



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for the Week of April 1, 2025

JIM RANNEY April 4, 2025

| ISSUE: **NYS SENATE**



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

S2556 Ensures that when land is disposed of by public authorities, certain safeguards are in place, including disclosure of ownership information, ensuring that disposals with that contain rights of first refusal make certain that the land is transferred at or above fair market value, that when land is transferred for less than fair market value, it is in the public interest to do so and the legislature retains oversight. AYE

S349 Relates to expanding the definition of agency; includes entities created by an agency or that are governed by a board of directors or similar body a majority of which is designated by one or more state or local government officials in the definition of agency under the public officers law. AYE

S1787 Provides that the "Suicide Awareness and Remembrance Flag" shall be the official state flag for the raising of awareness of veteran suicide; directs the commissioner of general services to establish a protocol for the flying of such flag. AYE

S1855 Requires that the State Board for Professional Medical Conduct to adopt a zero-tolerance policy for sexual misconduct and the office of professional medical conduct must publish the policy and make available on its website. The policy must include a statement that a patient cannot consent to any sexual conduct or activity with such patients treating physician. AYE

S688A Amends the real property tax exemption for surviving spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty to permit continuation of such exemption for volunteer members with service between two and five years. AYE

S2590 Requires nonpublic schools provide and maintain on-site automatic external defibrillator (AED) equipment on school grounds and assure that AED equipment is available for off-site curricular events, extracurricular events or school-sponsored athletic events. AYE

S190 This bill would add a new section 7-a to the volunteer firefighters benefit law, to provide for the payment of certain volunteer firefighter death benefits within 90 days of the filing of application to receive such death benefit by the person or persons entitled to such benefit. AYE

S947 Prohibits residential landlords from charging tenants with fees for the payment of rent through an automated clearing house or online payment system. AYE

S7070 Provides for emergency appropriation through April 3, 2025 for the support of government. AYE

S228A Requires manufactured home park owners to provide a written justification for rent increases in excess of three percent of the current rent; provides that increases in costs to justify such rent increase for ordinary maintenance or repair to meet the warranty of habitability obligations must be shown to be necessary. NAY (Difference in bill from 2021 requires owner to justify rate increase above 3% and to demonstrate that the rent increase was no more than necessary to cover the actual and reasonable cost of the work performed.)

S2589 Clarifies valid reasons to obtain an absentee ballot for elections in school districts which do not utilize poll registration. NOTE - Intent is to update school election law as it relates to absentee ballots. The sponsor indicates this is necessary to conform with the current practice within election law as it relates to absentee Ballots. NAY (Solves non-existent problem.)

S3579A Extends the provisions relating to the New York state thoroughbred breeding and development fund until seventeen years after the commencement of the operation of a video lottery terminal facility at Aqueduct racetrack. AYE

S4322 Amends the Civil Rights law to establish a private cause of action for unconsented removal or tampering with a sexually protective device under certain conditions including the other person intentionally and without consent removed or tampered with such device during intercourse to render it ineffective; knew such device was tampered with or misled the person into believing such device was being used. AYE

S1714 Precludes the term excited delirium as a diagnosis, label, cause of death or contributing factor to a death from being cited on a death certificate. Also prohibits any law enforcement officer or peace officer from citing such term in a report or any autopsy or other examination to cite excited delirium as a cause or means or manner of death. NAY  
(Determination should be made by medical professionals)

S3193 Directs the department of health to create an informational pamphlet regarding the laparoscopic power morcellation surgery technique. AYE

S2097 Limits liability of producers, representative organizations and retailers for antitrust, restraint of trade, or unfair trade practices arising from actions undertaken in accordance with a carpet collection program. AYE

S5535 Requires certain documents and forms to be provided in the twelve most common non-English languages spoken by limited English proficient immigrants of five years or less according to the American community survey, as published by the United States census bureau. Further requires the office of language access to inform asylum seekers, refugees and public organizations of an individuals right to request an interpreter in their primary language, in accordance with existing state and federal language access requirements. AYE

S3561 Requires the Empire State Development Corporation to conduct a study on the economic impact of the establishment of kitchen incubators (a food preparation facility that provides kitchen space and access to commercial grade equipment to prepare food at a shared or leased location); requires a report to the governor and the legislature. Adds language that the study would be created using available appropriations. Lastly, it requires that the study and report be conducted in conjunction with the Department of Agriculture and the Office of New Americans, rather than by the State University of NY (SUNY), the City University of NY (CUNY), public housing authorities, and the Commission of Independent

Colleges and Universities. AYE

S3736 This bill would amend the project applications and advisory opinions of the public authorities control board. This provisions would increase transparency in loans and grants provided by the PACB and include a list of necessary information that must be included for complete understanding of repayment agreements and grant disbursement agreements. AYE

S3072 This bill would prohibit an employer, labor organization and employment agencies from using a job applicant or employee's consumer credit history in his or her decision to hire, terminate, promote, demote, discipline, compensate, or in setting the terms, conditions, or privileges of employment. Under the bill, it would be considered an unlawful discriminatory practice to use consumer credit history for employment purposes. Further defines credit history as information based on a consumer's financial transactions. NAY (A credit report can be useful information for employers.)

S3695 This bill prohibits the use of a "confession of judgment" (COJ) provision in any contract or agreement for a financial product or service regulated under the banking and insurance law. A COJ allows a creditor to obtain a judgment against a debtor without notice or a hearing if the debtor defaults on a payment, often waiving the debtor's rights to defense or independent legal representation. AYE

S3574 Requires each county assessing authority to send a second notice and a second copy of the application for SCHE to those previously granted an exemption on the latest completed assessment roll thirty days prior to the taxable status date when the assessing authority has not already received a completed application. AYE

S5041 Amends executive law to define a victim of sexual offense as including any victim of any act constituting an offense of unlawful dissemination or publication of an intimate

image or threats to commit such an offense. This bill also allows for the expansion of the Address Confidentiality Program to include victims of the revenge porn law. AYE

S4995 Directs DEC to designate a representative for each environmental conservation region of the state to serve as the point of contact for municipalities to aid in the acquisition of resources and funding for water projects. AYE

S4132 This bill prohibits any charitable organization registered in NY from taking any charitable donation that the organization receives and using such donation to make a payment related to a confidentiality agreement or closed settlement agreement. NAY (Donations made to charitable organizations presumably for any organization purpose.)

S3260 Extends provisions relating to establishing the stretch limousine passenger safety task force; authorizes the stretch limousine passenger safety task force to continue to hold public hearings and meetings to review the actions taken by the state and to publish a report of its findings. AYE

S6024 Amends the public authorities law to wave initial deposits for EZ passes for 60 days following a Thruway Authority vote to increase tolls. Further requires retail locations to accept cash payment to reload EZ pass tag. AYE

S4071 This bill amends Public Authorities Law to add a definition of "stormwater" and to include "stormwater" within the meaning of "sewage" in statutes authorizing the New York City Municipal Water Finance Authority, the Albany Municipal Water Finance Authority, the Town of Wilton Water and Sewer Authority, the Alfred, Almond, Hornellsville Sewer Authority, the Buffalo Sewer Authority, the New York State Local Water and Sewer Authority Act, the Rensselaer County Water and Sewer Authority, the Wayne County Water and Sewer Authority, the Cayuga County Water and Sewer Authority, the Livingston County

Water and Sewer Authority, the Niagara Falls Public Water Authority, the Nassau County Sewer and Storm Water Finance Authority, and the Environmental Facilities Corporation.

AYE

S7156 Provides for emergency appropriation through April 7, 2025 for the support of government. AYE