



memo

TO: Government Affairs Council
FROM: Ken Pokalsky, Vice President
SUBJECT: 2019 End of Session Summary
DATE: June 25, 2019

Below is provided a summary of the final status key bills that we were focusing on during the 2019 legislative session. Where applicable, it also provides a link to The Business Council's memo in support or opposition. Please feel free to contact me or other members of our Government Affairs team for questions or comments on these or other 2019 legislative issues.

ADMINISTRATIVE PROCEDURES / RULEMAKING

Passed Both Houses

S.5815-C (Kaplan) / A.7540-B (McDonald)

Provides small businesses with the opportunity to cure an initial violation of a regulation in limited circumstances.

The Business Council Supported

S.5812 (Kaplan) / A.842 (Simotas)

Requires agencies proposing regulations that affect small businesses or local governments to assess the minimum time such entities will need to come into compliance with any new regulatory requirements.

The Business Council Supported

BUSINESS CORPORATIONS

Passed Both Houses

S.4088 (Kavanagh) / A.434 (Paulin)

Amends the Business Corporation law to allow boards of directors to elect to allow shareholders to attend meetings via remote communication and to be deemed present for voting purposes.

The Business Council Opposed

S.4278 (Krueger) / A.6330 (Seawright)

Requires the Departments of State and Taxation and Finance to conduct a study of the number of women directors that serve on the boards of every corporation authorized to do business in New York State, requires corporate filing to include information on woman board members; requires first report by 2/1/22 with updates every four years.

The Business Council Took No Position

Not Approved

S.3842-B (Stavisky) / A.2919-A (People-Stokes)

Authorizes non-CPAs to be minority owners of CPA firms, consistent with 49 other states and jurisdictions.

[The Business Council Supported](#)

S.6352 (Kaplan) / A.7595 (Weinstein)

Provides that a foreign corporation's application for authority to do business in this state constitutes consent to jurisdiction of the courts of this state and a surrender of such application constitutes withdrawal

of such consent.

[The Business Council Opposed](#)

S.3894 (Ranzenhofer) / A.2362 (Dinowitz)

Modernizes the Business Corporation Law to permit participation in shareholder meetings by remote communication technology, including the ability to hold virtual shareholder meetings (modeled on Delaware statute).

The Business Council Supported

CONTRACT PROCUREMENT

Passed Both Houses

S.6048 (Breslin) / A.5459 (Bronson)

Requires a cost/benefit study before approval of a state personal service contracts valued at more than \$750,000

[The Business Council Opposed](#)

S.1826-C (Kennedy) / A.567-C (Rosenthal)

Would penalize a business for moving a discrete portion of its operations overseas or out of state by restricting their access to state contracts and loans; and requires repayment of recent state economic development assistance. Also requires that all state contracts for call center and customer service work be performed entirely within New York State.

[The Business Council Opposed](#)

S.4888 (Parker) / A.2166 (Bichotte)

Requires that information on final contracts be published in the procurement opportunities newsletter, including the identity of the contract, the date of contract award, and the name and contact information for each recipient of the contract.

The Business Council Took No Position

CONSTRUCTION

Passed Both Houses

S.6575 (Sanders) / A.8414 (Bichotte)

Extends (through December 31, 2024) and modifies the minority and women-owned business enterprise program set forth in Executive Law Article 15-A

[The Business Council Opposed](#)

S.6293-A (Comrie) / A.7636-B (Braunstein)

Authorizes in the city of New York, for certain public works undertaken pursuant to project labor agreements, use of the alternative delivery method known as design-build contracts

The Business Council Opposed

S.5679-A (Savino) / A.2101-A (Woerner)

Requires contractors on public work contracts to provide additional information to the state and employees regarding the payment of supplemental benefits

The Business Council Opposed

S.6048 (Breslin) / A.5459 (Bronson)

Requires a cost/benefit study before approval of a state personal service contracts valued at more than \$750,000

[The Business Council Opposed](#)

S.1456 (Sanders) / A.4452 (Buchwald)

Prohibits the storage, use, or purchase of the explosive Tannerite or similar products sold under a different name without the proper license or other authorization to do so under the provisions of law
The Business Council Took No Position

S.2394 (Breslin) / A.3552 (Cusick)

Defines "substantial completion" for the purposes of requisition payments to contractors, subcontractors, and materials suppliers on construction contracts.

