



NEW YORK STATE SENATOR

John A. DeFrancisco

SENATOR DEFRANCISCO HIGHLIGHTS SOME NEW STATE LAWS THAT WILL TAKE EFFECT IN JANUARY OF 2016

JOHN A. DEFRANCISCO December 28, 2015

| ISSUE: **LEGISLATURE**

Deputy Majority Leader Senator John A. DeFrancisco today (12/28/15) outlined several new measures that will take effect in New York, starting on January 1, 2016. These new state laws will provide business tax cuts, offer property tax relief to eligible veterans, improve access to critical information in missing child cases, enhance the rights of women, and help to protect those who are most vulnerable to abuse.

Tax Cuts for Businesses:

Starting January 1, 2016, the Business Income Tax Rate will be lowered from 7.1 to 6.5 percent, saving businesses in New York State a total of \$125 million. Also starting on January 1st, New York State's small business exemption increases to 5 percent for sole proprietors and farmers with at least one employee and a gross income that does not exceed \$250,000. The exemption increases have been phased in since legislation was passed in 2013, and will ultimately save small businesses \$61 million.

Support for Veterans:

On January 2, 2016, a new state law will take effect to help reduce the local property tax burden for veterans, by authorizing an increase in limits to the real property tax exemption. The new limits take into account rising property values so that the savings offered with the tax exemption can continue to help eligible veterans. Municipalities will have the option of offering these exemptions.

Women's Equality Measures:

On January 19, 2016, seven of the eight bills that comprise the Women's Equality Agenda will take effect, including:

- **Fighting Human Trafficking:** This new law toughens penalties against those who are found guilty of human trafficking women, men and children. It will also help to reduce the stigma defendants may face when they are victims of the massive \$32 billion sex trafficking industry; and

- **Ensuring Pay Equity:** The law will prohibit employers from paying workers disparate amounts for performing the same work -- based on 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 bill will allow employees to discuss their wages, while also increasing the amount of damages available to an employee, if the law is violated.

- Preventing Discrimination Based on Family Status: The new state law will prohibit employers from denying work or job promotions based on family status, such as employees with children or women who are pregnant. Existing laws only prohibit discrimination based on family status in credit and housing decisions, but not employment; and

- 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 new state measure will require that an employee verify the condition through medical or other information; and

- Preventing Housing Discrimination Against Domestic Violence Victims: The new law will prohibit discrimination against domestic violence victims in housing, and it subjects violators of this prohibition to a misdemeanor; and

- Prohibiting Sexual Harassment in the Workplace: This law will protect all employees from sexual harassment by applying existing protections to businesses of all sizes. Under current state law, people working at businesses with fewer than four employees cannot file a harassment complaint with the state because small businesses are exempt from the law that prohibits harassment; and

- Removing Barriers to Remediating Discrimination: This law removes barriers to remediating discrimination by allowing successful parties to recover attorney's fees in employment or credit discrimination cases based on gender; and

The remaining bill that completed the Women's Equality Agenda package will take effect on April 1, 2016. This measure will create a pilot program to enable domestic violence victims to seek temporary orders of protection through electronic means rather than having to appear in person.

Information Access in Missing Child Cases:

On January 19, 2016, a new state law will help to expedite access to critical information in missing child cases. It specifies that Child Protective Services (CPS) records can be released to expedite an investigation, when law enforcement is investigating a missing child case, and a parent or guardian is the subject of a report of child abuse or maltreatment. If CPS denies the request, law enforcement agencies can then request an administrative review by the New York State Office of Children and Family Services, which would have the ability to overturn a decision by the county CPS.

Expanded Telehealth Services:

Three new laws that take effect on January 1, 2016, will greatly expand telehealth services

across New York State. Telehealth is the delivery of health-related services using digital information and communication technologies.

- The first law will expand access to health care by providing for the delivery of health care services via telehealth, under both Medicaid coverage and private insurance parity.

- The other two laws will 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 when they need the services most.

#####