

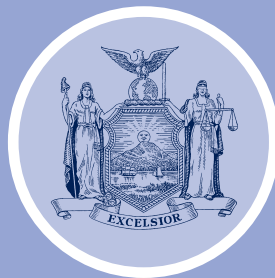


NEW YORK STATE ASSEMBLY

A N N U A L

2 0 1 2

R E P O R T



Committee on Codes

Joseph R. Lentol, Chairperson

SHELDON SILVER, SPEAKER



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ALBANY

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Re: Annual Report of the Committee on Codes - 2012

Dear Speaker Silver:

It is with great pleasure that on behalf of the Committee on Codes, I submit to you the committee's 2012 Annual Report highlighting its activities during the second half of the 2011– 2012 Legislative Term.

The Committee's many notable accomplishments include enacting legislation to increase protections for victims of domestic violence through enhanced criminal penalties for offenders who repeatedly commit misdemeanor level domestic violence offenses and a program to protect the confidentiality of health insurance records of victims. We also enacted legislation to expand the DNA Databank to include all persons convicted of a Penal Law crime, establish the ability of the courts to order post-conviction discovery for defendants and provide for more fair and equal access to DNA testing and the DNA Databank for those who are wrongly charged with and convicted of crimes.

There were numerous other legislative accomplishments of which the Committee and the Assembly can be justly proud that are set forth in this report.

The Committee extends its appreciation to you for your support. In addition, I would like to thank the Committee members and staff for their hard work during the 2012 Legislative Session.

Sincerely,

Joseph R. Lentol, Chairman
Standing Committee on Codes

2012 ANNUAL REPORT
STANDING COMMITTEE ON CODES

Joseph R. Lentol, Chair

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I. COMMITTEE JURISDICTION

The New York State Assembly Standing Committee on Codes considers issues and legislation regarding the State's criminal and civil justice system. Most of the legislation considered by the members of the Codes Committee amends the Criminal Procedure Law, the Penal Law, the Civil Practice Law and Rules as well as selected articles of the Executive Law.

In addition, the Committee's dual reference authority, pursuant to Rule IV § 6 (i) of the Rules of the Assembly of the State of New York, places within its jurisdiction legislation initiated in any of the other Assembly standing committees which imposes or changes any fine, term of imprisonment, forfeiture of rights or property, or other penal sanction as well as legislation related to the procedure by which such fine, term of imprisonment, forfeiture or other penal sanction is imposed or changed.

II. SUMMARY OF LEGISLATION MOVED BY THE COMMITTEE ON CODES AND ENACTED IN 2012¹

A. Protecting Children, the Vulnerable and the Elderly

1. Prohibition on Tanning by Minors Prohibits owners, operators, or employees of a tanning facility from allowing persons 16 years of age and under to use tanning beds and requires 17 year olds to get written parental consent to use tanning beds. (A.1074-B / S.2917-A; Chapter 105; Health)

2. Parking Access Aisles Requires access aisles of parking spaces reserved for persons with disabilities to be at least eight feet wide. (A.3363 / S.3170; Chapter 274; Transportation)

3. Appointment of Guardians Provides judges presiding in Mental Hygiene Law Article 81 proceedings greater information related to the criminal history records of potential guardians, which is consistent with information provided to judges in custody and visitation proceedings. (A.10608-A / S.7587-B; Chapter 475; Judiciary)

4. Expands Definition of Sexual Performance by a Child Expands the definition of the crime of possessing an obscene sexual performance by a child, which is punishable as a Class E felony and bans the viewing of child pornography in digital form. The measure also provides that an attorney will not be guilty of possession of child pornography if he or she possesses the image as a part of the attorney's representation of a defendant charged with such crime. (A.10713 / S.7742; Chapter 456)

B. Protecting Against Sex Offenders

1. Transcripts of Parole Board Hearings Instructs the Board of Parole to make a verbatim transcript of each parole board interview of a sex offender and provide the transcript to the Office of Mental Health for use in conducting reviews of offenders for possible civil commitment upon release from incarceration. (A.8917 / S.6785; Chapter 363; Correction)

2. Sex Offender Photographs Clarifies the discretion of local law enforcement agencies to take a new photograph of a level 3 sex offender if, at the time he or she appears for a quarterly address verification, his or her appearance has changed. (A.9229 / S.7569; Chapter 364; Correction)

¹ Except where noted, legislation cited in this discussion originated in the Committee on Codes. Where such legislation did not so originate, but was dual referenced into the Committee on Codes from another committee and the Codes Committee had substantial impact on such legislation, then the original committee of reference will appear with the bill number. All chapter numbers are to chapters of the Laws of 2012.

