, trees, and other methods and technologies reasonably available for satisfying energy supply requirements which are not reasonably certain to be met by the energy supply sources identified in paragraph

Justification

This bill is aiming to include trees in New York's plan for renewable energy. Not only is it going to help climate change, it will also open more job opportunities across the state. Trees are a valuable natural and renewable resource that must be added in order for the state energy plan to be successful.

Fiscal Implications This bill will not have any negative fiscal implications. The logging and timber industry will be stimulated, and it should help to lower overall energy costs in the state.

Effective Date This bill will go into effect immediately



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Committee Assignment: Senate Freedom 2

Bill #:SF-10

Sponsors: Patrick Barnett, Victoria Guzzi

An Act To

Add Chapter 60 Article 20-E Section 500 to the Consolidated Tax Law to place a 3.5% excise tax per pound on the sale of red meat.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

To impose a 3.5% excise tax on the sale of red meat per pound.

Summary of Provisions

Section 1: Definitions

Red meat: Any meat that comes from mammalian muscle including beef, lamb, pork, goat, veal, and mutton.

Section 2:

Article 20-E 1. A fine will be levied and imposed on a purchaser of red meat. Each pound of red meat will be subject to a 3.5 % excise tax.

(a) There is hereby imposed an excise tax on any red meat purchased in the state of New York under the rate of 3.5% per pound. This tax applies to any and all 1) fresh red meat which is sold in New York State and 2) prepackaged red meat which is sold in New York State. The excise tax imposed by this article shall be charged and paid by the purchaser at the time of such sale. The tax money derived from such red meat tax will be allocated to the New York Department of Environmental Conservation.

Justification

The passage of this bill will drastically reduce the increasing threat of environmental destruction which is seen throughout our world, nation, and state of New York. Large plots of land, keys to ecological success, are being shredded at alarming rates throughout New York in order to appease an unaddressed drive for livestock. In fact, livestock farming alone is responsible for an estimated eighteen percent of all greenhouse gas emissions worldwide. Revenue of the excise tax will be allocated to the New York State Department of Environmental Conservation.

Fiscal Implications

This Bill will institute a three point five percent (3.5%) excise tax on the purchase of red meat per pound.

Environmental Implications

The passage of this bill will stimulate an array of positive environmental impacts, directly promoting an advancement of environmental conservation.

Effective Date

This Bill shall go into effect two years after passage.



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Committee Assignment: Senate Freedom 2

Bill #:SF-11

1 **Sponsors:** Melissa Golden and Olivia Kelly

2
3 **An Act To** Amend section §130.96 of NYS consolidated law to raise the age of
4 classification for victims of first-degree sexual assault from 13 and younger to 15
5 and younger.

6
7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8
9 **Purpose**

10 This bill will provide protection for a greater range of ages for victims of sexual
11 assault in the first degree.

12
13 **Summary of Provisions**

14 **Section 1**

15 **Rape:** penetration, no matter how slight, of the vagina or anus with any body part
16 or object, or oral penetration by a sex organ of another person, without the consent
17 of the victim

18 **Victim:** a person harmed, injured, or killed as a result of a crime, accident, or other
19 event or action

20 **Sexual Assault:** when someone touches any part of another person's body in a
21 sexual manner, even through clothes, without that person's consent. Sexual
22 assault includes, but is not limited to attacks such as rape or attempted rape, as
23 well as any unwanted sexual contact or threats

24 **Predator:** a person or group that violates an individual through the manner of
25 sexual assault

26
27 **Section 2**

28 §130.96: A person is guilty of predatory sexual assault against a child when, being
29 eighteen years old or more, he or she commits the crime of rape in the first degree,
30 criminal sexual act in the first degree, aggravated sexual abuse in the first degree,
31 or course of sexual conduct against a child in the first degree, as defined in this
32 article, and the victim is less than ~~thirteen~~ or equal to the age of fifteen years old.

33
34 **Justification**

35 Overall, rape rates in America have increased tremendously. Females ages 16-19
36 are 4 times more likely than the general population to be victims of rape,
37 attempted rape, or sexual assault. Yes, females under the age of 13 get raped, but
38 the age for first degree must be raised. 82% of all victims under 18 are female.

39 One in 9 girls and 1 in 53 boys under the age of 18 experience sexual abuse or
40 assault at the hands of an adult. During a one-year period in the U.S., 16% of
41 youth ages 14 to 17 had been sexually victimized. The law currently states that the



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course of sexual contact against a child in the first degree, as defined in this article, and the victim is less than thirteen years of age. Thirteen, while a decent age, could be better. As mentioned, most are between 16-19. When raised to the age of 15, lives will be saved from death and mental health cases. Rape can leave people feeling alone, ashamed, and scared. The age of thirteen is simply too low. While of course, rape should never happen, raising the age would be far more beneficial. A study conducted in 1986 found that 63% of women who had suffered sexual abuse by a family member also reported a rape or attempted rape after the age of 14. Recent studies in 2000, 2002, and 2005 have all concluded similar results. The average woman isn't even fully developed until 22, and the time period most are sexually assaulted is a prime time in a teen's life. Over the course of their lifetime, 28% of U.S. youth ages 14 to 17 had been sexually victimized.

Fiscal Implications

Each sexual assault court case has an average cost of around \$600. Rape results in more than \$122,000 in costs per victim and nearly \$3.1 trillion to the economy over the lifetimes of all 25 million victims in the US population. For every rape prevented, more than \$122,000 in lifetime costs are averted. According to the Malta Justice Initiative (Including costs such as feeding, housing, and security.) The average cost of an inmate per year is \$167,731.

Environmental Implications

Passage of this bill will have a negligible effect on New York State Environment.

Effective Date

The bill will be effective one year after passage.



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Committee Assignment: Senate Freedom 2

Bill #:SF-12

1 **Sponsors:** Wells Liscomb, Kason Romanowski

2
3 **An Act To** Amend bill S-4144 to mandate New York State to alter the State
4 Foundation Aid formula

5
6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*
7

8 **Purpose**

9 The purpose of this bill is to alter the Payable State Foundation Aid formula so that
10 schools are given aid money more effectively based on the amount of students with
11 Extraordinary needs.
12

13 **Summary of Provisions**

14 **Section 1**

15 **Foundation Aid:** The total financial aid given by the state to public schools.

16 **Public School:** A school supported by public funds, whether through state funding or
17 taxes.

18 **Extraordinary Needs:** Students who require assistance in their education, whether
19 the student has a learning disability or the student is an ELL Student.

20 **ELL Student:** A student who has another language as their primary language or is in
21 the process of learning the English language.

22 **Learning Disability:** A condition giving rise to acquiring knowledge and skills to the
23 level expected of those the same age.
24

25 **Section 2**

26 **Bill S-4144 is being amended to include subsection 3605-A that will add the total**
27 **amount of a District's Students who have a Learning Disability to Tier D of the**
28 **Foundation Aid Payable formula.**
29

30 **Justification**

31 Currently, there are a number of public New York schools that are not being given
32 enough financial aid by New York State when they require more money to continue
33 certain programs. Not only is this unfair to the schools who are being paid less than
34 necessary, but it's also unfair to the local taxpayers, who now have to cover the
35 rest of the State Aid. This bill would help to bolster a fiscal level playing field, and
36 help the schools with their budgets. This bill is being written to try to help patch a
37 problem that has become more and more apparent over the past years. Currently,
38 the Payable Foundation Aid formula is complicated, with a lot of factors going into
39 it. The formula is a tiered system, with 10 different tiers. The main tier this group is



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Bill #:SF-12

focusing on is Tier D, which accounts for ELL students and the Pupil Wealth ratio. However, Tier D doesn't take into account students with a learning disability. In fact, none of the tiers do. This bill looks to add the amount of Students with a Learning Disability to the Foundation Aid Payable formula. Districts currently are eligible for Tier D benefits if the Public Enrollment increases, the amount of ELL Students increase, and the Combined Wealth Ratio decreases. If this bill passes, schools would also qualify if the amount of students who have a Learning Disability increase by 5% within a given time period.

Fiscal Implications

The passing of the bill will cost the state a relatively small amount of money which will vary depending on each district's total Foundation Aid Payable sum, but will ultimately lower the local school taxes, as the schools would be receiving more Foundation Aid

Environmental Implications

This bill is expected to have no effect on New York State Wildlife.

Effective Date

This bill will go into effect before the next year's state budget is released.



Committee Assignment: Senate Freedom 2

Bill #:SF-14

Sponsors: Kimberly Kelly and DeAngela Brackman

AN ACT TO: Amend 8 CRR-NY 100.5 in order to implement an educational program dedicated to teaching high school students how to manage the necessary life skills that come with adulthood.

The People of the State of New York, represented in the Senate and Assembly, do enact as follows:

Purpose: To require New York State districts to provide a "Life Skills of Adulthood" or LSA course in order to prepare students for life after high school.

Summary of Provisions

Section 1: Definitions

- a. Financial Literacy: the set of skills and knowledge that allows an individual to make informed and effective decisions with all of their financial resources
- b. Taxes: a sum of money demanded by a government for its support or for specific facilities or services, levied upon incomes, property, sales, etc.
- c. Student Teaching: a college-supervised instructional experience leading to teacher education and certification.
- d. Purchased Services: any service contracted for and performed by a third party
- e. HSFPP: high school financial planning program teaching teens personal finance skills
- f. Elective: an optional course of study
- g. Grant: a sum of money given by a government or other organization for a particular purpose such as education
- h. Allocate: distribute (resources or duties) for a particular purpose
- i. Curriculum: the subjects comprising a course of study in a school or college

Section 2:

Students first entering grade nine in the 2008-2009 school year and thereafter shall have earned at least 22 units of credit including two credits in physical education and an elective credit after the completion of an LSA course to receive a Regents diploma.

Justification

Section 1:

- a. A high school located in the state of Kentucky held a half-day conference dedicated to an "Adulthood" class for their students. According to today.com, the seminar was a "tremendous success" in that the students gained a substantial understanding of some necessary life skills of adulthood.

Section 2:



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Committee Assignment: Senate Freedom 2

Bill #:SF-14

- a. According to CBS News, 34% of Americans between ages 18 and 34 still lived with a parent in 2015 compared to only 26% in 2005. These statistics show that independent living is not as successful without the necessary education and knowledge to prepare for their future.

Section 3:

- a. The LSA program would count as an elective credit, sparking student interest in the course. The first half of the year, or half of the course, would entail the High School Financial Planning Program (HSFPP). This section would educate students on money management and financial skills such as filing taxes, applying for a credit card, budgeting.
- b. The second half of the course is a mandatory elective. Students will have their choice of a series of specialized classes including:
- i. Basics of checking and savings, credit card applications, budgeting
 - ii. Writing a resume and cover letter, filling out an application, basics of an interview
 - iii. Healthy relationships and boundaries
- c. An extended course of the HSFPP, Personal Finance, would also be provided during the second semester for students who are interested in continuing their education in financial literacy.

Fiscal Implications

- a. In an effort to reduce the overall cost of this program, we can train and hire student teachers. Because they need a student teaching credit to graduate and become certified teachers, teaching this course would count as this credit. Payment would not be necessary.
- b. To fund the training for this program, districts across NY state can apply for a grant providing purchased services. In the event the grant was denied, the district has the option to allocate for consultant expenses through its general fund.
- i. In the case that this course will become an NYS requirement, schools would be given the necessary funds regardless.

Effective Date

The LSA program would be finalized and officially implemented into the NY State curriculum in September of 2021.



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Committee Assignment: Senate Freedom 2

Bill #:SF-15

1 **Sponsors:** Ryan Davern, Zachary Barney, Daniel El Solh

2
3 **An Act To:** Ammend § 1180-a. Maximum speed limits

4
5 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

6
7 **Purpose** to increase the state speed limit on state highways to 65 miles per hour

8
9 **Summary of Provisions**

10 Maximum speed limits. 1. Notwithstanding any other provision
11 of law, no city, village, town, county, public authority, division,
12 office or department of the state shall maintain or create (a) any speed
13 limit in excess of ~~fifty-five~~ **sixty-five** miles per hour on any road, highway,
14 parkway or bridge or (b) any speed limit on any other portion of a
15 public highway, which is not uniformly applicable to all types of motor
16 vehicles using such portion of highway, if on November first, nineteen
17 hundred seventy-three, such portion of highway had a speed limit which
18 was uniformly applicable to all types of motor vehicles using it;
19 provided however, a lower speed limit may be established for any vehicle
20 operating under a special permit because of any weight or dimension of
21 such vehicle, including any load thereon, and (c) provided further,
22 paragraph (b) of this subdivision shall not apply to any portion of a
23 highway during such time that the condition of the highway, weather, an
24 accident, or other condition creates a temporary hazard to the safety of
25 traffic on such portion of a highway. However, the commissioner of the
26 department of transportation may establish a maximum speed limit of not
27 more than ~~sixty-five~~ **seventy-five** miles per hour on any state roadway which
28 meets department criteria for such maximum speed.

29 2. Notwithstanding the provisions of paragraphs (a) and (b) of
30 subdivision one of this section, upon The Governor Thomas E. Dewey
31 Thruway as such term is defined in section three hundred fifty-six of
32 the public authorities law, the New York state thruway authority may
33 establish a maximum speed limit of not more than ~~sixty-five~~ **seventy-five**
34 miles per hour provided that such maximum allowable speed limit is established
35 in
36 accordance with all applicable rules and regulations.

