



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for the Week of April 7, 2025

JIM RANNEY April 11, 2025

| ISSUE: **NYS SENATE**



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

S7239 An act making appropriations for the support of government; to amend chapter 113 of the laws of 2025, relating to making appropriations for the support of government, in relation thereto; and providing for the repeal of such provisions upon expiration thereof.

AYE

S1285A Purpose is to amend the criminal procedure law, in relation to jury deliberations. Allows the court to provide the jury with written instructions of any elements of offense or of any defense, when requested by the jury and by what the court deems proper. AYE

S1652 Authorizes a court issuing a non-family offense temporary order of protection or an order of protection to direct that such order be filed with the computerized registry for orders of protection and warrants, if it is necessary to fulfill the purposes of such order; directs the superintendent of state police to include such orders on computerized registry. AYE

S364 Prohibits restrictions on insurance policies based solely on the policyholder harboring or owning any dog of a specific breed or mixture of breeds. AYE

S115A This bill would increase access to resources for culturally diverse arts and culture organizations that advocate for diversity, equity and inclusion, racial and social justice, and cultural preservation. NAY (Not necessary.)

S3735 Empowers the commissioner of education to declare a disaster has substantially impacted an annual meeting and election and to allow school boards to set an additional day for voting if less than eight percent of registered voters cast ballots as a direct consequence of a disaster. AYE

S4153 Prohibits food-service establishments and retail establishments throughout New York State from refusing to accept payment in cash from consumers. Establishes a civil penalty of not more than \$250 for the 1st violation and not more than \$500 for subsequent violations. NAY (Anti-business.)

S2481 Requires the New York state energy research and development authority conduct a study on the feasibility, storing and transferring of hydrogen energy to residential and

commercial structures in cities and towns with a population greater than twenty thousand.

AYE

S3807 The bill provides that in any civil action against a corporate entity (or any officer, director, member or manager thereof) for negligent supervision of an employee or agent alleged to have engaged in conduct that constitutes a sexual offense (as defined by Article 130 of the penal law), the plaintiff shall not be required to prove that the person committing such offense did so on the premises of the allegedly negligent corporate entity or with chattels or property belonging to the allegedly negligent corporate entity. NAY (Changes balance of proof - not fair/equal.)

S630 Requires the district attorney to notify victims by letter of the final disposition of the case within sixty days of such disposition in cases where such final disposition includes a conviction; provides such letter shall also notify victims of their right to make a victim impact statement; allows them to personally appear at parole hearings and make such a statement. AYE

S2273 COSPONSOR Amends penal law to add contact via text, private message, direct message, email or other electronic communication to the list of types of communication for the purposes of proving aggravated harassment in the second degree. Presently, only telephone calls qualify. AYE

S252 This bill expands the definition of a wild animal and adds a definition of an exotic animal. It also prohibits exotic or wild animals from being possessed, harbored, sold, bartered, transferred, exchanged, or imported. The bill also adds certain wild or exotic animals to the list of non-companion animals such as kangaroos, elephants, hyenas, rhinoceroses, seals, ostriches, cassowaries, sloths, bears, cynomys, and capybaras. AYE

S3629A Prohibits the participation of certain animals in traveling animal acts; prohibits the department of environmental conservation from issuing permits or licenses allowing participation of certain animals in traveling animal acts; excludes certain permanent performing institutions; imposes a civil penalty not to exceed \$1000 for a violation. NAY (Would eliminate educational value of exhibitions.)

S5014 Amends environmental conservation law to prohibit any person or legal entity from importing, exporting, transporting, processing, selling, offering for sale, otherwise exchanging or gifting, or possessing any part or product of an African Elephant, Leopard, Lion, Giraffe, or White or Black Rhinoceros. NAY (Hunting lawfully permitted in Africa.)