C. Fighting Domestic Violence

1. Domestic Violence Omnibus Bill Establishes the new E felony crime of aggravated domestic violence, committed when a defendant commits a domestic violence misdemeanor after previously being convicted of a domestic violence offense. Establishes a domestic violence fatality review team to examine the factors involved in domestic violence deaths and near-deaths and to make recommendations to prevent future fatalities. The bill prohibits persons who are the subject of an order of protection from the decedent or who are charged with the homicide of the decedent from controlling the disposition of the decedent's remains.

The legislation makes technical corrections to the confidentiality programs of the Department of State and in the Insurance Law. The measure also allows a court to consider prior violations of an order of protection and prior use of a firearm when determining the issuance of an order of recognizance or bail. (A.10624 / S.7638; Chapter 491)

D. Protecting Crime Victims

1. False Financial Claims Requires a court, upon conviction of an individual for filing a false financial statement, to issue and file with the Secretary of State a certificate of the conviction. The bill ensures that victims have proof of the fraudulent financial statements that are being used against them and helps repair the damage caused to their credit history. (A.3457 / S.6354; Chapter 113)

2. Counseling Services for Families of Homicide Victims Expands the eligibility for counseling services from the Office of Victim Services to more family members of homicide victims to include the guardians, siblings and step-siblings of victims. (A.9898 / S.6848; Chapter 233; Governmental Operations)

3. Determination of Incapacitation Expands the notification requirements of the Commissioner of the Office of Mental Health (OMH) upon the discharge of a person found incompetent to stand trial to include notification to victims of domestic violence. Also requires the Commissioner to certify to the court regarding their compliance with the notification requirements of Article 730 of the Criminal Procedure Law. (A.10664 / S.6548-A; Chapter 476)

E. Making Civil Justice System Fairer

1. Child Support Enforcement Expands the authority of Child Support Magistrates in Family Court to enforce child support collection laws. (A.10345 / S.7579; Chapter 468; Judiciary)

2. Transfer of Probation Supervision Clarifies the court's jurisdiction and process for the transfer of probation supervision when a probationer lives or moves to another jurisdiction in cases involving child support, delinquency, PINS, and family offense cases. (A.10415-A / S.7589-A; Chapter 470; Judiciary)

3. Interim Probation Supervision Provides a court with the ability to transfer the supervision of a defendant on interim probation to the county where the defendant has moved to and resides. (A.10555 / S.7190-A; Chapter 347)

4. Charitable Bail Organizations Permits charitable bail organizations to post bail for certain individuals charged with crimes and provides for a certification process through the Department of Financial Services for such charitable bail organizations. (A.10640-B / S.7752; Chapter 181)

5. Electronic Filing and Litigating Allows the Chief Administrator of the Courts to expand the use of electronic filing in litigation, including in the criminal and family courts. (A.10706 / S.7592-A; Chapter 184; Judiciary)

F. Assault

1. Social Services Employees Assault Elevates the criminal penalties for assaulting certain employees of a local social services district while they are performing their duties from a Class A misdemeanor to a Class D felony. (A.4672-D / S.7720; Chapter 434)

G. Health and Safety

1. Electronic Cigarettes Adds electronic cigarettes to the provisions governing the sale of tobacco products, herbal cigarettes and shisha. (A.9044-B / S.2926-B; Chapter 448; Health)

