



NEW YORK STATE SENATOR

James Sanders Jr.

## Senator Sanders Gets Dozens of Pieces of Legislation Passed During This Most Productive Legislative Session

JAMES SANDERS JR. June 11, 2021

Senator James Sanders Jr. had introduced numerous bills during this past legislative session, which ended yesterday, that passed both the Senate and the Assembly. They cover all aspects of life including health, economic development, criminal justice, military affairs, the environment and much more.

"This is what happens when government works and works well," Sanders said. "I am proud of how productive my Democratic colleagues and I were during this session. It is because of that team work that I was able to get many bills passed that will help my district and the entire state."

The following bills, authored by Senator Sanders, passed the legislature this session:

### HEALTHY FOODS

Creates a task force on improving urban and rural access to locally produced, healthy foods. Farmers have long sought greater market access in New York City and other urban areas of the state. Similarly, residents of urban areas continually seek out access to low-cost, healthy and locally produced food from New York's farmers. S.1056/SANDERS Same as A.4613/Lupardo

Dr. Melony Samuels, Executive Director and Founder of The Campaign Against Hunger, said: "The Campaign Against Hunger applauds Senator Sanders as a champion for healthier eating. His efforts to pass S.1056 and create a healthy food task force will be a game-changer for our community, especially our Black and brown neighbors. TCAH is committed to expanding healthy food access in underserved areas and empowering young urban farmers through our workforce and green jobs programs. The bill will help us do what we do with the support of a team of committed government and public-sector leaders, field experts, and fellow nonprofits fighting the health disparities that far too often threaten communities of color. Again, we laud the Senator on the passage of this bill."

## PROTECT VETERANS

Creates a veterans' mental health and suicide prevention task force. The legislature is concerned with the health, safety, and welfare of all returning veterans of the United States armed forces to New York and the high rate of mental health problems and suicides of members of the United States armed forces. S.1788-A/SANDERS Same as A.5836-A/Cusick

## HELP SMALL BUSINESSES

Authorizes credit unions to participate in the Excelsior Linked Deposit Program and raises the limit on the amount permitted to be on deposit at any given time. The Linked Deposit Program (LDP) helps existing New York State firms obtain reduced-rate financing so they can undertake investments. S.191/SANDERS Same as A.5459/Darling

William J. Mellin, President and CEO of the New York Credit Union Association, said: "Now more than ever small businesses in general, and Minority- and Women-Owned Businesses in particular, need access to loans that credit unions are ready, willing and able to provide. Passage of this bill will allow credit unions to help more businesses compete. We thank

Senator Sanders for once again helping credit unions help New Yorkers. We look forward to continuing our work together to bring the financial benefits of credit unions to even more New Yorkers in the future.”

## JUSTICE FOR WORKERS AND THEIR FAMILIES

Allows for a filing of a claim within one year from the effective date of this section for death benefits due to cancer caused by exposure to diesel exhaust, superseding other legal provisions which would bar such claims due to time-constraints. On January 5, 2012, Anthony Nigro - after whom the bill is named – died of lung cancer after a long career as a bus mechanic. Over the course of his job, Mr. Nigro was regularly exposed to the harmful diesel exhaust. Although his widow filed a timely claim for death benefits, other widows/widowers and dependents of workers who died of cancer due to diesel exhaust exposure are barred from filing claims for workers' compensation benefits because the statute of limitations expired before scientific proof of diesel exhaust as a Class 1 carcinogen became available. The public policy of the State of New York states that workers compensation benefits shall be provided to the dependents of workers who die as a result of workplace accidents and illnesses. S.661/SANDERS Same as A.6424/Bichotte Hermelyn

Pete Donohue, Director of Press and Media Relations for Transport Workers Union Local 100, said: "Anthony Nigro did not die in vain. With the “Nigro Bill,” the state Legislature explicitly recognizes that diesel exhaust exposure can cause cancer and death. It enables families who lost a loved to seek the financial compensation they both need and deserve. The claims will still need to be argued and supported by the evidence, but this is a big step forward towards our vision of justice for our brothers and sisters who died because they worked in a toxic environment."

Assembly Member Rodneyse Bichotte Hermelyn said: “The families of transportation workers, whose loved ones become sick as a result of prolonged exposure to diesel fuel, have not had any recourse under the law until today. The science now supports what we have long-suspected: diesel dust emissions are a lung carcinogen. I am proud to announce that today, we passed legislation which provides a claim filing opportunity for the families of workers who have died because of cancer caused by exposure to diesel exhaust. Finally, these essential transportation workers, who serve our state with dignity, have a little more peace of mind. I thank my colleague, Senator James Sanders Jr., for championing this bill with me in Albany.”

#### NURSING HOME TRANSPARENCY

Provides that every nursing home facility in the state display prominently the most recent star rating pursuant to the inspection rating system of the U.S. Center for Medicare and Medicaid Services (CMS), to allow consumers, their families, and caregivers to easily compare facilities based upon their assigned ratings. These ratings will also be required to be displayed prominently on the Department of Health and the Nursing Home Facility's own website. This bill would make these ratings readily available so that families seeking nursing facilities can make an informed decision in the best interests of their loved ones.