S197 COSPONSOR Enacts "Tucker's law"; removes the provision that provides that any term of imprisonment for a violation of aggravated cruelty to animals may not exceed two years. AYE

S703 The bill would amend the Agriculture and Markets Law to eliminate the term 'serious' from the level of physical injury required to charge someone with felony aggravated cruelty to animals. AYE

S1784 The bill would amend section 373 of Agriculture and Markets Law to require the property owner or lessor of property that has been vacated as a result of an eviction, foreclosure, default, or abandonment, to inspect the property within three days of such known vacancy to search for the presence of abandoned animals. AYE

S3026 Restricts the performance of surgical devocalization procedures on dogs and cats. AYE

S3158 Amends the Penal law to include any felony committed regarding animal fighting within the Enterprise Corruption statute's definition of "criminal act" thereby providing sentencing enhancements for certain animal fighting offenses. AYE

S1919 Eliminates sporting license fees for honorably discharged, disabled veterans. AYE

S904A Prohibits utility corporations from imposing late fees, interest, or penalties during an investigation by the commission; allows retroactive late fees, interest, or penalties if a determination is made in favor of such utility corporation; prohibits utility services from being terminated during an investigation by the commission; requires utility corporations to notify customers of investigations; requires notice to the general public; requires the public service commission to prepare reports on investigatory proceedings relating to gas, electric, and steam service. NAY (Retroactive fees. Penalties have potential to be unfair to rate payers.)

S2071 Requires the department of labor create and maintain a list of available careers and job openings for veterans in the state of New York and provide such list to the department of veterans' services; requires such list to be placed on the department of veterans' services website. AYE

S4816 Includes Lyme disease and other tick-borne diseases as occupational diseases for purposes of workers' compensation; clarifies that disability includes disability caused by Lyme disease or other tick-borne diseases; requires insurance coverage of long term medical care for Lyme disease and other tick borne diseases. AYE

S3437 Amends Public Health Law § 4004 (3) to prohibit the Public Health and Health Planning Council of the Department of Health from approving new applications for establishment, construction, or increased capacity by for profit hospice entities. AYE

S5600 The bill sets a cap on installment credit interest rates that is equal to the state usury rate of 16 percent. Currently, installment sales contracts for goods and services fall under the Time Price Doctrine and are exempt from the state usury laws. AYE

S5982 Authorizes the department of environmental conservation to independently add to the lists of prohibited and regulated invasive species on an emergency basis pending review by the department of agriculture and markets in consultation with the New York invasive species council. AYE

S4204 This bill is amending the "Port Authority of New York and New Jersey Transparency and Accountability Act of 2015." This bill will add four new non-voting commissioner positions to the board, 2 of whom will represent mass transit riders from NY and NJ and the other two will be recommended by labor organizations that represent Port Authority employees. AYE

S3690 This bill amends the lien laws governing self-storage facilities to allow self-storage occupants to choose, in the occupancy agreement with the facility owner, to be contacted by telephone in the event the owner seeks to enforce a lien on such self-storage unit. NAY (Unfair burden placed upon business owner. Not balanced.)

S5286 Prohibits self-service facility owners from enforcing liens, by private or public sale, on personal property held in a self-storage facility during state disaster emergencies or county states of emergency. NAY (Unfair to business owner. Not balanced.)

S490 Amends the crime of course of sexual conduct against a child in the 1st degree and 2nd degree to include the element of at least one additional act of sexual conduct with the child when that child is less than 17 years of age (current statute applies only to a child less than 11 years old or 13 years old). Also amends the crime of predatory sexual assault against a child to include the crime of a course of sexual conduct against a child in the 1st degree when the person was 18 years old or more and the victim was less than 13 years of age. AYE

S2494 This bill relates to civil actions involving public petition and participation, and expands the Anti-SLAPP (Strategic Lawsuits Against Public Participation) Law to include actions initiated based on an internal discrimination complaint or allegation made to an employer.

AYE

S4389 This bill would require that the Municipal Police Training Council (MPTC) tailor any rule or regulation relating to color vision requirements for police officers to only eliminate individuals with extreme color vision deficiencies from eligibility to serve as a police officer.

AYE

S4466 Amends the Civil Rights law to preclude a property owner or property association from adopting a restrictive covenant or prohibition related to the display or affixing of religious item on any entry door or entry doorframe of a dwelling. Provides for exclusions such as if the display threatens the public health and safety; hinders the opening or closing of an entry door; violates any federal, state or local law; etc. AYE

S3786 This legislation would require the New York City Department of Education to provide transportation for children in grades K-6 who stay after school for remedial services, homework, or childcare, in addition to current transportation requirements for regularly scheduled academic classes. AYE