37 3. Notwithstanding the provisions of paragraphs (a) and (b) of
38 subdivision one of this section, upon (a) the southern tier expressway



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Committee Assignment: Senate Freedom 2

Bill #:SF-15

39 from a point east of the town of Lowman, in the county of Chemung,
40 thence generally westerly to the Pennsylvania border and from the
41 Chemung interchange to New York touring route twenty-six, (b) interstate
42 route eighty-one from the Pennsylvania border in Broome county to the
43 interchange with New York state touring route twelve in Jefferson
44 county, (c) the Adirondack northway portion of interstate route
45 eighty-seven from the interchange with Crescent Road in Saratoga county
46 to the province of Quebec, (d) interstate route eighty-eight from the
47 interchange with New York state touring route three hundred sixty-nine
48 in Broome county to the interchange with interstate route ninety in
49 Schenectady county, (e) interstate route three hundred ninety, known as
50 the Genesee Expressway, from the interchange with the southern tier
51 expressway in Steuben county to the interchange with interstate route
52 four hundred ninety in Monroe county, (f) interstate route four hundred
53 ninety from interstate ninety exit forty-five in Ontario county to the
54 city of Rochester in Monroe county and from interstate ninety exit
55 forty-seven in Genesee county to the city of Rochester in Monroe county,
56 (g) interstate route five hundred ninety from the interchange with
57 interstate route three hundred ninety in Monroe county to the
58 interchange with interstate route four hundred ninety in Monroe county,
59 (h) route seventeen from the interchange with New York touring route
60 three hundred ninety-four to the Pennsylvania border, (i) interstate
61 route four hundred eighty-one from the southerly interchange with
62 interstate route eighty-one in Onondaga county to the northerly
63 interchange with interstate route eighty-one in Onondaga county, (j) New
64 York state touring route four hundred eighty-one from the northerly
65 interchange with interstate route eighty-one in Onondaga county to the
66 city of Fulton in Oswego county, (k) interstate ninety from exit eight,
67 in the county of Rensselaer, thence generally easterly to the
68 interchange with the Berkshire section of The Governor Thomas E. Dewey
69 Thruway, (l) interstate route six hundred ninety, from the city of
70 Syracuse and town of Geddes border, thence generally westerly to the
71 interchange with the New York state thruway, (m) New York state touring
72 route six hundred ninety, from the interchange with the New York state
73 thruway, thence generally westerly to its intersection with New York
74 state touring route forty-eight in the town of Lysander, (n) New York
75 state touring route six hundred ninety-five, from the interchange with
76 interstate route six hundred ninety approximately 2.3 miles to the



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Committee Assignment: Senate Freedom 2

Bill #:SF-15

interchange with New York state touring route five, (o) New York state touring route five from the interchange with New York state touring route six hundred ninety-five approximately 5.0 miles to the interchange with New York state touring route one hundred seventy-four in the town of Camillus, and (p) route five hundred thirty-one from the interchange with interstate route four hundred ninety in Monroe county to the interchange with route thirty-six in Monroe county, and (q) United States route two hundred nineteen, from the interchange with Armor Duelles Road in the town of Orchard Park, thence generally southerly to the interchange with New York state route thirty-nine in the town of Concord, the commissioner of the department of transportation may establish a maximum speed limit of not more than sixty-five miles per hour provided that such maximum allowable speed limit is established in accordance with all applicable rules and regulations

Justification

Fiscal Implications

Effective Date



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Committee Assignment: Senate Freedom 2

Bill #:SF-16

Sponsors: Ryleigh Hesler, Syd Banks, Zachary Nicita, Allison Hunt, Emmett Sullivan

An Act To: Amend §41.49 of New York State Mental Hygiene Law to add biennial mental health screenings in public schools for all students starting in 6th grade.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose The purpose of this bill is to add mental health screenings in public schools for all students, starting in 6th grade, administered by trained personnel already present in the building.

Summary of Provisions

Section 1: Definitions

Mental Health-a person's condition with regard to their psychological and emotional well-being.

Screening-the testing of a person or group of people for the presence of a disease or other condition.

Section 2

c 41.49 Adolescent suicide prevention program.

1. Within amounts appropriated, the office of mental health is hereby authorized and directed to establish and conduct, in consultation with and upon the approval of the council on children and families, a special program, the purpose of which shall be to provide grants to public or private not-for-profit organizations, or public or private schools, acting alone or in concert with others, in order to educate the general population, and in particular parents, teachers, clergy, health and mental health professionals and adolescents themselves of the positive actions that can be taken to identify and treat adolescents who are at high risk for suicide. The commissioner of health and human services shall have the power to oversee mental health screenings in public schools. This will be mandatory in sixth grade and then every other academic year administered by trained professionals already existing in public schools. For purposes of this section, the term "adolescent" shall mean any person under the age of twenty-one.

Justification This bill is a crucial addition to New York State law because it provides a higher level of safety in schools. These screenings will allow students access to follow up services and resources if the screening reveals such a need. This would reduce negative thoughts and poor mental health among students since they will have access to a professional to talk with and to help them if needed. Multiple studies done by the American Counseling Association determined that these tests help to make communities better. These screenings will help make safer



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Committee Assignment: Senate Freedom 2

Bill #:SF-16

communities. These tests will allow students to express their feelings in a safe setting.

Fiscal Implications The foreseeable fiscal implications of this bill are the cost of training the people who will administer these tests. Some expense is anticipated concerning the committee that constructs the screening instrument.

Environmental Implications This bill will have no foreseeable implications on the Environment.

Effective Date This bill will take effect the next academic year after its passage.



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Committee Assignment: Senate Freedom 3

Bill #:SF-18

Sponsors: Grace Brody, Bridget Connolly, Owen Luntz

An Act To Amend Vehicle and Traffic Law Article 19, Section 502, paragraph 4(b) to add paragraph 4(b)(i) to require that road tests include a test of driving skills on roads with a speed limit of 55 miles per hour or greater.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose To ensure that licensed drivers within New York State possess the skills and competency required to drive on roads with speed limits of 55 miles per hour or greater.

Summary of Provisions

Section 1

Road test: shall mean an assessment of a permit holder's ability to drive that takes place at least six (6) months after the acquisition of the learner's permit.

Licensed driver: shall mean an individual who is in possession of a valid New York State driver's license.

High speed driving skills: shall mean any skill required to operate a vehicle at speeds at or above 55 miles per hour, including but not limited to: merging, lane changing and defensive driving.

Section 2

4(b)(i) All road tests administered in conjunction with an application for a driver's license shall include a test of driving skills on roads with a speed limit of 55 miles per hour or greater, including but not limited to merging, lane changing and defensive driving.

Justification

From 2011 to 2015, there were 12,000 speed-related crashes in New York State alone. In 2015 this included 29% of roadway fatalities. High-speed driving is high risk driving. Currently, the New York State road test may include a three-point turn, left turn, and parallel parking, with no requirements for assessment of high speed driving skills. Despite the New York State road test's aim to holistically assess prospective drivers, it fails to do so. While driver's education and the five-hour course may include general information on high-speed driving, it is possible to receive a New York State driver's license with no practical assessment of high-speed driving skills. High-speed roadways are congested, unpredictable, and dangerous. Inexperienced drivers create a hazard for themselves and others on the road. Skills required to safely navigate high-speed roadways include merging, lane



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Bill #:SF-18

changing, and defensive driving. This bill will ensure that drivers acquire those skills necessary to be safe drivers on all New York State roadways.

Fiscal Implications

This bill will have minor and absorbable costs to the Department of Motor Vehicles within the state budget.

Environmental Implications

Establishment of a road test that more accurately reflects the driving conditions faced by the average driver in New York State will increase safety on New York State roadways.

Effective Date

This bill will go into effect one year after passage.



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Committee Assignment: Senate Freedom 3

Bill #:SF-19

Sponsors: Leah Alaimo, Ashtyn Bishop, Tessa Hartzell, Alanna Jordan

An Act To: Amend § 1234 rules of the road, Riding on roadways, shoulders, bicycle or in-line skating lanes and bicycle or in-line skating paths. To make a mandatory age for which an individual can ride on the sidewalk.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose: This law will establish uniform and distinct cycling traffic laws across NYS, therefore providing safety for cyclists, pedestrians and drivers, specifically minors.

Summary of Provisions

Section 1:

Section 2:

§ 1234. Riding on roadways, shoulders, bicycle or in-line skate lanes and bicycle or in-line skate paths

1. Upon all roadways, any bicycle or in-line skate shall be driven either on a usable bicycle or in-line skate lane or, if a usable bicycle or in-line skate lane has not been provided, near the right-hand curb or edge of the roadway or upon a usable right-hand shoulder in such a manner as to prevent undue interference with the flow of traffic except when preparing for a left turn or when reasonably necessary to avoid conditions that would make it unsafe to continue along near the right-hand curb or edge. ~~Conditions to be taken into consideration include, but are not limited to, fixed or moving objects, vehicles, bicycles, in-line skates, pedestrians, animals, surface hazards or traffic lanes too narrow for a bicycle or person on in-line skates and a vehicle to travel safely side-by-side within the lane.~~
2. Persons riding bicycles or skating or gliding on in-line skates upon a roadway shall not ride more than two abreast. Persons riding bicycles or skating or gliding on in-line skates upon a shoulder, bicycle or in-line skate lane, or bicycle or in-line skates path, intended for the use of bicycles or in-line skates may ride two or more abreast if sufficient space is available, except that when passing a vehicle, bicycle or person on in-line skates, or pedestrian, standing or proceeding along such shoulder, lane or path, persons riding bicycles or skating or gliding on in-line skates shall ride, skate, or glide single file. ~~Persons riding bicycles or skating or gliding on in-line skates upon a roadway shall ride, skate, or glide single file when being overtaken by a vehicle.~~



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- 38 3. ~~Any person operating a bicycle or skating or gliding on in-line skates who is entering the~~
39 ~~roadway from a private road, driveway, alley or over a curb shall come to a full stop~~
40 ~~before entering the roadway.~~ If you are 16 and younger, you have the option to ride on
41 the sidewalk or on the street. If you are older than 16, you must be in the street.
42 However, if you are in the street and there is a bike lane, you are required to ride in the
43 bike lane. You will risk getting a fine if you violate this law. In addition, it is to create a
44 new law to take away a municipality's ability to regulate cycling traffic. No municipality
45 can decide where cyclists can ride as NYS will override it

46
47 **Justification:**

48 Currently, in New York State, there is no official law regarding where bikers must ride. Today,
49 however, biking has become a very popular method of transportation. Therefore, biking laws are
50 necessary to ensure the safety of these millions of bike-riding individuals. These laws will limit
51 the hundreds of biking accidents that occur each year, which not only injure the biker but also
52 pedestrians and drivers. Furthermore, requiring bikers to ride in bike lanes will help assist in the
53 smooth flow of pedestrian and vehicle traffic. Most importantly, these laws will protect young
54 bike riders, who may just be learning how to ride. This does not apply to citizens with physical
55 and/or mental impairment; they will be granted the choice between riding on the sidewalk and
56 the street.

57
58 **Fiscal Implications:**

59 There are no fiscal implications.
60

61 **Environmental Implications:**

62 The environmental implication of this law is that since the more rigid guidelines will make
63 citizens feel safer, they will be more inclined to choose cycling over driving. This will ultimately
64 reduce carbon emissions.
65

66 **Effective Date:**

67 This bill will go into effect 1 year after its passage.
68



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Committee Assignment: Senate Freedom 3

Bill #:SF-20

Sponsors: Elizabeth Alzawahra, Aengus Gillespie

An Act To Amend Article 11, Section 11-1101 of Environmental Conservation Law
and add Article 13, Section 11-1101 of Environmental Conservation Law

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose promote more humane and ethical treatment of beavers and remove
beavers from the list of legal trapping.

Summary of Provisions

Section 1

Section 2

Section 11-1101

3. In waters of the Southern Zone, as so defined, from December 5 through
January 31, no person shall set, place or maintain a trap of any kind except (a)
spring hole trap sets for the purpose of taking fox, or (b) water sets during any
open season established for the taking of muskrat, otter ~~and beaver~~, or (c) traps
set on a registered muskrat marsh pursuant to permit, issued as provided in section
11-1109.

6. a. No person shall set or use a trap of the leg-gripping type (a) having a spread
of jaws exceeding 7 1/4" measured at right angles to the axis upon which the jaws
operate and excluding the gripping surface of each jaw, when used under water
during the open season for trapping ~~beaver~~ or otter, or (b) in any other case,
except as provided in title 5 or in section 11-1109, having a spread of jaws
exceeding 5-3/4" as so measured.

(a) when used in water during the open season for trapping ~~beaver~~ and otter; or

7. Except as provided in section 11-1109, (a) no person shall take muskrat by the
use of a box, wire or cage trap, except that they may be taken in such a trap of a
construction incapable of taking any species of wildlife until wildlife previously taken
therein has been released; (b) except as otherwise permitted by department
regulation, no person shall set, stake or use a trap within a distance of five feet
from a muskrat den or house or any structure constructed by a muskrat in which it
can take shelter; (c) smoke, chemicals, gas or poison shall not be used on or near
any trap used to take ~~beaver~~, otter, fisher, bobcat, coyote, fox, mink, raccoon,
muskrat or skunk.