S.553/SANDERS Same as A.2037 Dinowitz

#### FLOOD MITIGATION

Authorizes the city of New York to alienate and discontinue the use of certain portions of Idlewild Park. This legislation seeks to temporarily suspend public usage of certain parts of Idlewild Park in order to complete construction of a storm sewer by the Department of Environmental Protection (DEP). S.6229-A/SANDERS Same as A.7084-A/Anderson

Assembly Member Khaleel Anderson said: “Southeast Queens has been underwater long enough. Our communities deserve improved infrastructure that will ensure safety during weather-related incidents like floods and storms – leaders in Assembly District 31 and State Senate District 10 have long expressed concerns about the current condition and prevalence of solutions like bioswales, rain gardens and storm sewers, particularly in beachfront communities like Far Rockaway. The passage of A.7084-A/S.6229-A will rightfully accelerate the completion of a storm sewer at Idlewild Park Preserve to mitigate damage from storms in the neighborhoods surrounding the park. I thank Senator James Sanders Jr. for sponsoring this important legislation and am glad to have co-sponsored it in the Assembly.”

#### REDUCE ASTHMA RATES

Directs the New York state department of health to conduct a study on the incidences of asthma in cities and towns having a population of more than 90,000. Asthma rates tend to be higher in urban areas with clusters in poorer neighborhoods. Asthma affects about 40 million Americans making it the most common chronic disease that affects Americans of all ages. This bill will require the Department of Health to research the depth of the Asthma crisis in New York's cities and towns and pinpoint the areas of Asthma clusters. S.646-BB/SANDERS Same as A.2670-B/Hyndman

#### DOMESTIC VIOLENCE VICTIM RIGHTS

Establishes that domestic violence advocates may not disclose any communication made by a client to the advocate except in certain circumstances. Domestic violence is as serious an issue as sexual assault. In both situations, the victim is traumatized and often reluctant to speak candidly about their experience. Providing a domestic violence advocate-victim privilege - as we already provide a rape crisis counselor- victim privilege - will encourage more open, honest and healthy communication between domestic violence victims and their

counselors. S.1789/ SANDERS Same as A.2520/Weinstein

“Conversations between domestic violence survivors and the advocates who assist them must be confidential in order to enhance victims’ safety and the safety of their children. By protecting the privacy of these discussions, survivors will be encouraged to have more frank and transparent discussions, which will enhance the services and supports provided to them. The New York State Coalition Against Domestic Violence thanks Senator James Sanders and Assemblywoman Helene Weinstein for championing this legislation and we urge Governor Cuomo to sign it as soon as possible,” said Joan Gerhardt, Director of Public Policy & Advocacy for the New York State Coalition Against Domestic Violence.

## JUSTICE FOR VETERANS

Permanently revives time barred causes of action burn pits for those persons serving as members of the armed forces in the Middle East from 1990 onwards. After the conflict in Vietnam, it took many years to fully realize the extent of the health damage done to servicemen and servicewomen due to exposure to Agent Orange. Unfortunately, a similar pattern has emerged in our veterans who served in the Middle East throughout the conflicts of the past 30 years. The practice of using burn pits to dispose of toxic materials has caused a litany of chronic illnesses for returning veterans. Because of the nature of these illnesses, it often takes time for the condition to emerge, get diagnosed, and determine the most likely cause. This legislation ensures veterans can access New York courts with a cause of action without being barred by the typical period of limitation. S.6656-A/SANDERS Same as A.4474-A/Hunter

Robert Becker, Chairperson of the New York State Council of Veterans’ Organizations, said, “The Vets Council, representing 30 veteran groups, strongly supports this important bill. It will help veterans suffering from illnesses due to their exposure during service to toxic

chemicals, such as dioxin, from burn pits. This bill is long overdue.”

## CONSUMER PROTECTION

Requires banks to provide written notification that accepting an alternative loan payment schedule may have a negative impact on credit scores. When an alternative payment schedule is arranged, a bank may still report a customer as being late on their payments even though they have worked out a compromised alternative. Most customers are unaware of this and don't that the alternative payment schedule is really not helping them preserve their credit rating. S.1566-A SANDERS Same as A.5915-A/Zinerman

## FORECLOSURE RIGHTS FOR HOMEOWNERS

Requires creditors to provide a single point of contact to borrowers in the foreclosure process who will be responsible for providing accurate account and other information related to the foreclosure process and loss mitigation efforts. The bill requires creditors to provide a dedicated electronic mail address, facsimile number and mailing address for borrowers to submit information requested as part of a loan modification, short sale or other loss mitigation option. Having one person responsible will make it less likely that a borrower who is trying to save his or her home will fall victim to the bureaucracy of the foreclose mitigation process and of the very large mortgage servicers. S.671/SANDERS Same as A.1935/Perry