2. Dense Breast Tissue Notification Requires physicians to notify their patients when dense breast tissue is detected by a mammogram screening. The legislation raises awareness among women with dense breast tissue and encourages them to consult with their doctor about the potential health risks they face. (A.9586-D / S.6769-B; Chapter 265; Health)

3. Lauren's Law Requires individuals who apply for a New York State Drivers License to complete the section of the application as it pertains to the organ donor registry by marking either "yes" or "skip this question" under the organ donor registry section of the application. (A.10039-B / S.7103-A; Chapter 465; Health)

4. Prohibit Smoking Near Schools Prohibits smoking within 100 feet of primary and secondary school entrances and exits or outdoor areas. (A.10141-B / S.6854; Chapter 449; Health)

5. Health Care Mandatory Reporting Requires that when a complaint of a sexual offense has been made against a licensed health care or mental health care provider during a treatment session, consultation, interview or examination, the investigating professional conduct officer or the Office of Professional Discipline must notify the appropriate law enforcement authority. (A.10336-B / S.7456-B; Chapter 365; Health)

6. Curb Prescription Drug Abuse Establishes the Internet System for Tracking Over-Prescribing (I-STOP) Act, a real-time prescription monitoring registry to provide timely and enhanced prescription information to practitioners and pharmacists. It also requires all prescriptions to be electronically transmitted with some limited exceptions.

The legislation also modifies the state's Controlled Substances Schedule by moving drugs with small amounts of hydrocodone to Schedule II and adding Tramadol to Schedule IV. Finally, the legislation directs the Department of Health to establish a safe disposal program for unused controlled substances. (A.10623 / S.7637; Chapter 447; Health)

H. Protecting Animals

1. Pet Dealer Animal Care Establishes higher standards for the care of animals by pet dealers. The legislation requires dealers to make isolation areas available for sick animals, designate an attending veterinarian to establish a veterinary care program for their animals and implement an exercise plan for dogs at these facilities. (A.697-D / S.7268-A; Chapter 110; Agriculture)

2. Animal Cage Box Dryers Prohibits the use of cage box dryers while heating elements are turned on in animal grooming facilities in order to prevent injury or death to animals. Under the legislation, violators face fines of not less than \$250 and up to \$500 for each violation. (A.7502-B / S.5702-A; Chapter 119; Agriculture)

3. Animal Fighting Paraphernalia Banned Prohibits the ownership, sale, transfer and manufacture of animal fighting paraphernalia. (A.9552-A / S.6774-A; Chapter 144; Agriculture)

I. Protecting Consumers

1. Social Security Number Protection Prohibits any person from knowingly using the labor or time of prison inmates to collect, access, or process the Social Security numbers of New York State consumers. (A.8375-A / S.7594; Chapter 371; Consumer Affairs)

2. Electronic Fund Transfer Protection Prohibits the transfer of funds as a penalty for providing final payment after a bank account holder has given oral or written communication to stop preauthorized electronic fund transfers. (A.9787 / S.219-A; Chapter 403; Banks)

3. Ticket Sales for Entertainment Events Extends the current regulations for the sale and resale of tickets to places of entertainment to 2013, continuing consumer protections for the free market sales of tickets and the prohibition against restricted paperless tickets. (A.9844 / S.6481-A; Chapter 28; Tourism)

4. Telemarketing Restricting Requires out-of-state telemarketers to register with the Department of State and all telemarketers to obtain authorization from the consumer prior to transmitting prerecorded messages, commonly known as robocalls. (A.10569-A / S.7567-A; Chapter 369; Consumer Affairs)

J. Expanding the Use of DNA and Protecting the Innocent

1. DNA Testing Expands the collection of DNA samples from defendants convicted of crimes in New York State to include all felonies and all penal law misdemeanors. The legislation also enhances the protections afforded to defendants seeking to demonstrate their innocence by providing access, in certain circumstances, to post-conviction DNA testing and comparisons. In addition, the legislation provides for the ability of the court to order discovery for convicted defendants who file a post-conviction motion seeking to demonstrate actual innocence. (A.9555 / S.6733; Chapter 19)

