



NEW YORK STATE SENATOR

Hugh T. Farley

Legislative Update From Senator Hugh T. Farley

HUGH T. FARLEY September 13, 2012

| ISSUE: **LEGISLATURE**



The 2012 legislative session ended in late June. Since that time, the Governor has been busy taking final action on the bills that were passed.

Here is a list of some of the bills which were recently signed into law. You can view a copy of the bill and the sponsor's memorandum in support by visiting the Senate's Open Legislation site at <http://www.nysenate.gov/open> (Enter the bill number preceded by S for a Senate bill or A for an Assembly bill, i.e. S---)

Preventing prescription drug abuse: Bill S7637 is known as the I-STOP Act ("Internet 24 System for Tracking Over-Prescribing Act"). It will establish a "real-time" prescription monitoring program, and will implement electronic prescribing. It expands and enhances the Prescription Pain Medication Awareness Program. It will also establish a Safe Disposal Program to make it easier for people to safely dispose of unused prescription drugs. It was signed into law on August 27th. Several of the provisions will take effect in August of 2013.

Do not call registry: S7667A strengthens the existing Do not call registry. It places new restrictions on prerecorded calls and expands New York's jurisdiction in order to crack down on out-of-state telemarketers. My office has received an increasing number of complaints about violations of the law, and this legislation should help improve enforcement. It was signed into law on August 14th, and takes effect on November 12th. It should be noted that, because of First Amendment / free speech protections under the U.S. Constitution, these laws only apply to commercial calls from businesses. You can add your landline or your cell phone to the Registry by calling 1-888-382-1222 or by registering online at www.donotcall.gov

Pet dealers: S.7268 establishes new requirements on licensed pet dealers to help protect the health of dogs and cats they sell, including developing programs to prevent diseases, having a designated veterinarian available for emergency calls, and ensuring that animals are vaccinated as required by law. This bill was signed into law on July 18th and goes into effect on November 15th.

Preventing child pornography: S7742 strengthens the laws against accessing child pornography on the Internet. A court decision earlier this year had created a loophole in the existing law. This bill closes that loophole and prohibits persons from knowingly accessing with the intent of viewing child pornography on the Internet. The bill was signed into law on September 7th, and took effect that day.

Sex offender updates: S7569 enables law enforcement officials to update the photographs of level three sex offenders more frequently if the offender has had a change in appearance, rather than waiting for the annual photograph. This bill was signed into law on August 1st and took effect on August 31st.

Invasive species: Invasive species continue to wreak havoc on our waters and forests, with the spiny water flea and the emerald ash borer being just the latest threats. Bill S6826A was passed to strengthen the ability of the Department of Environmental Conservation and the Department of Agriculture and Markets to address these threats. The bill received support from a range of groups, including the Farm Bureau and the NYS Association of Counties. It was signed into law on July 24 and takes effect on January 20, 2013.

Solar power: A package of bills were recently signed into law which seek to expand the use of solar power by homeowners and businesses. One bill (S149B) expands the existing tax credit so that it covers homeowners who decide to lease solar equipment. It was signed into law on August 17th and took effect that day. Visit the Tax Department website (tax.ny.gov) or nysesda.ny.gov about existing programs and incentives for alternative energy sources, including solar.

Cigarettes: Bill S2926-B prohibits the sale of "electronic cigarettes" to persons under the age of 18, treating this relatively new product the same as other types of cigarettes. It was signed into law on September 5th and takes effect on January 1, 2013. Another bill, S6854-B, prohibits smoking within 100 feet of the entrance to any school. It was signed into law on September 5th and took effect that day.

Anti-bullying: Bill S7740 expands on a recent anti-bullying law to help address the new and growing problem of "cyberbullying." It was signed into law on July 9th and takes effect on July 1, 2013.

Veteran employment opportunities: Bill S7766 directs the Division of Veterans Affairs to expand its website in order to make it easier for veterans to access information about job opportunities. It was signed on July 25th and takes effect on October 23rd.