[The Business Council Supports](#)

Not Approved

S.6141 (Sanders) / A.7814 (Bichotte)

MWBE, Reauthorizes the minority and women-owned business enterprise program, creates the minority and women-owned business enterprise fund, and establishes the workforce diversity program

[The Business Council Opposed](#)

S.1947 (Ramos) / A.1261 (Bronson)

Imposes prevailing wage and other public works' mandates on private sector projects receiving any level of state or local economic development assistance.

[The Business Council Opposed](#)

S.3314-A (Sanders) / A.4508-A (Crespo)

Enacts Carlos' law; increases criminal penalties for corporate convictions related to the death or injury of a worker

[The Business Council Opposed](#)

S.3033 (Sanders)

Relates to the New York state infrastructure trust fund, establishes a blue ribbon commission to study the minority and women-owned business enterprise program, and establishes a mentor-protege training program (Compromise renewal)

The Business Council Took No Position

S.326 (Akshar) / A.3737 (McDonald)

Addresses the so-called "scaffold law," adopts contributory negligence standard in cases involving building construction, demolition and repair work; Scaffold law repeal

The Business Council Supported

CONSUMER AFFAIRS

Passed Both Houses

S.3704 (Kavanagh) / A.2653-A (Dinowitz)

Modifies the general obligations law, to increase the applicability threshold of the plain language law to consumer contracts involving amounts of \$250,000 or less, up from current law threshold of \$100,000

The Business Council Took No Position

S.3829 (Metzger) / A.1460 (Woerner)

Requires that "retail food products" labeled as "local" meet certain standards, and is grown, raised, or harvested in New York.

The Business Council Took No Position

S.4019-A (Thomas) / A.2078-A (Gunther)

Prohibits early termination fees on motor vehicle lease contracts if a customer has deceased before the end of such contract telephone, consistent with existing state law regarding cellular telephone, television,

internet, energy, and water service contracts.
The Business Council Took No Position

Not Approved

S.2407-C (Comrie) / A.679-C (Niou)
Expanded the General Business Law to prohibit, and allow for a private right of action and class action suits, for transactions deemed “unfair” and/or “abusive.”
[The Business Council Opposed](#)

ECONOMIC DEVELOPMENT

Not Approved

S.1947 (Ramos) / A.1261 (Bronson)
Would have imposed prevailing wage and other public works mandates on private sector projects receiving any level of state or local economic development assistance.
[The Business Council Opposed](#)

EDUCATION / WORKFORCE DEVELOPMENT

Passed Both Houses

S.6615 (Krueger) / A.8433 (Weinstein)
Budget Article VIII, Part K – Authorizes the New York State Higher Education Capital Matching Grant board to award matching capital grants totaling three hundred million dollars, \$300,000,000 to eligible institutions of higher education.
The Business Council Took No Position

Not Approved

A.1056 (Bronson)
Would establish a wage data clearinghouse to analyze labor market data and seek to identify gaps in workforce development training to meet employer needs.
[The Business Council Supported](#)

S.839 (Montgomery) / A.165 (Cahill)
Would enact the “New York State YouthBuild Act.”
[The Business Council Supported](#)

S.5562-A (Stavisky) / A.8119-A (Hyndman)
Would force proprietary colleges to pay a fee into a tuition reimbursement account and prepares for the closure of proprietary colleges.
[The Business Council Opposed](#)

S.5581-A (Stavisky) / A.8170 (Hyndman)
An act to amend the education law, in relation to enacting the "Non-Degree Proprietary School Supervision and Student Protection Act"
[The Business Council Opposed](#)

S.5598-A (Thomas)
Would subject proprietary colleges to civil actions for poorly defined “unfair” practices.
[The Business Council Opposed](#)

S.5811-A (Kaplan) / A.8393 (Lavine)

Would allow temporary childcare employment agencies to access the Statewide Central Register for Child Abuse and Maltreatment in order to approve temporary staff to be eligible for employment at childcare facilities in New York.

[The Business Council Supported](#)

ENERGY

Passed Both Houses

S.4399 (Savino) / A.1966 (Dinowitz)

Creates the state office of the utility consumer advocate to represent interests of residential utility customers.