K. Miscellaneous Legislation

1. Possession and Sale of Embalming Fluid Prohibits the sale of embalming fluid by a funeral director, undertaker, embalmer, or registered resident to anyone other than a licensed funeral director, undertaker, embalmer, registered resident or other entity authorized to perform embalming activities. (A.3964-A / S.657-A; Chapter 29)

2. Access to the Adoption Registry Allows persons born in another state, but adopted in New York State, and their birth parents and siblings, to be added to the adoption registry. (A.8307 / S.5145; Chapter 480; Health)

3. NYC Taxi Licenses Authorizes New York City to sell 2,000 accessible taxi licenses and 18,000 HAIL licenses. Under the legislation, the HAIL licenses will allow livery cars to pick up street hails in northern Manhattan, Bronx, Brooklyn, Queens and Staten Island. (A.8691-A / S.6118-A; Chapter 9; Cities)

4. Qualified Agencies Defines the Division of Forensic Services of the Nassau County Medical Examiner's Office as a "qualified agency" for the purpose of accessing the Division of Criminal Justice Services' (DCJS) database containing criminal history and fingerprint information. (A.9098 / S.6280-A; Chapter 14)

5. Expansion of the Iranian Divestment Act of 2012 Adds SUNY, CUNY and public authorities to the list of state entities that are prohibited from investing in the Iranian energy sector. (A.9224 / S.6462; Chapter 106; Governmental Operations)

6. Muni-Meter Parking Provides an affirmative defense to a parking ticket if a muni-meter receipt was purchased before, or up to five minutes after, a ticket was issued. (A.9353-C / S.6727-B; Chapter 486; Transportation)

7. Voluntary Surveillance Access Database Establishes a voluntary surveillance access database. Under the legislation, homeowners and business owners can participate in a program that permits the location of private security cameras or other electronic video surveillance systems to be made available to law enforcement agencies to help solve crimes and apprehend criminals. (A.9380-B / S.7775; Chapter 287)

8. Powers of District Attorney Codifies the authority of district attorneys to employ or contract with social workers, and retroactively provides that time worked for a district attorney's office would count toward experience requirements for persons seeking licensure in that field. (A.10553-A / S.7538; Chapter 358)

III. SUMMARY OF SIGNIFICANT LEGISLATION MOVED BY THE COMMITTEE ON CODES IN 2012 THAT ONLY THE ASSEMBLY PASSED²

A. Protecting Children, the Vulnerable, the Elderly and Victims of Hate

1. Office of the Child Advocate Establishes the independent Office of the Child Advocate, headed by the Child Advocate appointed by the Governor. The Child Advocate, who would report to the Governor and Legislature, would monitor the implementation of policies concerning children in the care, custody or guardianship of the state and make recommendations regarding changes to such policies. (A.644-D/ S.7678; Passed Assembly; Children and Families)

3. Toxic Chemicals in Children Products Provides greater regulation and awareness of the use of toxic chemicals in children's products by requiring the Department of Environmental Conservation to establish and maintain a website that identifies chemicals that are harmful to human health and found in products used by children. The bill also would prohibit the sale of children's products containing such chemicals unless DEC provides a waiver. (A.3141-A/S.1526-B; Passed Assembly; Environmental Conservation)

4. Parental Notification of a Youth's Arrest Requires law enforcement officials, upon the arrest of an individual between 16 to 18 years of age, to notify the parent or person who is legally responsible for that teenager. In addition, the bill would require the parent to be notified if a court appearance ticket has been issued to the youth, unless such a notification would endanger the health and safety of the individual. (A.4408/ S.3202; Passed Assembly)

5. The Safe and Fair Equal Treatment for Youth Act (SAFETY) Requires the commissioner of the Office of Children and Family Services (OCFS) to develop policies that prevent OCFS staff from engaging in harassment and discrimination against youth residing in facilities operated by OCFS. The legislation mandates that the SAFETY Act's policies be publicly posted and incorporated into the training of OCFS personnel. (A.4426; Passed Assembly; Children and Families)

