



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for Week of February 12, 2024

JIM RANNEY February 16, 2024

| ISSUE: **NYS SENATE**



The following bills were approved in the NYS Senate. Senator Gallivan's vote is noted.

S8010 CHAPTER AMENDMENT - Relates to the sealing and expungement of records in persons in need of supervision cases in family court; carves out certain foster care and preventive service records maintained by social services departments. AYE

S8076 CHAPTER AMENDMENT - Requires the office of mental health to establish a training program for the diagnosis and treatment of post-traumatic stress disorder for military

veterans. This legislation amends the underlying chapter by directing the Office of Mental Health (OMH) to identify and link to existing relevant training programs on PTSD in veterans intended for use by mental health providers, including those developed by groups receiving funding through New York State agencies. AYE

S8045 CHAPTER AMENDMENT - Amendment includes technical changes to a chapter of the Laws of 2023 authorizing the Town of Lorraine in Jefferson County to designate certain town roads as low-volume roads and certain low-volume roads as minimum maintenance roads. AYE

S8052 CHAPTER AMENDMENT - Directs the department of environmental conservation to establish a Long Island deer management pilot program in the town of Southold. Amendments clarify and augment the requirements for nuisance wildlife specialists, refine permit requirements, and simplify the study to be conducted by DEC. AYE

S8058 CHAPTER AMENDMENT - Defines gender-affirming care for the purposes of certain prohibitions regarding the legal system and gender-affirming care. The chapter amendment makes several changes to the underlying chapter. It prohibits family courts from enforcing any law, not just laws of other states, that authorizes a child to be removed based on a parent or guardian procuring gender affirming care for a child, it prevents family courts from finding neglect or maltreatment, in addition to abuse, based the procurement of gender-affirming care, and it incorporates by reference a definition of "gender affirming care," which was added to the education law in the underlying chapter, throughout the relevant statutes. NAY

S5830 Prohibits the placement in segregated confinement of any person in the first eight weeks of the post-partum recovery period regardless of pregnancy outcome. NAY

S1081 Requires that municipal housing authorities report budget and capital information on state funded activities annually to the Authorities Budget Office. AYE

S3546 Amends state urban development corporation act to allow for loans, loan guarantees, interest subsidies and grants to be given to various entities in order to expand or build grocery stores and supermarkets in underserved areas. Defines qualifying entities for benefits and underserved areas. AYE

S532 This bill provides that when the human rights commissioner finds a violation of fair housing provisions the commissioner shall issue an order that: 1) awards compensatory damages to the person aggrieved by such violation; 2) assesses a civil penalty of: a) up to \$25K, if its first violation determined to have been committed; b) up to \$50K, if one other violation is determined to have been committed in prior 5 years; c) up to \$75K, if two or more violations are determined to have been committed in prior 7 years; 3) requires respondent to cease and desist from the unlawful discriminatory practices; 4) awards punitive damages to person aggrieved by violation; 5) other relief that commission deems just and equitable. NAY (The intent of this bill is laudable, however, given that penalties set forth could be retroactively applied, is concerning.)

S2449 Prohibits an employer, licensing agency or employment agency from requesting or requiring that a prospective employee disclose his or her age, date of birth or date of graduation from an educational institution on an initial employment application or during an interview, except in the case of a bona fide occupational qualification or need. AYE

S7515 This bill would enact "the climate change property tax assessment relief act". This bill would give municipalities the option of providing assessment relief to property tax payers after extreme weather events at local option. AYE

S1812A Requires the department of environmental conservation to conduct a study on the feasibility of constructing a seawall along the coastline of the city of New York and report on such study to the legislature by December 31, 2027. AYE

S3335A Establishes the office of flooding prevention and mitigation to manage and coordinate the work of task forces, commissions, and other bodies and programs tasked with examining issues related to flooding, to review and assess best practices and make recommendations regarding flood prevention and mitigation, and to assist municipalities in developing strategies and policies to combat flooding. AYE

S8110 Reconvenes the New York state sea level rise task force to review the report and recommendations previously issued by the task force, and to determine the progress made in effectuating such recommendations and what recommendations require additional efforts; develop an updated evaluation of ways of protecting New York's remaining coastal ecosystems and natural habitats, and increasing coastal community resilience in the face of sea level rise, applying the best available science as to sea level rise and its anticipated impacts; and updating previous recommendations and, if appropriate, making new recommendations on sea level rise resiliency. AYE

S8170 Requires the department of environmental conservation, after consultation with the environmental facilities corporation and the department of state, to submit an annual agency stormwater expenditure report containing a comprehensive estimate and summary of funds needed and funds spent on stormwater projects under the department of environmental conservation, the environmental facilities corporation, the department of state and other applicable agencies or state authorities. AYE

S8171 Requires that the owner or operator applying for a Stormwater Permit for Construction Activity shall provide notice of the permit application and project details to the

counties where waters would be affected. The counties must then publish that notice on their websites. AYE

S8167 Directs the department of financial services to conduct a study examining the increasing costs of insurance premiums, the lack of availability of insurance coverage for losses from flooding, and the possibility of supporting a private flood insurance market in the state. AYE

S8320A This bill seeks to increase the number of properties eligible for the coastal market assistance program by providing eligibility to properties within one mile of the shore. Its intent is to help protect homeowners who face damages as a result of flooding and this bill seeks to ensure homeowners have access to insurance in communities that may be impacted by such natural events. The bill expands the definition of shore to apply to areas of shoreline in upstate. AYE

S449 Ensure one's pre-arraignment detention does not exceed 24 hours without individualized explanations for why such a delay in release was unavoidable and actually necessary. It also requires cities with a population of over 1 million to establish and maintain a detained persons registry for authorized users. NAY (This bill would allow an individual to be detained for more than 24 hours, however, it would put the burden on the prosecution to prove such delay was actually necessary.)

S5620A Adds Doodletown Brook to the definition of inland waterways eligible for the local waterfront revitalization program. AYE