[The Business Council Opposed](#)

S.6567 (Harckham) / A.7569-B (Galef)

Requires the payment of prevailing wages at the Indian Point Nuclear Power Plant, during decommissioning. Additionally, requires the department of labor to oversee sale and the hiring of new employees at such power plant.

The Business Council Opposed

S.6265-A (Gianaris) / A.8083-A (Niou)

This bill would require utilities to pay the prevailing wage rate to a host of service workers who perform work under contract.

The Business Council Opposed <https://www.bcnys.org/memo/s6265-gianaris-a8083-niou>

S.3585 (Parker) / A.2122 (Pichardo)

Requires gas and electric utilities to make available to landlords or lessors, upon request of prospective tenants or lessees, information concerning gas and electric charges incurred for residential rental premises; provides that such information shall be furnished without any charge or fee.

The Business Council Opposed

S.23 (Parker) / A.4294 (Cusick)

Provides out of market subsidies to existing large-scale, renewable energy resources.

[The Business Council Opposed](#)

S.5430 (Comrie) / A.2363 (Dinowitz)

Provides that the Public Service Commission shall be no less than a majority of the total number of members of the commission in order to transact any business, perform any duty or exercise any power.

The Business Council Took No Position

S.5820 (Metzger) / A.4937 (Fahy)

Requires the New York state energy research and development authority to study and make recommendations regarding the state's electric vehicle inventory and improvements to the state's electric vehicle infrastructure.

The Business Council Took No Position

S.2356 (Parker) / A.5318 (Rozic)

Requires companies to allow victims of domestic violence to cancel contracts when there is a domestic violence incident report, a police report, an order of protection or a signed affidavit.

The Business Council Took No Position

S.5866 (Jackson) / A.7779 (Fahy)

Requires an annual report on appliance and equipment energy efficiency standards and resulting energy and utility bill savings.

The Business Council Took No Position

Not Approved

S.2126 (Krueger) / A.1536 (Ortiz)

Limits investments of public pension funds in fossil fuel companies.

[The Business Council Opposed](#)

S.3410-A (Harckham) / A.2282-B (Woerner)

Establishes the New York state clean energy tech production program as a self-directed program for industrial, commercial and large users in order to stimulate the growth and adoption of more efficient use of energy, greater use of advanced energy management products, deeper penetration of renewable energy resources, wider deployment of "distributed" energy resources, and storage.

[The Business Council Supported](#)

S.3286-A (Krueger) / A.7482 (Rozic)

Directs the NYSERDA and public and private operators of each nuclear-powered electric generating facility to establish a nuclear whistleblower access and assistance program; makes related provisions as to elements of the program and provides that employees of such plants shall not be subject to retaliation; requires the authority to investigate reported safety concerns; provides that whistleblowers shall have standing to litigate and may do so without exhaustion of administration remedies; authorizes the attorney general to bring actions to enforce the labor law provisions.

[The Business Council Opposed](#)

S.5122-A (Gaughran) / A.7786 (Stern)

This legislation which is intended to extinguish Long Island Power Authorities' right to receive fair assessments for utility property.

[The Business Council Opposed](#)

ENVIRONMENT

Passed Both Houses

S.6599 (Kaminsky) / A.8429 (Englebright)

Enacts the New York state climate leadership and community protection act; relates to climate change; renewable energy program; labor and job standards and worker protection.

The Business Council Opposed

S.2072 (Carlucci) / A.2064 (Englebright)

Establishes a constitutional right to the clean air and water and a healthful environment. (Given first passage, must pass again in 2020).

[The Business Council Opposed](#)

S.4389-B (Kaminsky) / A.6295-A (Englebright)

Establishes levels statutory limits for 1,4-dioxane contained in household cleansing products, cosmetic products and personal care products that contain.

[The Business Council Opposed](#)

S.2385 (Parker) / A.1564 (Peoples-Stokes)

Creates a permanent environmental justice advisory group; provides that the function of the group is to ensure that no group of people, including a racial, ethnic, or socioeconomic group, bears a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies; empowers that advisory group to adopt a model environmental justice policy applicable to state agencies.

The Business Council Took No Position

S.181 (Seranno) / A.1779 (Peoples-Stokes)

Identifies the criteria the commissioner of environmental conservation should consider in publishing a list of high local environmental impact zones; provides that high local environmental impact zones are areas most adversely affected by existing environmental hazards.