8. Except as permitted by the department, no person shall set, stake or use a trap
within a distance of fifteen feet from a ~~beaver dam~~, den or house.\

11. ~~Beaver~~, fisher and otter shall be taken only as permitted by the department.

13. The trapping of beavers is strictly prohibited



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Justification

Beavers are a keystone species, meaning that they are essential to the formation and maintenance of their resident ecosystems. The killing of beavers by trapping is not only inhumane, it is extremely harmful to the ecosystems in which they reside. There is no longer any economic necessity for the trapping of beavers. No one relies on beaver trapping as their primary source of income. This is an outdated law that needs to have preventions so that history doesn't repeat itself.

Fiscal Implications

As necessary identify revenue sources, projected savings and impact on the current state budget (that is 132 Billion or 132,000,000,000 dollars). Minor implications for armature trappers. In addition, no one's primary source of income is from trapping.

Environmental Implications

The environmental impact of this bill is negligible, as beavers can still be humanely removed from environments in which they are causing harm, and the ecosystems which they maintain will no longer be threatened by their death.

Effective Date December 15th 2021 (after the hunting season)



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Committee Assignment: Senate Freedom 3

Bill #:SF-21

1 **Sponsors:** Addison Kelley and Tyler Trowbridge

2
3 **An Act To** Amend Criminal Procedure Law Section § 520.15 to end cash bail for
4 principal and repeated offenders.

5
6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

7
8 **Purpose** Removing the option of cash bail from principal and repeated offenders
9 guarantees all criminals' attendance to their provided court litigation.

10 **Summary of Provisions**

11 Section 1 - Definitions

12 1. Cash Bail: money that is deposited for the release of a person who has been
13 arrested (also known as a defendant). The Department of Finance withholds the
14 funds in order to assure that all defendants return to court for their trials.

15 2. Principal Offender: a person in a group of offenders who carries out the main
16 part of a criminal act.

17 3. Repeat Offender: a person who has already been convicted for a crime, and who
18 has been caught again for committing the crime and breaking the law for which he
19 had been prosecuted earlier.

20 Section 2

21 Criminal Procedure Law § 520.15

22 Where a court has fixed bail pursuant to subdivision two of section
23 520.10, at any time after the principal or repeated offender has been
24 committed to the custody of the sheriff pending the posting thereof, cash bail in
25 the amount designated in the order fixing bail may not be posted under any
26 circumstances ~~even though such bail was not specified in such order. Cash bail~~
27 ~~may be deposited with (a) the county treasurer of the county in which the criminal~~
28 ~~action or proceeding is pending or, in the city of New York with the~~
29 ~~commissioner of finance, or (b) the court which issued such order, or~~
30 ~~(c) the sheriff in whose custody the principal has been committed. Upon~~
31 ~~proof of the deposit of the designated amount the principal must be~~
32 ~~forthwith released from custody.~~

33 ~~2. The person posting cash bail must complete and sign a form which~~
34 ~~states (a) the name, residential address and occupation of each person~~
35 ~~posting cash bail; and (b) the title of the criminal action or~~
36 ~~proceeding involved; and (c) the offense or offenses which are the~~
37 ~~subjects of the action or proceeding involved, and the status of such~~
38 ~~action or proceeding; and (d) the name of the principal and the nature~~



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Committee Assignment: Senate Freedom 3

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~~of his involvement in or connection with such action or proceeding; and
(e) that the person or persons posting cash bail undertake that the
principal will appear in such action or proceeding whenever required and
will at all times render himself amenable to the orders and processes of
the court; and (f) the date of the principal's next appearance in court;
and (g) an acknowledgement that the cash bail will be forfeited if the
principal does not comply with any requirement or order of process to
appear in court; and (h) the amount of money posted as cash bail.~~
3. Money posted as cash bail is and shall remain the property of the
person posting it unless forfeited to the court.

Justification

Millions of criminals every year are able to avoid sentencing for up to a year after being arrested. This is not acceptable and needs to be stopped. Our plan is to propose the ending of bail for criminals who committed felonies. It is unacceptable to let these criminals walk free for up to a year. In 2016, when Alex West killed an 8-year-old with a boat in our neighboring Lake George, he was able to walk free until his guilty verdict almost 11 months after the crash. This was a severe tragedy that enraged the town which could have been easily avoided if he was incarcerated. This is not just for the prosecution, it is for the families. When a tragedy occurs, it is nice for the family of the victim to know that the criminal is locked away behind bars. This law would not just benefit the prosecution and its entirety; it would benefit everyone in the State of New York.

Fiscal Implications

Bail bond companies would no longer be necessary for court cases regarding principal and repeated offenders therefore it would not cost the state any money.

Effective Date

This bill shall go into effect immediately upon passage.



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Committee Assignment: Senate Freedom 3

Bill #:SF-23

1 **Sponsors:** Eric DiGiacomo, Jae Ho Kim, Brendan Reilly

2
3 **An Act To**

4 Amend § 1307 of the Real Property Actions and Proceedings Law and add
5 subsection 9 to convert foreclosed or vacant properties into homeless shelters.

6
7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8
9 **Purpose**

10 The purpose of this bill is to convert foreclosed properties into homeless shelters.
11 Our bill plans to convert abandoned properties into homeless shelters to help
12 improve the quality of life.

13
14 **Summary of Provisions**

15 **Section 1: Definitions**

16 Zombie Property: A piece of land or a building that has been abandoned and is
17 beyond repair

18 **Section 2**

19 §1307. Duty to maintain foreclosed property.

20 3. The municipality in which such residential real property is located, any tenant
21 lawfully in possession, and a board of managers of a condominium in which the
22 premises are located or a homeowners association if said premises are subject to
23 the rules and regulations of such an association, shall have the right to enforce the
24 obligations described in this section in any court of competent jurisdiction after at
25 least seven days' notice to the plaintiff in the foreclosure action unless emergency
26 repairs are required. Any entity acting pursuant to this subdivision shall have a
27 cause of action in any court of competent jurisdiction against the plaintiff in the
28 foreclosure action to recover costs incurred as a result of maintaining the property.
29 The authority provided by this subdivision shall be in addition to, and shall not be
30 deemed to diminish or reduce, any rights of the parties described in this section
31 under existing law against the mortgagor of such property for failure to maintain
32 such property.

33 5. For the purposes of this section "maintain" shall mean keeping the subject
34 property in a manner that is consistent with the standards set forth in the New
35 York property maintenance code chapter 3 sections 301, 302 (excluding 302.2,
36 302.6 and 302.8), 304.1, 304.3, 304.7, 304.10, 304.12, 304.13, 304.15,
37 304.16, 307.1, and 308.1; provided, however, that if the property is occupied by a
38 tenant, then such property must also be maintained in a safe and habitable
39 condition.



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5. A plaintiff shall be relieved of its responsibilities to maintain the residential real property that is the subject of a foreclosure action for the period that a receiver of such property is serving.

6. Nothing contained in this section shall diminish in any way the obligations pursuant to any state or local law of the mortgagor of the property or a receiver of rents and profits appointed in an action to foreclose a mortgage to maintain the property prior to the closing of title pursuant to a foreclosure sale.

7. This section shall not preempt, reduce or limit any rights or obligations imposed by any local laws with respect to property maintenance and the locality's ability to enforce those laws.

8. If any county repossesses the abandoned or foreclosed property, then the mortgagor is exempt from the previous responsibilities, which then fall upon the county.

Justification

Throughout New York State, homelessness is a widespread issue. Thousands of people spend every day wondering where they will go. They have close to nothing. Meanwhile, there are also thousands of vacant housing units going unused. A shocking 17% of all homeless people in the United States are located in New York State. These homes could be used to solve this problem, yet, they remain vacant. Converting these properties into homeless shelters would provide a temporary solution.

Fiscal Implications

The installment of this bill would require the allocation of funds to the project. We would use funding from the U.S. Department of Housing And Urban Development which has funds allocated to different counties in New York State. Despite the shelter collecting donations and utilizing volunteers, the county would still be responsible for the funds required for the facility. The amount needed to fund the facility would vary slightly for each property due to different sizes and capacities.

Environmental Implications

This bill would have little to no environmental implications due to the use of previously established areas of land for the new shelters.

Effective Date

This bill will go into effect one year following its passage.



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Committee Assignment: Senate Freedom 4

Bill #:SF-25

1 **Sponsors:** Samir Ghimire, Aanzan Sachdeva

2 **An Act To** Amend Section 260.22 of New York State Penal Law to classify
3 facilitating female genital mutilation as a class E felony
4

5 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*
6

7 **Purpose** Strengthen the penalty of facilitating female genital mutilation from a ~~Class A~~
8 ~~misdemeanor~~ to a Class E felony.
9

10 **Summary of Provisions**

11 **Section 1**

12 **Class A Misdemeanor:**

13 A court may sentence an individual to a maximum of one year in jail or three years
14 probation. In addition, a fine of up to \$1,000 or twice the amount of the
15 individual's gain from the crime may be imposed

16 **Class E Felony:**

17 Theft, assault, forcible touching, or aggravated harassment. A class E felony NYS
18 sentence might be 2-5 years in jail,

19 **Female Genital Mutilation(FGM):**

20 refers to all procedures involving partial or total removal of the external female
21 genitalia or other injury to the female genital organs for cultural or other non-
22 medical reasons.

23 Types of FGM into four broad categories

24 Type I :(commonly referred to as "clitoridectomy"): excision of the prepuce with or
25 without excision of the clitoris;

26 Type II :(commonly referred to as "excision"): excision of the prepuce and clitoris
27 together with partial or total excision of the labia minora;

28 Type III :(commonly referred to as "infibulation"): excision of part or all of the
29 external genitalia and stitching or narrowing of the vaginal opening.

30 Type IV :All other procedures involving partial or total removal of the female
31 external genitalia for cultural or any other non-therapeutic reasons.⁶

32 **Section 2**

33 Section 260.22: A person is guilty of facilitating female genital mutilation when,
34 knowing that a person intends to engage in the circumcising, excising or infibulating
35 of the whole or any part of the labia majora or labia minora or clitoris of a person
36 under eighteen years of age, and except as provided in subdivision two of section
37 130.85 of this chapter, he or she intentionally aids the commission or attempted
38 commission of such conduct.

39 Facilitating female genital mutilation is a ~~class A misdemeanor~~ Class E Felony.

40 Section 130.85: 1. A person is guilty of female genital mutilation when:

41 (a) a person knowingly circumcises, excises, or infibulates the whole or any part
42 of the labia majora or labia minora or clitoris of another person who has not
43 reached eighteen years of age; or

44 (b) being a parent, guardian or other person legally responsible and charged with
45 the care or custody of a child less than eighteen years old, he or she knowingly



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consent to the circumcision, excision or infibulation of whole or part of such child's labia majora or labia minora or clitoris.

2. Such circumcision, excision, or infibulation is not a violation of this section if such act is:

(a) necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or

(b) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

3. For the purposes of paragraph (a) of subdivision two of this section, no account shall be taken of the effect on the person on whom such procedure is to be performed of any belief on the part of that or any other person that such procedure is required as a matter of custom or ritual.

Justification This bill will serve as a deterrent for facilitating female genital mutilation by increasing the penalty from a ~~class A misdemeanor~~ to a Class E felony. It is estimated that more than 500,000 women are at risk in the U.S. and nearly 50,000 women are at risk in NYS. Though 35 states, including New York State, have criminalized FGM, New York State is yet to strengthen its penalties for it. The penalty for facilitating female genital mutilation is a Class E Felony yet the penalty for facilitating it is merely a ~~Class A misdemeanor~~. Other forms of class A misdemeanors are as follows- writing graffiti without the property owner's permission in the fourth degree, petit larceny (theft of no more than \$1000), assault in the third degree, etc,. Facilitating FGM refers to knowingly aiding the person circumcising, excising or infibulating of the whole or any part of female genitalia. However, the penalty pertaining to the person conducting such mutilation should also be applicable to the person who is knowingly aiding them. According to the World Health Organization, this practice puts the health of thousands of girls and young women at great risk of lifelong physical and psychological damage. FGM can lead to numerous health problems including blood loss, infections, HIV and even death in some cases.

Fiscal Implications Though the practice of FGM is prevalent in NYS, there are no exact statistics available to the number of convictions per year in NYS for it. Overall, however, there will be no additional cost to the state upon passage of this bill seeing that fewer people will be in jail yet those who are incarcerated will remain in jail for a longer period of time.

Environmental Implications This bill has no environmental implications.

Effective Date Effective one year after passage.



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Committee Assignment: Senate Freedom 4

ill #: SF-27

Sponsors: Meghan Cenci and Hannah Crown

An Act To: Amend §§121.11 Criminal obstruction of breathing or blood circulation.

The People of the State of New York, represented in the Senate and Assembly, do enact as follows:

Purpose: To add a subsection to Criminal Obstruction of Breathing or Blood Circulation, specified for domestic violence cases, and listed as a Class C Felony.

Summary of Provisions:

Section 1 - Definitions

Criminal Obstruction of Breathing or Blood Circulation - asphyxiation (choking)

Class C Felony - 3 ½ – 15 years maximum sentence.

Class A Misdemeanor - up to 364 days in jail and/or a \$1,000 fine (or double the amount that the defendant gained from the crime)

Batterer - a person who inflicts violent physical abuse upon a child, spouse, or other person.

Section 2

§§121.11 Criminal obstruction of breathing or blood circulation.