## EMPLOYEE RIGHTS

Requires prior written notice upon hiring and once annually to all employees, informing them of the types of electronic monitoring which may occur. This knowledge will increase transparency within the organization and help to avoid lawsuits and litigation regarding invasion of privacy. Notification of computer surveillance will permit employees to make

informed decisions about their internet use with full knowledge of the ramifications of their actions, while supporting companies' ability to monitor Internet activity within their organization. S.2628/SANDERS Same as A.430/Rosenthal L

#### FIGHT SICKLE CELL DISEASE

Requires hospitals distribute literature created by the commissioner to patients at a high risk of sickle cell disease. Sickle cell disease is common among Americans, yet many are not aware of the disease and how certain groups are more at risk of having the trait that could then result in their children having sickle cell. S.5606-B/SANDERS Same as A.6429-B/Hyndman

Merlene Smith Sotillo, CEO and President of Sickle Cell Awareness Foundation Corp. International praised the legislation, "We have been pushing for passage of this legislation for a decade. So many African American communities across New York State are at risk of Sickle Cell Disease and do not even know it. This is true for Southeast Queens. This legislation will educate these at-risk communities of the risks and allow them to make informed life decisions regarding Sickle Cell Disease."

#### STUDY THE IMPACT OF COVID-19 ON MINORITY AND LOW-INCOME COMMUNITY RELATED TO BANKING

Directs the department of financial services to conduct a study on certain impacts of the coronavirus (COVID-19) pandemic. Minority and low-income communities were hit especially hard by COVID19, according to news reports since the pandemic began in New York state in March 2020. Given the importance of banking to everyone, policymakers and the public have an interest in understanding how the pandemic impacted minority and low-income communities as it relates to the banking sector and to learn how these problems can be



addressed. S.6070-A SANDERS Same as A.7324-A/Anderson

## REDUCE OPIOID OVERDOSES

Prohibits the possession of opioid antagonists as evidence in court of possession of controlled substances. This bill helps to encourage people to obtain and possess opioid antagonists and continue to save lives. Opioid antagonists, such as naloxone, have been in existence since the 1960s and have helped in preventing numerous heroin and opiate overdose-related deaths in emergency situations. S.911/SANDERS Same as A.2354/Dinowitz

## PROVIDES CHILDREN INSURANCE COVERAGE FOR OSTOMY EQUIPMENT AND SUPPLIES

Requires the child health plus program to include ostomy equipment and supplies as a covered health care service. New York's Child Health Plus program currently provides no coverage for ostomy supplies and equipment for low-income children under the age of 19. There are several reasons why children have ostomies, including birth defects such as spina bifida, exstrophy of the bladder and imperforate anus. Children may also develop other disorders that may require an ostomy, such as ulcerative colitis, Crohn's Disease, polyposis, malignancy, injury and nerve damage. An ostomy is an artificial opening in an organ of the body, created during an operation such as a colostomy, ileostomy, or gastrostomy.

Diane Watkin, LMSW, President, Ostomy Association of New York said: "We applaud the passage of Bill S577 which requires coverage of ostomy supplies by New York State's Child Care Plus Program. These supplies are essential to the daily life of individuals with ostomies. This is an important step forward toward reducing the financial burden of healthcare and promoting the well-being of New York's underserved families."

## HEALTHIER AND ENVIRONMENTALLY SAFER ROADS

Prohibits the sale and use of pavement products containing coal tar; prohibits the use of oil pavement products containing coal tar. Coal tar-based sealcoat used in parking lots and playgrounds is a potent source of polycyclic aromatic hydrocarbons (PAHs), a known human carcinogen that is also acutely toxic to fish and other aquatic life. Washington, Minnesota, and Washington, D.C., as well as a number of counties and cities, have already passed laws to ban coal tar sealants. Studies have identified dangerous levels of PAHs in homes, where dust can be accidentally ingested by small children crawling through the toxic dust. S 4095-B SANDERS Same as A 518-A Rosenthal L

Robert Hayes, Director of Clean Water for Environmental Advocates NY, said, "It seems like every day we learn of the cancer-causing effects of another long-named chemical. The polycyclic aromatic hydrocarbons (PAHs) found in pavement sealants are another example of this and pose an on-going threat to both public health and the environment. They are rightly banned by this bill. We thank Senator Sanders for his leadership in protecting New York's health and look forward to the Governor signing this important piece of legislation into law."

#### PROMOTE RECYCLING

Directs the department of environmental conservation to study alternative municipal uses for recycled glass. Localities across the nation are exploring new uses for recycled glass, especially in light of the fact that many overseas buyers have reduced or eliminated their procurement of glass. This legislation would task the department of environmental conservation to look into new potential sources for recycled glass. As the state continues to emphasize the need for recycling, we must work to find a use for these recycled products. S.4094/SANDERS Same as A.6333 Englebright

#### CONSUMER CHOICE

Permits insurance notices and documents to be delivered electronically with policyholder consent. This bill has positive environmental impacts by allowing for paperless delivery. This bill includes language to ensure that consumers have received and acknowledge the electronic delivery of important notices. Insurers will be required to conspicuously flag important communications in the subject line of the email. S.653-A/SANDERS Same as A.651-A/ Rosenthal D