[The Business Council Supported](#)

S.3435-A (Addabbo) / A.2257-A (Barnwell)

Establishes a commission to be known as the "New York seawall study commission" which will study the feasibility, costs, impacts, and best locations for construction of a seawall or sea gate being created to protect the city of New York from sea level rise and storm surge along the entire coastline.

The Business Council Took No Position

S.2139-B (Sanders) / A.2501-A (Englebright)

Establishes requirements related to the reduction of mercury in mercury-added lamps.

The Business Council Took No Position

S.2270-A (May) / A.5029-A (Cusick)

Creates the "Finger Lakes community preservation act"; prohibits the siting of newly constructed incineration facilities in the Finger Lakes region. Signed, chapter 32.

The Business Council Took No Position

S.4351 (Kennedy) / A.6373 (Englebright)

Establishes a postconsumer paint collection program; requires producers of architectural paint sold at retail in the state or a representative organization to submit a plan to the commissioner of environmental conservation for the establishment of a postconsumer paint collection program; prohibits a producer or retailer from selling architectural paint in the state unless the producer or producer's representative organization is implementing an approved program plan.

The Business Council Took No Position

S.2682 (Mayer) / A.7456-A (Otis)

Establishes the flood mitigation and prevention task force to evaluate ways of protecting communities and residents of the state from flooding.

The Business Council Took No Position

Not Approved

S.5576 (Mayer) / A.3658 (Englebright)

Expands the Departments authority to cover wetlands greater than one acre.

[The Business Council Opposed](#)

S.2129-A (Kaminsky) / A.5028-A (Englebright)

Expands the bottle deposit law to cover new age beverages, juice drinks and sports drinks.

[The Business Council Opposed](#)

S.5612-A (Harckham) / A.8349 (Ryan)

Adds class C streams to the list of protected streams.

[The Business Council Opposed](#)

"ETHICS" / LOBBYING / ELECTIONS REFORMS

Not Approved

S.6278 (Breslin) / A.7836 (Jones), see also A.7505 (Galef)

Would re-adopt Election Law language providing that time off with pay to vote is only available if employees cannot vote outside of work hours; and criteria specifying that workers whose shifts begin four hours after polls open, or end four hours before polls close, are not entitled to time off with pay to vote.

[The Business Council Supported](#)

FINANCIAL SERVICES

Passed Both Houses

S.4182 (Salazar) / A.1800 (Magnarelli)

Requires mortgage holders of vacant and abandoned residential properties that are part of a homeowners association (HOA) or co-op to continue paying HOA or cooperative fees when a property has been abandoned during the foreclosure process.

[The Business Council Opposed](#)

Not Approved

S.2872-A (Hoylman) / A.2476-A (Dinowitz)

Mandates new disclosures by non-fiduciaries that provide investment advice

[The Business Council Opposed](#)

S.6216 (Bailey) / A.5623-A (Weinstein)

Creates a private right of action against any insurer based on claims that the insurer failed to effectuate a prompt and fair settlement

[The Business Council Opposed](#)

S.5126 (Sanders) / A.1167 (Rosenthal)

Eliminates unnecessary and outdated filing mandates related to anti-arson efforts

[The Business Council Supported](#)

S.4827-B (Thomas) / A.6909-B (Weinstein)

Consumer credit transactions halving of statute of limitations and other provisions

[The Business Council Opposed](#)

S.1835 (Gianaris) / A.1119 (Simotas)

Private Right of Action for Debt Collection

[The Business Council Opposed](#)

S.3923 (Hoylman)/A.5630 (Weinstein)

Reforms the statutory short form and other powers of attorney for purposes of financial and estate planning

The Business Council Opposed

HEALTH

Passed Both Houses

S.3171-A (Krueger) / A.264-B (Cahill)

S.6544-A (Krueger) / A.8404 (Cahill) [Chapter Amendment]

Creates protections from excessive hospital emergency room charges

[The Business Council Supported](#)

S.6531 (Breslin) / A.2836-A (Gottfried)

Subjects Pharmacy Benefit Managers (PBMs) to state registration, licensure, fiduciary duty to health plans and providers, a private right of action as well as a variety of intrusive disclosure requirements

[The Business Council Opposed](#)

S.2849-A (Breslin) / A.2969-A (Peoples-Stokes)

Disallows Mid-Year formulary changes for non-union health plans.