*Domestic violence specified

A person is guilty of criminal obstruction of breathing or blood circulation when, with intent to impede the normal breathing or circulation of the blood of another person, he or she:

- a. applies pressure on the throat or neck of such person; or
- b. blocks the nose or mouth of such person.

Criminal obstruction of breathing or blood circulation is a class A misdemeanor.

In domestic violence cases criminal obstruction of breathing of blood circulation is a class C felony.



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Justification:

Domestic violence cases are an unfortunate reality that plague people's everyday lives. Each year more than 10 million domestic violence cases occur in the U.S. alone. Asphyxiation accounts for 6.1% of all cases in New York State, yet is considered only a misdemeanor. Due to these minor consequences, asphyxiation is often overlooked due to lack of action in the courts and offer minimal punishments. The objectives of this bill are to reduce the numbers of free abusers in efforts to protect the frighteningly numerous amount of victims.

Fiscal Implications:

This bill potentially may cost the State an increase to its prison funding should additional abusers be effectively prosecuted. Each inmate costs an average of \$33,274 per year. This cost would be multiplied by the number of unknown batterers who are intended to be prosecuted with the passing of this bill.

Environmental Implications:

Environmental implications will include an increased awareness and protection for domestic violence victims, due to the security provided to victims in such cases. The bill will also work to prevent potential acts of violence in domestic relationships by strengthening the victims case and the batterers punishment.

Effective Date:

This bill will be passed into effect one calendar year after passing.



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Committee Assignment: Senate Freedom 4

Bill #:SF-28

1 **Sponsors:** Magdalena Matias, Emilie Wolfenhaut

2
3 **An Act To:** RESOLUTION -To change the new the bail reform law by reverting it
4 back to cash bail for all crimes
5

6 Good afternoon, colleagues. My name is Maggie. My name is Emilie. And were here
7 today to change the new bail reform law. This law has been talked about a lot
8 lately. It's been on the news and you might have heard your parents talk about it.
9 This law is pretty much letting some people not have to pay bail to get out of
10 holding during their trial. This does let innocent people go home during their trial.
11 But it also lets guilty people out of holding to commit further crimes. It is even
12 proven that the crime rates have increased ever since this bill passed. Crime has
13 gone up 11% since this bill has been passed. It consists of 233 more robberies
14 which is 32% higher and 159 car thefts which is 61% higher then average. We wish
15 to make this law have more power in keeping felons in jail while still letting
16 innocent people who can't afford bail out of holding. We would do this by not letting
17 people who have a criminal record have access to this program.
18

19 The members of the Senate/Assembly urges Congress to change the new the bail
20 reform law by not letting repeated felons have access to this program.
21

22 WHEREAS, Bail is the temporary release of an accused person awaiting trial,
23 sometimes on condition that a sum of money be lodged to guarantee their
24 appearance in court.

25 WHEREAS, Class E Felonies in New York are crimes such as theft, assault,
26 forcible touching(sexual assault), and aggravated harassment.

27 WHEREAS, The murder of Tessa Majors, the 13-year-old laid out in chilling
28 detail how he and two 14-year-old male friends had tried to mug Ms. Majors, 18, a
29 first-year Barnard student, as she passed through a Harlem park one evening last
30 month, according to previous testimony by two police detectives.

31 The teenager told investigators that one of his 14-year-old friends had stabbed Ms.
32 Majors during a struggle, the detectives testified. She later died.

33 WHEREAS, Due to the fact that he did not have to pay, this reform would be
34 beneficial so in future scenarios, people would have to pay.

35 WHEREAS, Reverting back to cash bail for all crimes would allow for safety in
36 the streets once more.

37 Resolved, That the Chief Clerk of the Assembly transmits copies of this
38 resolution to the Speaker of the House of Representatives, the President Pro-
39 Tempore of the United States Senate, and to each Senator and representatives
40 from New York in the Congress of the United States, and to the Chief Clerk of the
41 Legislature in each of the forty-nine States.



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Committee Assignment: Senate Freedom 4

Bill #:SF-30

Sponsors: Mitchell Higgins, Hunter Rosario , Brian Lombardo

An Act To

Amend § 504 of the Vehicle and Traffic Law to require the identification of particular allergies on one's license.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

Requires individuals to have their allergies on their driver's license in New York State

Summary of Provisions

Section 1: Definitions

Allergy: A damaging immune response by the body to a substance called an "allergen"

Section 2

1. (a) Every license or renewal thereof shall contain a distinguishing mark and adequate space upon which an anatomical gift, pursuant to section forty-three hundred ten of the public health law, by the licensee shall be recorded and shall contain such other information and shall be issued in such form as the commissioner shall determine; provided, however, every license or renewal thereof issued to a person under the age of twenty-one years shall have prominently imprinted upon it the statement "UNDER 21 YEARS OF AGE" in notably distinctive print or format; provided further, however, every license or renewal thereof issued to a person making an anatomical gift shall have prominently printed upon the front of such license or renewal thereof the statement "ORGAN DONOR" in notably distinctive print or format. The commissioner shall not require fees for the issuance of such licenses or renewals thereof to persons under twenty-one years of age or to persons making an anatomical gift which are different from the fees required for the issuance of licenses or renewals thereof to persons twenty-one years of age or over or to persons not making an anatomical gift.

(b) The identification of particular allergies on one's license shall be indicated. Medical documentation shall be required to have these on one's license.

Justification

In many cases, the symptoms of an allergic reaction is the swelling of the throat, depriving the person having the reaction the ability to speak or breathe. When the Emergency medical services arrive, they have to ask questions that the patient may not be physically able to answer, due to the swelling of their throats or the immense pain and discomfort that is caused by an allergic reaction.

Fiscal Implications

This will not affect the cost of a license, which is \$102.00.

Environmental Implications

There are no environmental implications.

Effective Date

This bill will go into effect one year after passage.



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Sponsors: Rachel Lim, Dina Saad

Bill #: SF-32

An Act To Amend the New York State Clean Air Act to include private automobiles that have children aged 12 and under in the vehicle.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose The purpose of this bill is to ensure the safety of minors' health. The article currently states that smoking and vaping within private automobiles is permitted however we seek to change it so that it is prohibited

Summary of Provisions

Section 1

Cigarette: a cigarette-shaped device containing a nicotine-based liquid that is vaporized and inhaled, used to simulate the experience of smoking tobacco.

E-Cigarettes or Vape: a hand-held battery powered vaporizer that simulates smoking and provides some of the behavioral aspects of smoking, including the hand-to-mouth action of smoking, but without burning tobacco.

Nicotine: a toxic colorless or yellowish oily liquid that is the chief active constituent of tobacco. It acts as a stimulant in small doses, but in larger amounts blocks the action of autonomic nerve and skeletal muscle cells. Nicotine is also used in insecticides.

Tobacco: a preparation of nicotine-rich leaves of an American plant, which are cured by a process of drying and fermentation for smoking or chewing.

Second-hand Smoke: a mixture of the smoke from burning tobacco products such as cigarettes, cigars or pipes and the smoke exhaled by a smoker. Exposure to secondhand smoke is unsafe.

Section 2

The Act prohibits smoking and vaping in almost all public and private indoor workplaces, including restaurants and bars, to protect workers and the public from exposure to harmful secondhand tobacco smoke and vaping aerosols. Localities may continue to adopt and enforce local laws regulating smoking and vaping; however, these regulations must be at least as strict as the Act.



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The Act prohibits smoking and vaping in the indoor areas which include places of employment, bars, restaurants, public means of mass transportation, schools and school grounds, etc. However, smoking and vaping are permitted in the following places including private homes and residences not used for daycare, private automobiles, hotel and/or motel rooms, and etc.

Justification

This bill will serve as an enforcement of preserving the health of minors to prevent any negative short and/or long-term effects of second-hand smoking. Statistics show that secondhand smoke consists of more than 7000 different chemicals, 70 of which are cancerous and hundreds that are toxic. The exposure to these harsh chemicals can and will affect the developing body of the minor surrounding the area. If minors age 12 and younger cannot smoke any of these substances, or be in a public area such as a park where its being smoked, then why should they be confined in a tight proximity with someone who does, which would condemn them to future health problems.

Fiscal Implications:

The enforcement officer for a city or county health department or State Health Department can assess a fine of up to \$2,000 for each violation. NYS residents can benefit through these enforcements because of the health assets contributed.

Environmental Implications: The chemicals within e-cigarettes and traditional cigarettes release many toxins into the environment. Heavy metals and residual nicotine can be leaked and can be considered as biohazard waste. Cigarettes contain chemicals that can contaminate waterways and ground soil and leftover cigarette butts also prove to be toxic waste. In some cases, cigarette butts can also cause fires if not put out properly. Furthermore vaping and smoking indoors can result in indoor air pollution. Ultra fine particles and toxins contained within cigarettes and vapes are known to cause cancer within its secondhand victims around them.

Effective Date

One year after its passage.



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Committee Assignment: Senate Liberty 1

Bill #: SL-01

1 **Sponsors:** Niquita Varier, Juliet Lovelace, Shana Hatia

2
3 **An Act To:** Amend 5-102 of Article 5, Title 1 of the New York State Election Law to
4 lower the minimum voting age for local elections

5
6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

7
8 **Purpose:**

9 AN ACT to amend the election law, in relation to the qualifications of voters in local
10 elections;

11
12 **Summary of Provisions:**

13 **Section 1**

- 14 a) Federal election - Elections in the United States that are held for government
15 officials at the federal level (ex. President)
16 b) State election - Elections held in each individual states that are held for state
17 representatives (ex. Governor, state legislative representatives)
18 c) Local election - Elections that take place to select office-holders in local
19 government (city or town), such as mayors and councillors. It can also be
20 referred to as "municipal elections" (ex. sheriff, city council members, mayor,
21 school board)
22 d) Vote - indication of a choice between two or more candidates or courses of
23 action expressed through election
24 e) Residence - a place where someone lives such as a state, county, village,
25 city, and street.

26
27 **Section 2**

28 Qualifications of voters; age and residence.

29 1. No person shall be qualified to register for and vote at any state and federal
30 election unless he is a citizen of the United States and is or will be, on the day of
31 such election, eighteen years of age or over, and a resident of this state ~~and of~~
32 ~~the county, city or village~~ for a minimum of thirty days next preceding such
33 election.

34 No person shall be qualified to register for and vote at municipal elections unless he
35 is a citizen of the United States and is or will be, on the day of such election,
36 sixteen years of age or over, and a resident of this state and of the county, city or
37 village for a minimum of thirty days next preceding such election.



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Committee Assignment:

Senate Liberty 1

Bill #: SL-01

Justification:

Passing this bill will give youth citizens a voice in their future. 16 is considered a perfect voting age as in certain states a 16-year-old is considered old enough to be examined for the death penalty, eligible to drive, qualified to hold a job, and are old enough to drop out of school. At the age of 17 you are legally able to join the military, with parental consent, as well. I believe that if people feel so passionately about something they should have the right to be heard. The right to vote would provide a constituency for children, not only for those registered to vote, but also for their younger brothers and sisters. Many people believe that having the power to vote is the strongest way to get legislators' attention. The concept is to slowly introduce 16 and 17 year olds to the idea of being able to take their future into their own hands, and help decide what kind of government they want stating locally within their counties and cities.

Fiscal Implications:

Instead of changing the voting registration form for the state entirely, which states the age to be eighteen, students of ages 16 and 17 can be eligible to register for the municipal elections locally at their own school. If one does not attend a school they can register at their local city or town hall. This registration only grants them access to vote at local elections.

Effective Date: January 1, 2021



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Committee Assignment: Senate Liberty 1

Bill #:SL-02

Sponsors: Stephen Gilbert, Logan Luke and Joy Mydlenski

An Act To Add to Article 10 §207 of NYS General Municipal Law § 207-R for compensation of firefighters and emergency medical practitioners with PTSD

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose The purpose of this bill is to create a PTSD presumptive payment for emergency medical practitioners and firefighters who develop PTSD due to their work as first responders.

Summary of Provisions

Section 1

§ 207-R. Presumptive Payments to Emergency Medical Practitioners and Firefighters with Post Traumatic Stress Disorder (PTSD). Emergency medical practitioners and paid members of the fire department of any city or town in New York who (a) have been employed in such profession for two or more years and (b) are clinically diagnosed with PTSD shall be assumed to have acquired it due to Repeated Exposure Trauma.

(1) Upon receiving a clinical diagnosis from a registered psychiatrist or psychologist, New York State shall compensate any emergency medical practitioner or firefighter with proof of diagnosis with a presumptive payment of one thousand dollars to help the payment of treatment.

(2) Should a second diagnosis occur, and treatment need to continue two years after the initial diagnosis

(a) the state shall provide two hundred and fifty dollars per quarter in which psychotherapy continues or

(b) full compensation of prescription costs

Justification Up to thirty seven percent of firefighters and emergency medical practitioners have a high chance of currently having PTSD, either diagnosed or undiagnosed. Currently, New York State does nothing to help firefighters and their risk of PTSD but they do cover physical ailments such as broken bones, hospitalized injuries and most recently cancer. Several other states such as California, Washington, Montana, and Vermont have enacted legislation regarding PTSD and the health of their first responders and New York State has already begun to expand the compensation and health benefits of the state's first responders. Treatment is relatively inexpensive, but firefighters deserve compensation for the hard work they have done to keep their neighborhoods safe not just from fires but other disasters.

