



NEW YORK STATE SENATOR

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New Laws Taking Effect in January 2016

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MEASURES THAT ENHANCE WOMEN'S RIGHTS, CUT TAXES FOR VETERANS AND BUSINESSES ARE AMONG THE NEW LAWS THAT TAKE EFFECT IN JANUARY 2016

Measures that enhance the rights of women and protect those who are most vulnerable to abuse and discrimination are among the highlights of state laws that will take effect in

January 2016. Other laws soon to be effective include: business tax cuts; property tax relief for eligible veterans; expedited access to critical information in missing child cases; additional protections for working women who breastfeed; and the expansion of health care access through telehealth services.

Women's Equality Agenda

On Jan. 19, 2016, seven of the eight bills comprising the Senate's Women's Equality Agenda will take effect, including:

- **Preventing Human Trafficking and Protecting Trafficked Victims:** This new law toughens penalties against those human trafficking young women, men, and children. It will reduce the stigma defendants may face when they are victims of the massive \$32 billion sex trafficking industry (Chapter 368, S7, Senator Andrew Lanza);
- **Ensuring Equal Pay:** The law will ensure that women receive the wages they are entitled to by prohibiting employers from paying employees disparate amounts due to gender. In New York, on average, a woman working full time is paid \$42,213 per year, while a man working full time is paid \$50,388 per year. This creates a wage gap of \$8,275 between full-time working men and women in the state (Chapter 362, S1, Senator Diane Savino);
- **Stopping Discrimination Based on Family Status:** The new law will help working mothers by preventing discrimination in the hiring and promotion of people with families. Employers will be prohibited from denying work or promotions based on family status, such as parents and women who are pregnant. Prior laws only prohibited discrimination based on family status in credit and housing decisions but not employment with children (Chapter 365, S4, Senator Elizabeth Little);

- **Ending Pregnancy Discrimination in the Workplace:** This law requires employers to provide reasonable accommodations to employees with pregnancy-related medical conditions. A pregnancy-related condition would be treated as a temporary disability. Additionally, the measure would codify in law a regulation that an employee must provide medical or other information to verify the existence of the condition. (Chapter 369, S8, Senator Kemp Hannon);
- **Preventing Housing Discrimination Against Domestic Violence Victims:** The new law prohibits discrimination against domestic violence victims in housing, and subjects violators of this prohibition to a misdemeanor. It also allows the option of a civil action for a violation of the prohibition (Chapter 366, S5, Senator Joseph Robach);
- **Prohibiting Sexual Harassment in the Workplace:** This law protects all employees from sexual harassment by applying existing protections to businesses of all sizes. Under prior law, people working at businesses with fewer than four employees could not file a harassment complaint with the state because small employers were exempt from the law that prohibits harassment. More than 60 percent of the state's private employers have fewer than four employees (Chapter 363, S2, Senator David Valesky); and
- **Removing Barriers to Remedying Discrimination:** This law removes barriers to remedying discrimination by allowing successful parties to recover attorney's fees in employment or credit discrimination cases based on sex (Chapter 364, S3, Senator Elizabeth Little).

The remaining law that completed the Women's Equality Agenda package will take effect April 1, 2016. The measure creates a pilot program that would enable domestic violence victims to seek temporary orders of protection through electronic means rather than having to appear in person. The Office of Court Administration will also review and update its

policies and services for all crime victims in the courts in order to ensure that their needs are being met and that all victims are truly protected (Chapter 367, S6, Senator Catharine Young).

Business Tax Cuts:

In 2014, the Senate succeeded in overhauling and simplifying the State Corporate Franchise Tax, which incorporated banks into the new combined code. Starting on Jan. 1, 2016, the Business Income Tax Rate will be lowered from 7.1 to 6.5 percent, saving businesses a total \$125 million.

Also starting Jan. 1, 2016, New York State's small business exemption increases to 5 percent for sole proprietors and farmers with at least one employee and a federal adjusted gross income that does not exceed \$250,000. Exemption increases have been phased in since legislation was passed in 2013 and will ultimately save small businesses a total of \$61 million.

Increases in the Minimum Wage and Minimum Wage Reimbursement Tax Credit

On Dec. 31, 2015, the state's minimum wage will increase from \$8.75 an hour to \$9 an hour. The increase is coupled with an increase in the Minimum Wage Reimbursement Tax Credit from \$1.31 to \$1.35 to help offset some of the increased wage costs for businesses.

Help for Veterans:

A new law that takes effect Jan. 2, 2016, helps reduce the local property tax burden for veterans by authorizing an increase in limits to the real property tax exemption. Municipalities have the option of offering these exemptions to help veterans afford owning a home. The new limits take into account rising property values so that the savings offered with the tax exemption can continue to help eligible veterans (Chapter 381, S4391, Senator Kenneth LaValle).

Access to Missing Child Case Information

On Jan. 19, 2016, a new law will expedite access to critical information in missing child cases. The law was created in response to a tragic child abuse case in Albany County. It specifies that Child Protective Services (CPS) records can be released to expedite an investigation when law enforcement is investigating a missing child and there is reason to believe that a parent, guardian, or other person legally responsible for the child is the subject of a report of child abuse or maltreatment. If CPS denies the request, law enforcement agencies can request an administrative review by the state Office of Children and Family Services, which would then have the ability to overturn a decision by the county CPS (Chapter 439, S3520, Senator George Amedore).

Breastfeeding Mothers' Bill of Rights

A new law will go into effect on Jan. 1, 2016, that will update the Breastfeeding Mothers' Bill of Rights to add a provision that allows women to take reasonable, unpaid breaks at work in order to pump breast milk for up to three years following childbirth. Including this provision in the Breastfeeding Mothers' Bill of Rights, which is publicly posted in maternal healthcare facilities, nurseries, maternity floors, and post-delivery rooms, would ensure that women are aware of this right and would prevent employers from discriminating against them based on their decision to express breast milk at work (Chapter 446, S5183, Senator Kemp Hannon).

Expanding Access to Telehealth Services

Three new laws that take effect Jan. 1, 2016, will greatly expand telehealth services across the state. Telehealth is the delivery of health-related services using digital information and communication technologies.

- Access to health care is expanded by providing for the delivery of health care services via telehealth under Medicaid coverage and private insurance parity. Under Medicaid

provisions, services would be delivered via telehealth by a telehealth provider when the patient is located at an approved originating site. Private insurers would be directed to provide coverage for services delivered via telehealth, as long as these services and providers of the services are otherwise covered under the patient's contract or policy (Chapter 6, S2405, Senator Catharine Young)

- Two other laws include dentists and physical and occupational therapists within the covered telehealth services under Medicaid. These practitioners would then be able to provide services from a distant location to benefit the patient where and when they need it most. (Chapter 167 and 454, S4182 and S5733, Senator Catharine Young).