[The Business Council Opposed](#)

Not Approved

S.4463 (Breslin) / A.3043 (Joyner)

Amends the Insurance Law in relation to the purchase of prescription drugs by limited the ability of plans to use mail order services

[The Business Council Opposed](#)

S.6403 (Savino) / A.7478-A (Simotas)

Mandate group insurance coverage of in vitro fertilization (IVF) and other fertility treatments

[The Business Council Opposed](#)

S.1032 (Rivera) / A.2954 (Gunther)

Mandates All Acute Care Facilities and Nursing Homes to Meet Nursing Staffing Ratios

[The Business Council Opposed](#)

S.3577 (Rivera) / A.5248 (Gottfried)

Establishes government run health insurance

[The Business Council Opposed](#)

INFORMATION TECHNOLOGY, TELECOMMUNICATIONS & E-COMMERCE

Passed Both Houses

S.5575-B (Thomas) / A.5635-B (DenDekkar)

So-called "SHIELD Act" provides workable, baseline standards for both cyber breachsecurity features and notification practices for New York State businesses; and recognizes existing sector-specific security standards

[The Business Council Supported](#)

S.1826-C (Kennedy) / A.567-C (Rosenthal)

Would penalize a business for moving a discrete portion of its operations overseas or out of state by restricting their access to state contracts and loans; and requires repayment of recent state economic development assistance. Also requires that all state contracts for call center and customer service work be performed entirely within New York State.

[The Business Council Opposed](#)

S.4777 (Kaminsky) / A.2224 (Paulin)

Enacts the nuisance call act, heightened protections against unwanted telemarketing calls.

The Business Council Opposed

S. 1607 (Parker) / A.1503 (Vanel)

Requires a study of the implementation of 5G and next gen network technology in the state.

The Business Council Took No Position

S.3971-B (Savino) / A.1746-C (Vanel)

Creates a temporary state commission to study and investigate how to regulate artificial intelligence, robotics and automation

The Business Council Took No Position

Not Approved

S.4519-A (Skoufis) / A.1416-C (Santabarbara)

Relates to information cable television companies must provide to subscribers

[The Business Council Opposed](#)

S.6466 (Parker) / A.7372 (Paulin)

Relates to transfers of cable systems

[The Business Council Opposed](#)

S.2665 (Parker)

Prohibits the imposition of any charge or fee on the telephone bill of a consumer when such fee is imposed by a third party, without the consent of the consumer

[The Business Council Opposed](#)

S.3297-D (Hoylman) / A.675-D (Niou)

Robo-call and blocking technology act

The Business Council Opposed

S.4411 (Hoylman) / A.6351 (Gunther)

Allows consumers the right to request from businesses the categories of personal information a business has sold or disclosed to third parties

The Business Council Opposed

S.5642 (Thomas)

The "NY Privacy Act," would require companies to attain consent from consumers before they share and/or sell their information by acting as fiduciary entities.

The Business Council Opposed

S.518 (Carlucci) / A.2420 (Wallace)

Prohibits the disclosure of personally identifiable information by an internet service provider without the express written approval of the consumer

[The Business Council Opposed](#)

S.5398 (Savino)

Requires contractors performing work for a state agency with the use of a computer to track such computer usage

[The Business Council Opposed](#)

S.4029-B (Comrie) / A.5967-B (Paulin)

Relates to requiring certain notices to be provided to customers receiving telephone service through fiber optic-based telephone lines

[The Business Council Opposed](#)

S.3663 (Carlucci) / A.2432 (Fahy)

Relates to instituting internet service neutrality

[The Business Council Opposed](#)

S.5696 (Metzger) / A.6679-A (Ryan)

Relates to the public service commission reviewing broadband and fiber optic services within the state

[The Business Council Opposed](#)

S.1475 (Hoylman) / A.3173-A (Dinowitz)
Prohibits certain practices by businesses making an automatic renewal or continuous service offer to consumers in the state
The Business Council Opposed – Seeking Amendments

S.6538 (Savino) / A.8343 (Crespo)
Relates to dependent workers
[The Business Council Opposed](#)