Fiscal Implications This would approximately cost New York State less than five million dollars upon passage and approximately less than five hundred thousand dollars every subsequent year.

Environmental Implications There are no environmental implications to this bill.

Effective Date This bill will go into effect one year after passage.



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Committee Assignment: Senate Liberty 1

Bill #:SL-04

1 **Sponsors:** Grace Templeton

2
3 **An Act To** Amend the public health law, in relation to restricting smoking in the
4 presence of a minor in a passenger vehicle.

5
6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

7
8 **Purpose** To implement a fine on those who smoke with a minor under the age of
9 sixteen present in a passenger vehicle.

10
11 **Summary of Provisions**

12 **Section 1**

13 **Smoking:** HOLDING A LIGHTED CIGAR, CIGARETTE, PIPE OR OTHER MATTER OR
14 SUBSTANCE WHICH CONTAINS TOBACCO OR ANY OTHER PLANT OR MATTER THAT
15 CAN BE SMOKED IN CLOSE PROXIMITY TO THE MOUTH.

16 **Section 2**

17 5. A. SMOKING SHALL NOT BE PERMITTED AND NO PERSON SHALL
18 SMOKE WITHIN PRIVATE PASSENGER CARS, PRIVATE PASSENGER VANS OR
19 PRIVATE PASSENGER TRUCKS WHERE A MINOR UNDER THE AGE OF FOURTEEN
20 SIXTEEN IS A PASSENGER IN ANY SUCH VEHICLES.

21 S 2. Subdivision 1 of section 1399-q of the public health law, as
22 amended by chapter 13 of the laws of 2003, is amended to read as
23 follows:

24 1. Private homes, private residences and private automobiles EXCEPT AS
25 PROVIDED IN SUBDIVISION FIVE OF SECTION THIRTEEN HUNDRED NINETY-
26 NINE-O OF THIS ARTICLE;

27 S 3. Section 1399-v of the public health law, as added by chapter 244
28 of the laws of 1989, is amended to read as follows:

29
30 S 1399-v. Penalties. 1. The commissioner may impose a civil penalty
31 for a violation of this article in an amount not to exceed that set
32 forth in subdivision one of section twelve of this chapter. Any other
33 enforcement officer may impose a civil penalty for a violation of this
34 article in an amount not to exceed that set forth in paragraph [f] (F)
35 of subdivision one of section three hundred nine of this chapter.

36 2. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS
37 SECTION ANY PERSON WHO VIOLATES THE PROVISIONS OF SUBDIVISION FIVE
38 OF SECTION THIRTEEN HUNDRED NINETY-NINE-O OF THIS ARTICLE SHALL BE
39 LIABLE FOR A CIVIL PENALTY OF ~~NOT MORE THAN ONE HUNDRED DOLLARS~~ ONE



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Committee Assignment: Senate Liberty 1

Bill #:SL-04

HUNDRED DOLLARS FIRST OFFENCE, TWO HUNDRED AND FIFTY DOLLARS
SECOND OFFENCE, AND FOUR HUNDRED DOLLARS ON THE THIRD OFFENCE TO BE
IMPOSED BY ANY ENFORCEMENT OFFICER IN ACCORDANCE WITH SECTION
THIRTEEN HUNDRED NINETY-NINE-T OF THIS ARTICLE.

Justification

Nine states have already passed laws similar to this one. Nonsmokers who are exposed to secondhand smoke increase their risk of developing lung cancer by 20-30%. The CDC warns against smoking in your car, even with the window down. There are 7,300 lung cancer deaths and 34,000 premature deaths from heart disease among U.S. nonsmokers each year because of secondhand smoke. Even a shortened period of secondhand smoke exposure can damage cells in ways that set the cancer process in motion. Both human and animal studies have shown that children exposed to secondhand smoke have had negative effects on the heart's arteries and blood vessels, potentially causing premature heart disease and other heart conditions.

Fiscal Implications

This bill has no negative fiscal implications and is expected to gain revenue for the state.

Enviornmental Implications

There are no environmental implications.

Effective Date

This law shall go into effect on January 1, 2021



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Committee Assignment: Senate Liberty 1

Bill #:SL-06

Sponsors: Emilia Brandimarte, Lydia Colon, Julianna Ugliodoro

An Act To

Amend Article 17, § 801, subsection 3, of the New York State Education Law to add LGBTQ+ history to social studies curriculum.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

This bill aims to add LGBTQ+ history to all applicable high school history classes in order to make them more inclusive to a diverse range of historical perspectives and create a more accepting environment for marginalized LGBTQ+ students.

Summary of Provisions

Section 1: Definitions

LGBTQ+: individuals who identify themselves with the community of lesbian, gay, bisexual, transgender, and queer individuals.

Section 2

3. The regents shall determine the subjects to be included in such courses of instruction in patriotism, citizenship, and human rights issues, with particular attention to the study of the inhumanity of genocide, slavery (including the freedom trail and underground railroad), the Holocaust, and the mass starvation in Ireland from 1845 to 1850, a study of the impact of LGBTQ+ individuals throughout history and to the world, including but not limited to the Stonewall riots and the involvement of the United States in the AIDs epidemic; and in the history, meaning, significance and effect of the provisions of the constitution of the United States, the amendments thereto, the declaration of independence, the constitution of the state of New York and the amendments thereto, and the period of instruction in each of the grades in such subjects. They shall adopt rules providing for attendance upon such instruction and for such other matters as are required for carrying into effect the objects and purposes of this section. The commissioner shall be responsible for the enforcement of such section and shall cause to be inspected and supervise the instruction to be given in such subjects. The commissioner may, in his discretion, cause all or a portion of the public school money to be apportioned to a district or city to be withheld for failure of the school authorities of such district or city to provide instruction in such courses and to compel attendance upon such instruction, as herein prescribed, and for a non-compliance with the rules of the regents adopted as herein provided.

Justification

This bill will give students a more diverse and inclusive view of history. The history that we learn in mandatory high school classes usually shape the worldviews of most students well into their



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Committee Assignment: Senate Liberty 1

Bill #:SL-06

adult lives, since most people don't look extensively into other perspectives and historical narratives. History as it is taught is extremely subjective; the events and sources that are used can completely change how we look at the world and can define the zeitgeist of an entire generation. Therefore, teaching queer history to a general population by adding it to existing mandatory classes instead of adding it as an elective can foster inclusivity throughout the high school population, and acceptance of queer students by their peers. This will legitimize the queer struggle to outsiders, as well as making students confront preconceived biases that they may have about the queer community by proving that alternate identities have always existed. In addition, it will legitimize queerness to queer students themselves who have internalized bigotry or are unwilling to accept their identities. Queer history isn't passed down familially, so this is also a way to preserve history that is often lost due to lack of legitimization as a field and visibility. By bringing alternate views of history into light, students straight and queer alike will receive a perspective that they may not have considered looking into themselves.

Fiscal Implications

This bill will require the additional training of teachers on how to teach this new material and the optional purchase of new textbooks. This bill won't necessitate the addition of any new teachers, classes, or school time.

Effective Date

This law will go into effect on January 1, 2024.



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Committee Assignment: Senate Liberty 1

Bill #: SL-08

Sponsors: Sophia Gugino, Ellaina Scholes, Grace Darrin, Raygen Haggstrom

An Act To Add New York State Education Law EDN § 344-d, replacing the New York State Standardized Exams in grades 3-8 in ELA, Math, and Science with locally developed exams.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose Improve the academic careers of students in grades three through eighth by eliminating the need for the NY State Test Exams in English, math, and science, while permitting the continuation of NYS regents offered to eighth graders.

Summary of Provisions

Section 1 Definitions

AP- advanced placement

NEA – National Education Association

NAESP – National Association of Elementary School Principles

ESSA – Federal regulation of 2015 Every Student Succeeds Act which requires all states measure and report student growth in ELA and Math to the Department of Education

Section 2

Grade 3-8 exams in Math, ELA, and Science as required by Federal Law Every Student Succeeds Act 2015 (ESSA) will be locally created and administered by school districts and will replace the state created exams. Yearly local exams will be submitted to the Board of Regents one year prior to administration to ensure state standards and rigor are being addressed.

Justification

A majority of third through eighth graders take the NYS test for math and English, with an additional science test taken in fourth and eighth grade. At the school's discretion, eighth graders can begin to take AP science and math, eradicating the need for these students to take the state exam. They would continue to take the regents exam like in previous years from that point on. Unlike the regents exams, there is no retest option if you perform poorly on the state test.

The NEA conducted a survey in 2015 consisting of 1500 NEA members. This study showed that 70% of educators believe that the curriculum being tested is not helping the development of students when working towards a career path, and therefore is unnecessary. This survey also displays that 76% of elementary and



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Committee Assignment: Senate Liberty 1

Bill #: SL-08

middle school teachers see standardized exams to be hurtful towards students. A separate study also performed by the NEA shows 72% of educators feel pressured by districts to improve their test scores. The test scores from the 2019 NYS ELA exam show only 45% of students who took the test reached proficiency. Similarly, the 2019 NYS math exam shows 47% of students met proficiency. Another large factor to consider is how the human body responds to the taxing nature of these exams. The years students take these exams is also the time the average student experiences puberty. Puberty not only ages us physically, but mentally as well. An article by the NAESP proves this; during puberty, around 20% of all past connections are lost, including material you may have learned and are expected to retain from elementary school. This time period is when the development of the neo-cortex occurs. The neo-cortex can also be referred to as the executive portion of a brain. This shift sets students apart from a childlike mentality. Development of the neo-cortex can also be linked to a child's attention span. The average student's attention span is around 10-12 minutes. Training a young and undeveloped brain to sit down to take the exam can prove to be a difficult task for anyone. Sitting through these exams can be mentally draining, and bad for a student's overall health; this can also make it difficult to focus, leading to the potential for a poor test result.

Fiscal Implications

By repealing a state-wide exam for students grades 3-8 the state will be able to save around 93.6 million dollars a year of the nation's 669 million spent on standardized exams. NYS alone spends \$7 per child per test. This seems miniscule; however, this means that from third to eighth grade the school will spend upwards of \$98 for you to take the state exams. As a nation we spend \$1.7 billion on standardized testing, only .25% of the yearly amount spent on education. Ultimately, replacing state-wide exams with a district localized exam will help the school's budget as they no longer have to pay for the testing implemented by the state.

Environmental Implications This will have a positive impact on the environment, since the state will not have to print the tests, saving paper.

Effective Date The start of the school year following the bills passage.



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Committee Assignment: Senate Liberty 2

Bill #:SL-10

Sponsors: Violet Hamlin, Michael Innocenzi, Viktoriya Jones, and Melanie Schwartz

An Act To

Amend section §12-102 of NYS consolidated Energy law to require a percentage of renewable energy in all new houses.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

The purpose of this bill is to require a percentage of all new houses to have renewable energy in order to help counteract the climate crisis.

Summary of Provisions

Section 1 Definitions:

New house: A residential one-family or two-family home, that is to begin construction after this bill is enacted.

The New York State Affordable Housing Corporation (AHC): A corporation that creates homeownership opportunities for low- and moderate-income families by providing grants to governmental, not-for-profit and charitable organizations to help subsidize the cost of newly constructed houses and the renovation of existing housing.

Section 2

The legislature hereby finds and declares that the use of renewable energy technologies, such as solar energy, within the state should be encouraged to the maximum extent possible, and required that 15% of the energy in all new houses is renewable, not including houses being built with help from New York State Affordable Housing Corporation grants; that effective, well-designed, carefully manufactured and properly serviced solar thermal systems are essential for the development of a viable solar industry; that false claims, fraudulent sales practices, shoddy workmanship, equipment failures and poor servicing of products would inhibit the growth of the solar industry; that adequate warranty protections should be made available to consumers in order to prevent such deceptions; that certain warranty protections are presently made available to consumers of products normally used for personal, family or household purposes pursuant to the Federal Magnuson-Moss Warranty Act; 1 and that warranty protections should be made available to purchasers of all solar energy products in this state, regardless of use.



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Committee Assignment: Senate Liberty 2

Bill #:SL-10

Justification

The Earth is dying. Every day, across New York State, the United States, and the world, people excessively use fossil fuels to power their homes. These nonrenewable, destructive energy sources are rapidly causing irreparable damage to our environment. In 2017 alone, New York state consumed 1.28 quadrillion British Thermal Units (BTU) of natural gas. Natural gas is one of many fossil fuels that detrimental effects on our Earth due to the fact they produce Carbon Dioxide and other greenhouse gases. Increasing levels of greenhouse gases have caused a higher level of heat to be trapped within our atmosphere. Global temperatures in 2018 were 1.5 degrees Fahrenheit (0.83 degrees Celsius) warmer than the 1951 to 1980 mean average, according to scientists at NASA. Furthermore, global sea levels are on the rise. Those living on coasts, which is more than half of the New York State population, have already experienced major flooding due to encroaching waters, and by 2100 will experience sea levels that could be up to 75 inches higher than they are now. If action is not taken, a multitude of New York Counties, including the five boroughs of New York, will experience serious damage. The implementation of this law would reduce fossil fuel dependency in New York State and thus ensuring a brighter future.

Fiscal Implications

Given the fact that solar is the most popular type of renewable energy, the following calculations are for solar energy. The average house needs about 4 to 6 panels to power 15% of its electricity. In New York State, it costs around \$10,000 for one solar panel. Thus, it would cost \$40,000 to \$60,000 dollars to install these panels before incentives. New York State offers a 25% tax credit on solar panels, so the cost would be lowered to \$30,000 to \$45,000. Not to mention, over time, due to the fact that solar panels are cheaper than fossil fuel electricity long term profit margins will be increased.

Environmental Implications

This bill will have positive effects on the environment. By requiring the use of renewable energy, there will be a reduction in the use of fossil fuels within homes. This will therefore minimize the amount of greenhouse gas emissions that would typically be generated by New York State. The implementation of cleaner energy will only benefit the environment, including New York State wildlife and reserves.

Effective Date

This bill will go into effect one year after passage.



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Committee Assignment: Senate Liberty 2

Bill #: SL-11

1 **Sponsors:** Emma Hanlon and Isla Multunas

2
3 **An Act To** Amend the New York State Education Law Title 1 Article 14 Part 2
4 Subpart 2 by creating Section 669 to create a state tuition assistance program to
5 pay all remaining tuition costs after other grants and scholarships for children who
6 have aged out of the foster care system.

7
8 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

9
10 **Purpose** To provide for a state tuition assistance program for youth in the foster
11 care system.

12
13 **Summary of Provisions**

14 **Section 1**

15 **Adoption:** an individual who has been in the care and custody of a county agency
16 and in substitute care

17 **Department:** The Department of Education of the Commonwealth

18 **Fostering independence waiver:** a waiver of tuition and mandatory fees at an
19 institution of higher education

20 **Institution of higher education:** shall include any of the following:

21 **Colleges:** a public educational institution or establishment, in particular one
22 providing higher education or specialized professional or vocational training

23 **Universities:** higher educational institute offering a range of registered
24 undergraduate and graduate curricula in the liberal arts and sciences,
25 degrees in two or more professional fields and doctoral programs in at least
26 three academic fields

27 **Permanent legal custodian:** a person to whom legal custody of a child has been
28 given by order of a court pursuant

29 **Section 2**

30 **S 670.**

31 All colleges and universities, including public, community colleges and state
32 supported institutions in New York will allow children who are currently in the foster
33 care system, those who have aged out of the foster care system, and those who
34 are adopted to attend college with all tuition costs provided for by the state. This
35 waiver will cover costs after scholarships and / or grants have been applied. In
36 order for students to be eligible they have to achieve satisfactory progress in
37 postsecondary educational work, as determined by the state commissioner.

38 (a) Establishment-- There is established a fostering independence waiver program
39 for individuals who satisfy the eligibility requirements which are located under
40 subsection c.

41 (b) Award-- Beginning in the fall semester of 2020, institutions of higher education
42 will award a fostering independence waiver, for undergraduate courses at such
43 institution, for those who are eligible (located under subsection c)

44 (c) Eligibility-- In order for an individual to receive the fostering independence
45 waver they must meet the following requirements:



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Committee Assignment: Senate Liberty 2

Bill #: SL-11

1. Be at least 14 years of age but under 26 years of age and be in or have been in substitute care in this Commonwealth for at least six months before, on or after the effective date of this section, including any of the following:
 - (i) Placement in substitute care as a dependent child at any time while 14 years of age or older.
 - (ii) Adoption at any time after reaching 14 years of age from substitute care as a dependent child.
 - (iii) Placement with a permanent legal custodian at any time after reaching 14 years of age from substitute care as a dependent child.
2. Have graduated from high school or received a Commonwealth secondary school diploma or another equivalent approved by the Department of Education.
3. The individual must currently be in or accepted into a higher institution of education
4. They must have maintained satisfactory progress after admission into the institution, and in high school.
5. The individual must have applied for all available Federal and State grants.
6. This individual must currently be a part of the Commonwealth

Justification

Once children age out of the foster care system they no longer receive financial aid from the government and are all on their own with no support. As a result, many go into debt or can hardly pay for necessities, let alone college. So, many foster children avoid choosing careers they may love that may require various degrees from college even though many foster care children want to attend college. In New York City during the 2017-2018 school year, students in foster care graduated high school at a rate more than four times less than their peers. This statistic is very low for the rate of graduation in high school, but even fewer children attend and graduate college. Of foster care children who received a high school diploma, 20% of them attended college. This is significantly lower compared to 60% of high school graduates overall. One major reason they don't attend college is not being able to afford it, along with the physical and emotional trauma of being a foster kid. Employees that have obtained a college degree make over \$15,000 a year more than employees that have not obtained a college degree. Throughout a lifetime an employee with a college degree will earn 30% more than an employee with only a high school degree.

Fiscal Implications The average cost of tuition in public colleges in New York State is \$19,306 for the 2018-2019 school year without applying grants to tuition costs. On average 350 foster children attend college. Thus, this bill would cost New York State 3 million dollars. New York would pay for this bill through a new tax. Each taxpayer would pay an additional 25 cents each year.

Environmental Implications

There are no expected environmental implications of the bill.

Effective Date

The law will go into effect one calendar year after this bill passes.



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Committee Assignment: Senate Liberty 2

Bill #:SL-12

Sponsors: Princess D'Andrea, Jada Pickett, Patricia Motlhankana

An Act To enforce fine and or incarceration for police officers who fail to abide by the misconduct laws enforced in law 75 U.S.C. §§ 3

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

The purpose of this bill is to enforce a fine and or incarceration to police officers and correctional officers who fail to abide by the misconduct laws enforced by the Department of Justice. This will ensure the safety of the public and those incarcerated and allow for police officers and correctional officers to focus on protecting the people as well as removing unjust officers from duty.

Summary of Provisions

Section 1

Incarceration: the state of being confined in prison; imprisonment.

Police Officers: A policewoman and policeman who are usually assigned to a specific patrol area where they would be responsible to enforce the law. They respond to emergencies, enforce traffic laws and would investigate complaints.

Correctional Officer: Officers responsible for the custody, safety, security, and supervision of inmates in a prison or any other correctional facility.

Section 2

75 U.S.C. §§ 3

Suspension pending determination of charges; penalties. Pending the hearing and determination of charges of incompetency or misconduct, ~~the officer or employee against whom such charges have been preferred may be suspended without pay for a period not exceeding thirty days. If this misconduct is based on account of such person being an alien, or by reason of his color or race,~~ Shall be fined a minimum of \$750 or face incarceration at a minimum of 18 months. If such officer or employee is found guilty of the charges, the penalty

or

punishment may consist of a reprimand, a fine not to exceed one hundred dollars to be deducted from the salary or wages of such officer or employee, suspension without pay for a period not exceeding two months, demotion in grade and title, or dismissal from the service; provided, however, that the time during which an officer or employee is suspended



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without pay may be considered as part of the penalty. If he is acquitted, he shall be restored to his position with full pay for the period of suspension less the amount of any unemployment insurance benefits he may have received during such period. If such officer or employee is found guilty, a copy of the charges, his written answer thereto, a transcript of the hearing, and the determination shall be filed in the office of the department or agency in which he has been employed, and a copy thereof shall be filed with the civil service commission having jurisdiction over such position. A copy of the transcript of the hearing shall, upon request of the officer or employee affected, be furnished to him without charge.

3-a. Suspension pending determination of charges and penalties relating to police officers of the police department of the city of New York. Pending the hearing and determination of charges of incompetency or misconduct, a police officer employed by the police department of the city of New York may be suspended without pay for a period not exceeding thirty days. If such officer is found guilty of the charges, the police Commissioner of such department may punish the police officer pursuant to the provisions of sections 14-115 and 14-123 of the administrative code of the city of New York.

Justification

This bill is important because police officers and correctional officers are put in place to protect the public and to protect those who are incarcerated. However, as of recent events, police brutality is becoming the norm in our society. The brutality of inmates is a common act. This is unacceptable and something should be done about it. Many people are becoming fearful of the people that are meant to protect them. This bill will ensure that those who are wrongfully using their force and power to abuse the public rather than save needs to have a punishment of their own.

Fiscal Implications

For law enforcement who fail to abide by the misconduct laws enforced by the Department of Justice in a minor way (punch, slap, or kick) that does not cause severe damage will face a fine of \$750 dollars.

Environmental Implications

There are no environmental implications for this bill.

Effective Date

This bill will be effective immediately.



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Committee Assignment: Senate Liberty 2

Bill #:SL-13

Sponsors: Isabella LaFreniere, Arianna Nash, & Jason Strickland

An Act To Amend New York State Criminal Procedure Law Article 160 Section 160.59 to add provisions mandating all eligible controlled substance possession records be sealed automatically by the state.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose Guarantee all eligible controlled substance possession records are sealed.

Summary of Provisions

Section 1

Controlled substance: a drug or chemical whose manufacture, possession, or use is regulated by a government, such as illicitly used drugs or prescription medications that are designated by law

Sealing a Record: the erasure of all public access to criminal records and to destroy fingerprints, palmprints, booking photos, and DNA samples (except digital fingerprints are not destroyed if you already have fingerprints on file from a different unsealed case)

Misdemeanor: a non-indictable offense and carries an incarceration sentence of 15 to 364 days.

Felony: an offense for which the incarceration sentence exceeds one year.

Automated Model: a computer program that automatically seals records when eligible

Section 2

Section 160.59:

6. Upon determining that the application is not subject to mandatory denial pursuant to subdivision three of this section and that the application is opposed by the district attorney, the sentencing judge or county or supreme court shall conduct a hearing on the application in order to consider any evidence offered by either party that would aid the sentencing judge in his or her decision whether to seal the records of the defendant's convictions. No hearing is required if the district attorney does not oppose the application. All eligible controlled substance offenses will be automatically sealed by the State.

Justification

Nearly 600,000 New Yorkers are eligible to have their record sealed but only 1,758 have achieved this since the law passed in 2017. The sealing process is both unnecessarily confusing and expensive, and for many in lower-income communities this is simply out of reach. Once you have a conviction on your record, you are serving a lifetime punishment of discrimination in regard to housing, employment,



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and government subsidies. Formerly incarcerated people have an unemployment rate of 27%, higher than any other unemployment rate in American history. The formerly incarcerated unemployment costs \$87 billion in GDP annually. Within two years of having a record sealed however, a formerly incarcerated person's likelihood of employment increases and their personal income increases by 25%. By expanding the amount of eligible controlled substance offenses and automatically sealing all eligible possession records, New York would be improving the lives of thousands of residents. In addition, this bill would counteract the disproportionate arrest and conviction rates of people of color and minorities for controlled substance possession.

Fiscal Implications

Currently in Pennsylvania, the cost of sealing records under an automated model is 5 cents per case, compared with up to thousands of dollars under normal petition systems. New York would be expected to have similar expense rates.

Environmental Implications

By using an automated computer model for sealing records, we reduce the paper waste used in courts.

Effective Date

The law will go into effect one calendar year after this bill is passed.



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Committee Assignment: Senate Liberty 2

Bill #:SL-15

Sponsors: Paige Rivera and Leah Kilkenny

An Act To

Amend Article 8 CRR-NY 100.5 of the New York State Education Law to alter the general requirements for a Regents or local high school diploma to include a sequence in the fine arts. Students will have to take three units of fine arts credits.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

To promote the education of the fine arts as an important part of a student's curriculum. Thus, creating a more well-rounded and open-minded student who thrives in diverse learning and professional environments.

Summary of Provisions

Section 1: Definitions

Fine arts- classes pertaining to the arts such as music, theater, dance, visual arts, and the like.

Unit of Credit- awarded upon completion and passing of a class, required to graduate.

Section 2

(3)Students first entering grade nine in the 2008-2009 school year and thereafter shall have earned at least 22 units of credit including two credits in physical education to receive a Regents diploma. Such units of credit shall incorporate the commencement level of the State learning standards in: English; social studies; mathematics, science, technology; the arts (including visual arts, music, dance and theatre); languages other than English; health, physical education, family and consumer sciences; and career development and occupational studies. Such units of credit shall include:

(i) English, four units of commencement level credit;

(ii) social studies, four units of credit as set forth in paragraph (6) of this subdivision;

(iii) science, three units of credit of commencement level science, at least one course shall be life sciences and at least one in the physical sciences, the third may be either life sciences or physical sciences;

(iv) mathematics, three units of credit of mathematics, which shall be at a more advanced level than grade eight, shall meet commencement level learning standards as determined by the commissioner, provided that no more than two credits shall be earned for any Integrated Algebra, Geometry, or Algebra 2 and Trigonometry commencement level mathematics course;

(v) visual arts and/or music, dance, or theatre, ~~one~~ three unit of credit; and

(vi) health education, one-half unit of credit in accordance with the requirements set forth in section 135.3(c) of this Title. Learning standards in the area of parenting shall be attained through either the health or family and consumer sciences programs or a separate course.

Justification



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Committee Assignment: Senate Liberty 2

Bill #:SL-15

This bill will benefit all students immensely, as exposure to the fine arts for an extended amount of time will have positive effects. Participation in the fine arts such as playing an instrument, acting in a play, sketching a design, or performing a dance stimulates parts of the mind that math, science, and other traditional subjects cannot. Students with exposure to arts education become more in-touch with their emotions and studies have seen a direct correlation between artistic expression and better mental health. Yet, fine arts are viewed as less than core subjects. With upping the number of fine arts credits needed, to match those of science and math, it will promote art education and impact students lives greatly.