LABOR & HUMAN RESOURCES

Passed Both Houses

S.6577 (Biaggi) / A.8421 (Simotas)
S.6594 (Biaggi) / A.8424 (Simotas) [Chapter Amendment]
Increases protections to all protected classes for employees who have been sexually harassed. Modifies and eliminates the “severe or pervasive” standard, restricts use of an affirmative defense, puts further restrictions on non-disclosure agreements and further prohibits clauses requiring arbitration
[The Business Council Opposed](#)

S.4573 (Kennedy) / A.6592 (Ryan)
Relates to decreasing the length of suspension period applicable to certain striking workers who seek to obtain unemployment benefits
[The Business Council Opposed](#)

S.2844 (Ramos) / A.486-B (Rosenthal)
Creates an employee lien to secure payment of wages for work already performed
[The Business Council Opposed](#)

S.6578 (Ramos) / A.8419 (Nolan)
Enacts the farm laborers fair labor practices act, granting collective bargaining rights, workers’ compensation and unemployment benefits to farm laborers
[The Business Council Opposed](#)

S.660 (Metzger) / A.584 (Jaffe)
Prohibits discrimination based on an individual’s or dependent’s reproductive health decision making
The Business Council Took No Position

S.5679-A (Savino) / A.2101-A (Woerner)
Requires employers on public work contracts to provide additional information to employees
The Business Council Opposed

S.6549 (Carlucci) / A. 5308-B (Crespo)
Prohibits employers from seeking salary history from applicants
[The Business Council Opposed](#)

S.579 (Ramos) / A.5501 (Crespo)
Prohibits discrimination or retaliation against immigrant employees
The Business Council Took No Position

S.4211 (Sepulveda) / A.5975 (Reyes)
Amends the definition of pregnancy-related conditions to include lactation
The Business Council Took No Position

S.6209-A (Bailey) / A.7797-A (Wright)
Prohibits race discrimination based on natural hair or hairstyles
The Business Council Took No Position

S.6469 (Ramos) / A.8035 (Fall)
Relates to the definition of employer for the purposes of unemployment insurance law. In joint employer situations, clarifies that the employer that pays the employee shall be considered the employer
The Business Council Took No Position

S.5248-B (Biaggi) / A.8093-B (McMahon)
Prohibits wage differentials based on protected class for “substantially similar” work
The Business Council Opposed

Not Approved

S.2884-D (Sanders) / A.2611-D (Dinowitz)
Prohibits the disclosure or use of consumer credit history in hiring, employment and licensing determinations
[The Business Council Opposed](#)

S.1402 (Carlucci) / A. 3972 (Aubry)
Requires employers to make a conditional offer of employment before inquiring about any criminal convictions of a prospective employee
[The Business Council Opposed](#)

S.3754 (Hoylman) / A.5777 (Dinowitz)
Would prohibit the use of mandatory arbitration clauses as a condition of employment
[The Business Council Opposed](#)

S.3821 (Savino) / A.5875 (Cusick)
Would expand eligibility for paid family leave benefits to persons engaged in a teaching capacity in a religious institution
[The Business Council Opposed](#)

S.4694 (Ramos) / A.6891 (Romeo)
Would expand paid family leave benefits for bereavement
[The Business Council Opposed](#)

S.1482 (Hoylman) / A.7169 (Glick)
Required pay reporting on state contracts to ensure equal pay
[The Business Council Opposed](#)

S.3427-A (Salazar) / A.7936-A (Arroyo)
Would prohibit state contracts with vendors that forbid employees from litigating discrimination or harassment claims
[The Business Council Opposed](#)

S.6538 (Savino) / A.8343 (Crespo)
Would create a study related to “dependent workers”
[The Business Council Opposed](#)

S.3665 (Gianaris) / A.324 (Rozic)
Would have required employers to negotiate flexible work arrangements with their employees
[The Business Council Opposed](#)

S.5790 (Ramos) / A.7193 (Dinowitz)
Would have prohibited non-compete agreements for certain employees
[The Business Council Opposed](#)

S.1527-B (Krueger) / A.1617-B (People-Stokes)
Bill to legalize adult use cannabis, would have put significant restrictions on an employer's ability to maintain a drug and alcohol free workplace
[The Business Council Opposed](#)

LEGAL REFORM

Passed Both Houses

S.6552 (Skoufis) / A.2373 (Dinowitz)
Amends the CPLR to allow a plaintiff to obtain an indirect recovery from a third-party-defendant when that plaintiff's judgment against an original defendant was not satisfied within thirty days of the judgment being served.
The Business Council Opposed