Fiscal Implications

Fiscal Implications regarding this bill will be minimal, but present. Some schools may now expect an increase of the number of students enrolled in fine arts classes, which would result in the need for an increase of materials. If schools should need a larger budget to accomodate for more materials, they may apply for grants or request it from their school's board of education. Since all NYS schools have a pre-existing fine arts program, they're shouldn't be an enormous need for new funds.

Effective Date

Start of the 2020 Fall School Year for students starting their 9th grade year in 2020 (expected graduating class of 2024).



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Committee Assignment: Senate Liberty 2

Bill #:SL-16

1 **Sponsors:** Eli DeCampo, Coen Nelson, Ian Salyer

2
3 **An Act To**

4 An act to amend the Education Law §- 3208 -A to allow homeschooled students of
5 New York to try out and be on public school sports teams.

6
7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8
9 **Purpose**

10 To allow New York homeschoolers to participate in public school sports programs.

11 **Section 1: Definitions**

12 **Homeschooler:** A school-age child who is not actively enrolled in any running public
13 or private school.

14 **Section 2:**

15 In no event shall a successful petitioner be entitled to costs in any proceeding
16 brought pursuant to this section. The school district shall not be responsible for
17 providing or bear the cost of, any special or preventive measures or devices needed
18 to protect the student unless such special or preventive measures or devices are
19 contained in a student's individual education plan recommended by the school
20 district committee on the handicapped and such student is a child with a
21 handicapping condition, as defined in section forty-four hundred one of this chapter.
22 A physically impaired child eligible to commence a special proceeding as provided
23 by this section shall be defined as any child determined by a school physician as
24 ineligible for participation on the basis of the regulations of the state education
25 department, the American Medical Association Guide for Medical Evaluation for
26 Candidates for School Sports, or by any standard established by the school district
27 involved.

28 An athletic program for the purpose of this section shall include intramural
29 activities, inter-school activities, extramural activities, and organized practice as
30 defined by section 135.1 by the commissioner of education's regulations except for
31 section 135.4 (c) (7) (iii) (2). Additionally, any homeschooler will be given the
32 opportunity to participate in public school athletic programs by entering the tryouts
33 of the school, and by meeting the qualifications the school sets for all participants.
34 If the homeschooler earns a position in the athletic program, they are allowed to
35 participate in it just as the other participants from the school.



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Bill #:SL-16

Justification

Homeschoolers should be given the same athletic opportunities as people in public schools. This is because homeschool families pay school taxes as well. This type of legislation is not unheard of, and is rather common in the United States. Currently, Arizona, Colorado, Florida, and 19 other states allow homeschoolers to participate in public school sports. By giving public schools the opportunity to make their athletic teams stronger, they can be greatly affected in positive ways. These benefits include the schools being able to wield a stronger sports team, which can lead to better funding and donations, expanding the students' interactions with other children, and leading to an overall more connected community.

Environmental Impact

This bill has no environmental impact.

Fiscal Implications

This bill has no fiscal implications.

Effective Date

This law will go into effect one academic year after its passage.



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Committee Assignment: Senate Liberty 2

Bill #:SL-16

Original law

§ 3208-a. Special proceeding to determine physical capacity of student to participate in athletic programs. 1. Upon a school district's determination that a student shall not be permitted to participate in an athletic program by reason of a physical impairment, based on a medical examination conducted by the school physician, the student may commence a special proceeding in the supreme court pursuant to the provisions of article four of the civil practice law and rules to enjoin the school district from prohibiting his participation. Such special proceeding may be brought in the county in which the student resides or in the county in which the school district is located.

2. The petition in the proceeding shall be a verified petition of a parent or guardian of the student. The petition shall have annexed affidavits of at least two licensed physicians setting forth that in their opinion the student is physically capable of participating in an athletic program, that participation would be reasonably safe, and any special or preventive measures or devices needed to protect the student.

3. The court shall grant such petition if it is satisfied that it is in the best interest of the student to participate in an athletic program and that it is reasonably safe for him to do so.

4. No school district shall be held liable for an injury sustained by a student granted an order under this section provided such injury is incurred during such student's actual participation in an athletic program and, provided further, that such injury is attributable to the physical impairment for which such court order was obtained.

5. Unless specifically prohibited by the court, an order granted pursuant to the provisions of this section shall be considered valid and sufficient for subsequent years, provided that the student has not changed athletic programs and, further, that two licensed physicians set forth current affidavits that, in their opinion, the student's physical impairment has not changed since the time of the original court order.

6. In no event shall a successful petitioner be entitled to costs in any proceeding brought pursuant to this section.

7. The school district shall not be responsible for providing or bear the cost of, any special or preventive measures or devices needed to protect the student unless such special or preventive measures or



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Committee Assignment: Senate Liberty 2

Bill #:SL-16

117 devices are contained in a student's individual education plan
118 recommended by the school district committee on the handicapped and such
119 student is a child with a handicapping condition, as defined in section
120 forty-four hundred one of this chapter.

121 8. A physically impaired child eligible to commence a special
122 proceeding as provided by this section shall be defined as any child
123 determined by a school physician as ineligible for participation on the
124 basis of the regulations of the state education department, the American
125 Medical Association Guide for Medical Evaluation for Candidates for
126 School Sports, or by any standard established by the school district
127 involved.

128 9. An athletic program for the purpose of this section shall include
129 intramural activities, inter-school activities, extramural activities,
130 and organized practice as defined by section 135.1 by the commissioner
131 of education's regulations.
132
133



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Committee Assignment: Senate Liberty 3

Bill #:SL-17

Sponsors: Lauren Andersen, DeAnna Faison, Justin Iorio, Joseph Mazzarella

An Act To

Amend § 120.16 of the New York State Penal Law to make hazing in the first degree a class E felony.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

To increase the penalty for hazing in the first degree. Hazing is a problem that is on the rise. Current legislation does not define or punish offenders of this crime appropriately.

Summary of Provisions

Section 1: Definitions

Class E Felony: Ranges from no jail with probation or jail for up to 4 years.

Section 2:

§ 120.16 Hazing in the first degree.

A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, ~~making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury~~ causing serious bodily injury or risk of death to such other person or a third person and thereby causes ~~such injury~~.

Hazing in the first degree is a ~~class A misdemeanor~~ class E felony.

Justification

Hazing is far too common on college campuses and an under reported incident. 95% of cases did not report their hazing experiences to university officials. While not all hazing cases can be defined under this law, our efforts are intended to bring justice to the worst offenders of this crime. This is an issue more prevalent than the public eye realizes which is why attention must be brought to it.

Fiscal Implications

This bill will increase the sentence of this crime therefore costing the taxpayer more money per year by minimal amounts. On average it costs 62,000 dollars a year to house a prisoner in New York.

Environmental Implications

This bill does not include any direct environmental implications to the state.

Effective Date

This bill will go into effect on August 1, 2021.



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Committee Assignment: Senate Liberty 3

Bill #:SL-18

1 **Sponsors:** Tommy Mahunik and Andrew Patterson

2
3 **An Act To** Amend § 1399-cc of the Public Health Law to create a punishment for
4 anyone under twenty one years of age that are found with vaping products to have
5 a fine of fifty dollars for the first offense, one hundred dollars for the second
6 offense, and two hundred dollars for the third offense and this fine will double if not
7 paid after two months.

8
9 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

10
11 **Purpose** The purpose of this bill is to create a punishment for anyone who is under
12 twenty-one years of age possessing vaping products

13
14 **Summary of Provisions**

15 **Section 1**

16 Sale means to sell, exchange, give or dispose of to another, or to offer
17 or agree to do the same.

18 **Section 2**

19 § 1399-cc. Sale of tobacco products, herbal cigarettes, liquid
20 nicotine, shisha, rolling papers or smoking paraphernalia to minors
21 Prohibited as well as the possession of vaping products
22 7. No person operating a place of business wherein tobacco products,
23 herbal cigarettes, liquid nicotine, shisha or electronic cigarettes are
24 sold or offered for sale shall sell, permit to be sold, offer for sale
25 or display for sale any tobacco product, herbal cigarettes, liquid
26 nicotine, shisha or electronic cigarettes in any manner, unless such
27 products and cigarettes are stored for sale (a) behind a counter in an
28 area accessible only to the personnel of such business, or (b) in a
29 locked container; provided, however, such restriction shall not apply to
30 tobacco businesses, as defined in subdivision eight of section thirteen
31 hundred ninety-nine-aa of this article, and to places to which admission
32 is restricted to persons twenty-one years of age or older.

33 8. It is unlawful for any person not over twenty-one years of age to
34 possess vaping products such as pods, devices, and chargers, and any
35 person not over twenty-one years of age that is found in possession of
36 these such devices are subject to a penalty of fifty dollars for the first
37 offense, one-hundred dollars for the second offense, and two hundred
38 dollars for the third offense, if the fine is not paid within two months, it
39 will then double.
40



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Bill #:SL-18

Justification Vaping has become a very common problem among teens and young adults. People are beginning to fall ill and even die from this addicting habit. Most of the vaping related problems are affecting people who are under twenty-one years of age because they are not able to comprehend what effects using these devices might have. By creating a fine for people who are under twenty-one years of age possessing vaping products, this will deter them from getting and using these devices.

Fiscal Implications This bill is intended to be revenue positive, but around three hundred and fifty million dollars per year for New York State Troopers and one million four hundred and three thousand two hundred and twenty-seven dollars per year for judges currently

Environmental Implications It will lessen the amount of heavy metals and residual nicotine that gets into the environment and it will reduce the amount of plastic that is left from litter.

Effective Date Six months after passage



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Committee Assignment: Senate Liberty 3

Bill #:SL-19

Sponsors: Zarib Alam and Gabriel Hoglund

An Act To Amend NYS Labor Law §240(1) to include comparative negligence in the liability of gravity-related (falling) work injuries.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose By Labor Law §240(1), otherwise known as the Scaffold Law, a contractor/employer is fully liable for the injury of their workers in gravity-related accidents despite the worker's own negligence in the accident. By amending this law to include comparative negligence, the fault of both the worker and the contractor/employer shall be considered, resulting in fairer accountability.

Summary of Provisions

Section 1

Gravity-related injury: the injury of an individual resulting from the falling of construction materials or the individual falling due to the improper use or function of construction equipment.

Absolute liability: full liability of a contractor, owner, or agent in the gravity-related injury of their workers, regardless of the injured worker's negligence.

Comparative negligence: consideration of fault for both the worker involved in a gravity-related accident and the contractor, owner, or agent overseeing such worker.

Section 2

Labor Law §240

1. All contractors and owners and their agents, except owners of one and two-family dwellings who contract for but do not direct or control the work, in the erection, demolition, repairing, altering, painting, cleaning or pointing of a building or structure shall furnish or erect, or cause to be furnished or erected for the performance of such labor, scaffolding, hoists, stays, ladders, slings, hangers, blocks, pulleys, braces, irons, ropes, and other devices which shall be so constructed, placed and operated as to give proper protection to a person so employed. In gravity-related worker injuries, the fault of the worker is to be considered along with the fault of the worker's contractor or owner as comparative negligence.

Justification

As the result of Labor Law §240, known as the Scaffold Law, New York has become one of the worst places for construction in the country. Insurance rates on construction have skyrocketed, with project costs increasing by the millions and much of it being paid for by the taxpayer. The law has become obsolete. It was introduced in 1885, when effective equipment and worker's protection agencies did



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Committee Assignment: Senate Liberty 3

Bill #:SL-19

not yet exist. Now, it simply serves as an unjust obstacle for the construction industry. Employers that take the necessary measures to protect their workers are held fully liable for their workers' negligence in gravity-related injuries. The impact of this law is felt everywhere. The Building Trade Employers Association named it a significant obstacle to minority and women contractors. A study by Cornell University found that New York had an average of 667 more construction accidents per year because of the rule. Moreover, New York is the only state to possess such a law. To remedy this clearly problematic statute, a new standard of comparative negligence must be adopted. This will allow the contractor and employee to be equal under the law. In doing so, construction in New York will become more inexpensive and appealing.

Fiscal Implications

Labor Law §240 makes the New York construction insurance rate one of the highest in the country. The economic consequences are expected to only become worse. For example, the law is estimated to add an additional \$200 million to the construction of the Gov. Mario M. Cuomo Bridge and an additional \$300 million to the new cross-Hudson train tunnel project. Repealing it is expected to save the state approximately \$785 million dollars annually and save the New York construction industry an estimated \$3 billion dollars annually. By lowering the cost of developing bridges, homes, schools, and places of work, construction in New York will become more appealing. This will allow our business, employment, and economy to prosper.

Environmental Implications

By making construction less expensive, more resources can be dedicated to building with sustainable materials and methods. Additionally, Habitat for Humanity and other disaster relief organizations named Labor Law §240 a barrier to disaster relief following Superstorm Sandy. By amending the law, disaster relief and reconstruction can occur at a faster rate.

Effective Date

This bill shall go into effect one year after passage.



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Committee Assignment: Senate Liberty 3

Bill #:SL-20

Sponsors: Paola Magana, Elma Mrkulic, Tamar Brumberg, Hannah O'rourke

An Act To Amend §400.00 of New York State Consolidated Penal Law to ban the distribution of firearms in businesses other than gun stores.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose The purpose of this bill is to ban the sale of firearms in family-oriented sport stores.

Summary of Provisions

Section 1 Definitions:

Gun Store: any store that makes the majority of their profits from the sale of firearms and ammunition.

Section 2

2. Types of licenses. A license for gunsmith or dealer in firearms shall be issued to engage in such business. A license for a pistol or revolver, other than an assault weapon or a disguised gun, shall be issued to (a) have and possess in his dwelling by a householder; (b) have and possess in his place of business by a merchant or storekeeper; (c) have and carry concealed while so employed by a messenger employed by a banking institution or express company; (d) have and carry concealed by a justice of the supreme court in the first or second judicial departments, or by a judge of the New York city civil court or the New York city criminal court; (e) have and carry concealed while so employed by a regular employee of an institution of the state, or of any county, city, town or village, under control of a commissioner of correction of the city or any warden, superintendent or head keeper of any state prison, penitentiary, workhouse, county jail or other institution for the detention of persons convicted or accused of crime or held as witnesses in criminal cases, provided that application is made therefor by such commissioner, warden, superintendent or head keeper; (f) have and carry concealed, without regard to employment or place of possession, by any person when proper cause exists for the issuance thereof; and (g) have, possess, collect and carry antique pistols which are defined as follows: (i) any single shot, muzzle loading pistol with a matchlock, flintlock, percussion cap, or similar type of ignition system manufactured in or before 1898, which is not designed for using rimfire or



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conventional centerfire fixed ammunition; and (ii) any replica of any pistol described in clause (i) hereof if such replica--

(1) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

(2) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

2-b. No license shall be provided to businesses that are not classified as "Gun Stores"

(1) Current businesses would have to reapply for a license within a year and demonstrate proof that more than half their profits come from the sale of firearms and/or ammunition

(2) New businesses wishing to apply and meet the previous criteria will be granted a license for a year and then must reapply and demonstrate proof that more than half their profits came from the sale of firearms and/or ammunition.

Justification A step towards the regulation of firearms in society is a step towards ensuring the safety of the people of New York. The need to remove firearms from businesses other than gun stores keeps children from being in any environment containing firearms. Areas in which guns are more common face more gun-related tragedies. By making firearms less accessible, we keep them out of the public eye and solely in gun stores for hunters and other people who prefer to purchase firearms.

Fiscal Implications Removing the sale of firearms could potentially lead to a loss in revenue for sport stores. However, due to the recent rise of gun control support, stores that have minimized their sale of firearms have experienced an increase in profits.

Environmental Implications For upstate towns where hunting is more common, wildlife may increase because the sale of firearms would be less accessible. However, hunters would still be able to buy their firearms at stores that sell solely firearms.

Effective Date This bill will go into effect 2 years after passage.



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Committee Assignment: Senate Liberty 3

Bill #:SL-23

1 **Sponsors:** Olivia Raineri, Sara Kellenberger, Esther Fajardo

2 **An Act to**

3 To amend § 4403 of The New York Education Law to give college students an equal
4 education by giving each college student with a disability there accommodations.

5
6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

7
8 **Purpose**

9 To provide an equal education for all ages no matter their age or educational
10 disability

11
12 **Summary of Provisions**

13 **Section 1: Definition**

14 **IEP:** individualize education plan for a student who receives educational
15 accommodations consisting of extended time enlarge font

16 **Learning disabilities:** a person unable to demonstrate the skill level expected from
17 someone of a similar age, who has an average or above average IQ

18 **Section 2**

19 1. To maintain a statistical summary of the number of handicapped ~~children,~~
20 students who reside within the state and the nature of their handicaps and to use
21 all means and measures necessary to adequately meet the physical and educational
22 needs of such students, as provided by law.

23 2. To stimulate all private and public efforts designed to relieve, care for or
24 educate ~~children~~ students with handicapping conditions and to coordinate such
25 efforts with the work and function of governmental agencies.

26 4. To periodically inspect, report on the adequacy of and make recommendations
27 concerning instructional programs or special services for all ~~children~~ students with
28 handicapping conditions who reside in or attend any state operated or state
29 financed social service facilities, youth facilities, health facilities, mental health,
30 mental retardation and developmental disabilities facilities or state correctional
31 facilities.

32 5. To require such financial information as may be necessary from and to audit
33 any public or non-public school, and college receiving any public moneys pursuant
34 to any provision of the education law as the commissioner deems appropriate.

35 10. A The commissioner shall determine whether a ~~child,~~ individuals whose report
36 is submitted to the department pursuant to clause (b) or (d) of subparagraph five
37 of paragraph b of subdivision one of section forty-four hundred two of this article or
38 subdivision thirteen of section three hundred ninety-eight of the social services law,
39 will likely need adult services and, if such need will likely exist, develop a
40 recommendation of all appropriate adult programs operated or approved by the
41 department which may be available. If necessary and appropriate, the



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commissioner may conduct an evaluation of the child to determine if adult services will be needed. Such recommendation of all programs shall be made available to the parent or guardian of such child as soon as practicable but no later than six months before such child attains the age of twenty-one.

~~c. Notwithstanding paragraphs and b of this subdivision, the commissioner may determine that the education department is not responsible for determining and recommending adult services for such child. When such a determination is made it shall be made as soon as practicable after receiving the report and the commissioner shall promptly notify in writing the committee on special education, multidisciplinary team or social services official who sent the report that such determination has been made. Such notice shall state the reasons for the determination and may recommend a state agency which may be responsible for determining and recommending adult services.~~

~~d. Nothing in this subdivision shall be construed to create an entitlement to adult services.~~

~~e. A designee of the commissioner may carry out the functions of the commissioner described in this subdivision. The student's assessment for adult services shall be done at an IEP meeting at the end of 12th grade or before graduation from high school.~~

Justification

everyone deserves the right to a fair education. By denying anyone there accommodations you are discriminating against them and their right to an equal education because there disability's. This is a violation of their civil right. Since that cannot control there disability. People with a learning disability have an average intellectual ability. A learning disability is like any other disability and to should be treated as such.

Fiscal Implications

None

Effective Date

This bill will go in to effect one year after passage



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Committee Assignment: Senate Liberty 4

Bill #:SL-24

Sponsors: Allison Hunt, Taylor Fryer, César Perez-Marino, José Perez-Marino

An Act To:

An act to amend §40.07 of Title P:New York State Cultural education trust to add onto the existing section an incentive for schools to hold culture fairs.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose:

The purpose of this bill is to institute an incentive for schools to host a culture fair to promote cultural acceptance and diversity within schools and communities.

Summary of Provisions:

Section 1

Culture fair- An event where students, preferably at the secondary education level, host a table portraying their background's culture.

Incentive- A collective that a school may be provided with in order to instigate the implementation of a culture fair.

Trust- A trust is a fiduciary arrangement that allows a third party, or trustee, to hold assets on behalf of a beneficiary or beneficiaries.

Section 2

The purpose of the trust shall be to prepare and recommend plans, in cooperation with the commissioner of education, to the director of the budget regarding projects to enhance the ~~public display of the collections and exhibits of the state museum, library and archives, and for the acquisition of a new storage facility for such collections.~~ knowledge of different cultures through the creation of an incentive for schools to encourage the hosting of a culture fair.

Justification:

Even in times such as 2019 which are supposed to encompass acceptance of all kinds of individuals, there is still some discrimination of individuals in various facilities all throughout schools. Society has made strides in the right direction, yet some still feel they are not recognized for who they are. With students having the ability to show their culture to their classmates, and explain to them who they are, the more people will feel comfortable with who they are. Studies also show that with a better understanding of culture at a younger age, people will remain more



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Committee Assignment: Senate Liberty 4

Bill #:SL-24

open minded in the future, improving lives in the workplace and helping deal with discrimination.

In more recent times people are supposed to be more accepting of each other, and yet there is still discrimination in schools everywhere. Society has evolved with time but not all problems have been solved. If students are allowed to show classmates their cultures, and show others who they are, the more comfortable they will feel about themselves. Studies also show that if one understands culture better from a younger age, people would be more open-minded, improving life by dealing with discrimination.

Fiscal Implications:

A minimal portion of the existing New York State Cultural Education Trust will be used for the incentive.

Environmental Implications:

There are no environmental implications that are in accord with this bill.

Effective Date:

This bill will go into effect at the commencement of the 2021-2022 school year.



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Committee Assignment: Senate Liberty 4

Bill #:SL-28

Sponsors: Abigail Gomez, Alana Muriel, Madison Witt

An Act To:

Amend 8 CRR-NY 100.5 to require all those who intend on graduating high school in New York to become CPR/AED certified.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose:

To make CPR training a mandatory graduate requirement unless opted out through parental/guardian consent coupled with guidance counselor approval.

Summary of Provisions:

Section 1: Definitions

CPR(Cardiopulmonary resuscitation): an emergency procedure that combines chest compressions with artificial ventilation in order to sustain brain function.

AED(Automated external defibrillator): a crisis device that can assess heart rhythm and, if needed, has the ability to restore heart rhythm through electrical shock.

Section 2:

Students first entering grade nine in the 2008-2009 school year and thereafter shall have earned at least 22 units of credit including two credits in physical education and undergo CPR/AED certification that will be provided during the students' retrieval of their health credit to receive a Regents diploma.

Justification:

Each year nationwide, more than 350,000 people suffer a cardiac arrest outside of a hospital; only about 10 percent survive. With this in mind, mandating CPR training for all students in order to graduate, there can be a lower mortality rate for people who go into cardiac arrest or stroke in public. Currently, 39 states require CPR/AED certification as a graduation requirement. If we can educate high school students on the importance and training in CPR, then we can potentially save a life.

Fiscal Implications:

The average cost of a \$35 online CPR/AED certification or a \$45 in-person CPR/AED certification will be paid by the student unless they get opted out by a parent and guidance counselor. The money to pay for these classes will come from students and their families. Under the circumstances of the school approving a grant to diverse money to the CPR/AED certification for students will the school pay for the classes.

Effective Date:

This bill will be effective on the entering class of freshmen one year after passage.



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Committee Assignment: Senate Liberty 4

Bill #:SL-31

1 **Sponsors:** Aidan B. Wisniewski – Campo, Ricardo D. Sobrevinas, Joshua Rabin

2
3 **An Act** to amend the New York State Criminal Procedure Law §530.45–1 to
4 impose certain modifications for a securing order

5
6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

7
8 **Purpose :** Assure that defendants convicted of Class A, B, C, D and E felonies
9 committed against those under the age of 18 are subjected to a securing order and
10 immediate fixed bail post-conviction and before sentencing.

11
12 **Summary of Provisions**

13 **Section 1:** Definitions

14 Securing Order: An order of a court committing a defendant to the custody of the
15 Sheriff or fixing bail, where authorized, or releasing the defendant on his/her own
16 recognizance or releasing the defendant under non-monetary conditions to assure
17 the defendants return to court.

18 Fixed bail: A court fixes bail when, having acquired jurisdiction over a defendant of
19 a principal, it designates a sum of money and stipulates that, if bail in such amount
20 is posted on behalf of the defendant and approved, it will permit him/her to be at
21 liberty during the pendency of the criminal action or proceeding involved.

22 Order of recognizance or bail: A securing order releasing a principal on his own
23 recognizance or fixing bail

24 **Section 2:**

25 1. When the defendant is at liberty in the course of a criminal action as a result of a
26 prior order of recognizance, release under non-monetary conditions or bail and the
27 court revokes such order and then, where authorized, fixes no bail or fixes bail
28 in a greater amount or in a more burdensome form than was previously fixed
29 and remands or commits defendant to the custody of the Sheriff, or issues a
30 more restrictive securing order, a judge designated in subdivision two of this
31 section shall set fixed bail against defendants eighteen years or older convicted of
32 any class felony committed or attempted to have been committed against a person
33 less than eighteen years of age upon conviction and before sentencing. ~~upon~~
34 ~~application of the defendant following conviction of an offense other than a~~
35 ~~class A felony or a class B or class C felony offense as defined in article one~~
36 ~~hundred thirty of the penal law committed or attempted to be committed by~~
37 ~~a person eighteen years of age or older against a person less than eighteen years~~
38 ~~of age, and before sentencing, may issue a securing order and release the~~
39 ~~defendant on the defendant's own recognizance, release the defendant under~~
40 ~~non-monetary conditions, or, where authorized, fix bail or fix bail in a lesser~~



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Committee Assignment: Senate Liberty 4

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~~amount or in a less burdensome form, or issue a less restrictive securing order,
than fixed by the court in which the conviction was entered.~~

Justification

Under the existing provision of the "Bail Reform Bill of 2019" potential criminals that commit egregious offenses are readily released on recognizance. This amendment ascertains that criminals who commit offenses to minors (under 18 years of age) are held accountable for inflicting harm and unjustified acts on adolescents. The extent to which New York, and the rest of developing system has sought to alleviate the misfortunes regarding the judicial system has been well intentioned. Seeking to lower burdens on low income offenders is noble by appearance. Though, by enabling perpetrators to escalate further crime on innocent children we open the prospect for further crimes to be committed with the passage to potential freedom. Criminal Justice reform begins with fundamentally reducing incarceration. Inevitably, by allowing criminals that commit crimes on minors we jeopardize public safety and infringe the vow to keep our communities and youth secured. As a result of the growing unrest of crimes committed by children, we should be fostering initiatives that assure the preservation of our youth.

Environmental Implications

There are no environmental implications from the passage of this bill.

Fiscal Implications

Cost per prisoner in the state of New York amounts to \$65,355

Effective Date This act shall take effect immediately.