Not Approved

S.2407-C (Comrie) / A.679-C (Niou)
Expanded the General Business Law to prohibit, and allow for a private right of action and class action suits, for transactions deemed "unfair" and/or "abusive."
[The Business Council Opposes](#)

S.4006 (Hoylman) / A.5612 (Weinstein)
Amends the estates, powers and trusts law, to allow for the recovery of damages for emotional anguish related to wrongful deaths.
[The Business Council Opposes](#)

MANUFACTURING

Not Approved

S.5283 (May)
Establishes the "right to repair farm equipment act"
The Business Council Opposed

S.710 (Boyle)
Enacts the mobile device and computer fair repair act
The Business Council Opposed

S.6033 (Thomas) / A.6589 (DenDekkar)
Establishes the right to repair act
The Business Council Opposed

TAXATION / REVENUE / TAX CREDITS

Passed Both Houses

S.6615 (Krueger) / A.8433 (Weinstein), Part I
Adopts a 95% exemption for "global intangible low taxed income," or GILTI, under the state corporate franchise tax and state insurance tax, effective for tax years starting on or after 1/1/19.
[The Business Council Supported](#)

S.6615 (Krueger) / A.8433 (Weinstein), Part J

Increases from \$300,000 to \$500,000 the sales threshold for requiring out of state entities to register as a NYS sales tax vendor; applies same standard to marketplace provider applicability.

The Business Council Supported

S.5864-A (Jackson) / A.6683-B (Crespo)

Expands the film tax credit to include a credit for the hiring of women and minority television writers and directors by companies participating in New York's film tax credit program.

The Business Council Took No Position

Not Approved

S.6203 (Sanders), S.3315 (Myrie), A.7791 (Steck), and A.7086 (Dilan)

These separate bills each reinstates some or all of the state's stock transfer tax.

The Business Council Opposed

A.5961 (Schimminger)

Decoupling from Federal Cap on Business Interest Expense Deduction

[The Business Council Supported](#)

S.4671 (Kaplan) / A.636-A (Stirpe), see also S.1596 (O'Mara)

Adopts a zero percent rate under the personal income tax for income derived from a manufacturer organized as a pass-through entity.

[The Business Council Supported](#)

S.1659 (Skoufis) / A.7454 (Kim)

Imposes a tax penalty of 10% of baseline tax liability on tax on companies subject to federal Securities and Exchange Commission pay ratio reporting requirements where CEOs make more than 100 times the company's median pay, and a 25% tax penalties on companies with a ratio of 250% or more.

[The Business Council Opposed](#)

TOURISM & TRAVEL

Not Approved

S.6202-A (Savino) / A.7681-A (Fahy)

Would allow the sale of beer and wine at movie theatres

The Business Council Supports

S.4899-B (Skoufis) / A.6392-B (Lentol)

Creates a new regulatory program to govern short-term rentals and homesharing

The Business Council Took No Position

S.17-D (Addabbo) / A.6113-C (Pretlow)

Would create a regulatory program to authorize sports betting and mobile sports wagering

The Business Council Took No Position

TRANSPORTATION

Passed Both Houses

S.5294-A (Ramos) / A.7431-B (Rozic)

Authorizes three classes of electric assist bicycles and electric scooters to operate in New York State, subject to local regulation

[The Business Council Supported](#)

S.1693 (Skoufis) / A.4880 (Rozic)
Enacts a State Transportation Plan
The Business Council Supported

Not Approved

S.5049 (Comrie) / A.7685 (Magnarelli)
Enacts the statewide transportation authority reinvestment (STAR) act of 2019; exempts mass transit authorities from bond issuance charges.
[The Business Council Supported](#)

S.3185 (Kennedy) / A. 1903 (Kim)
Establishes the hyperloop and high speed rail commission
The Business Council Supported

S.5365-A (Comrie) / A.1380-A (Pheffer)
Relates to safety recalls on used motor vehicles
[The Business Council Opposed](#)

MISCELLANEOUS

Not Approved

S.5857-A (Savino) / A.8155-A (Morelle)
Establishes the right of publicity for Both Living and Deceased Individuals
[The Business Council Opposed](#)

S.5959-B (Savino) / A.5605-B (Weinstein)
Authorizes and regulates sports betting.
The Business Council Took No Position