6. Notice of Placement Changes and Reports of Child Abuse in Foster Care Homes Seeks to ensure the safety of children placed in foster care by requiring that local social services districts timely (within ten days) notify the child's attorney when changing the placement of that child, unless such a change was necessitated by an emergency. The bill, also, requires a local district to notify (within five days) the attorney for the child and the attorney for the other involved parties, of an indicated child abuse report that involves the foster child or another child in the home. (A.7598/ S.5456; Passed Assembly; Children and Families)

² Except where noted, legislation cited in this discussion originated in the Committee on Codes. Where such legislation did not so originate, but was dual referenced into the Committee on Codes from another committee and the Codes Committee had substantial impact on such legislation, then the original committee of reference will appear with the bill number. Additionally, legislation that was in fact passed by both Houses will be listed as such.

7. Sharing Mental Hygiene Records Provides that information obtained pursuant to "Jonathan's Law," can be shared with health care providers, behavioral health care providers, law enforcement entities, and when criminal activity is suspected, the recipient's attorney. (A.9037-A/ S.6620-A; Passed Assembly; Mental Health)

8. Child-Sensitive Arrest Policies Directs the superintendent of state police to develop and institute child-sensitive arrest policies and procedures. (A.9087-A/ S.6043-A; Passed Assembly)

9. Baby Crib Safety Prohibits the use of unsafe cribs in child care facilities and places of public accommodation, such as hotels, motels, inns, and motor courts. (A.9437/ S.7568; Passed Assembly; Consumer Affairs)

10. Extension of "Jonathan's Law" Provides that family members of individuals receiving services in mental hygiene facilities have access to the service recipient's records. (A.9777-A / S.7475-A; Passed Both Houses; Mental Health)

11. Permanency Planning in JD and PINS proceedings Requires permanency planning in juvenile delinquency (JD) and persons in need of supervision (PINS) proceedings to enable the person's immediate school enrollment, parental notification about the proceedings, and the continued legal representation at such proceedings. (A.10348/ S.7591; Passed Assembly; Children and Families)

12. Increase Access to PINS in Family Court for Certain Youth Allows a person in need of supervision (PINS) petition to be filed, without attempting diversion services, in two narrow instances when diversion would not be feasible: 1.) when the youth has run away and a warrant is needed, or 2.) when the youth poses an imminent risk of harm to his or her family and an order of protection is required. Once the youth is returned to court, diversion would be required unless there is a substantial likelihood that the youth would run away or pose imminent harm again. (A.10639/ S.7586; Passed Assembly; Children and Families)

13. Justice Center for the Protection of People with Special Needs Establishes uniform safeguards for people with special needs who are being cared for in residential facilities and day programs by provider agencies that are operated licensed or certified by state agencies. The bill establishes safeguards to be implemented by a newly created Justice Center for the Protection of People with Special Needs. The Justice Center will contain both an inspector general and a special prosecutor, vested with concurrent jurisdiction with local district attorneys to prosecute cases of abuse and neglect in which people with special needs have been victimized.

The legislation, further, establishes a 24/7 hotline to receive reports of abuse, neglect, and other significant incidents. In addition, the measure establishes a central registry for employees found guilty of certain allegations of abuse and neglect. Such individuals would be permanently barred from employment in any of the impacted state agencies. (A.10721 / S.7749; Passed Both Houses; Mental Health)

B. Protecting the Public Against Sex Offenders

1. Development of Guidelines for the Treatment of Victims of Sex Offenses

Requires the Office of Mental Health and the Office of Alcoholism and Substance Abuse Services to develop guidelines regarding the services available to victims of sex offenses in outpatient settings. Under the bill, such guidelines would include evidence-based, best practices on how to ensure victims are not re-traumatized by known sex offenders during treatment. (A.6573-B/ S.7069-A; Passed Assembly; Mental Health)

C. Protecting Crime Victims and Victims of Domestic Violence

1. Aggravated Family Offense Establishes the felony crime of aggravated family offense for individuals who commit a specified domestic violence misdemeanor offense and have been convicted of one or more domestic violence offenses within the past five years. (A.1986-B/ S.5822; Passed Assembly)

2. Domestic Violence Workplace Discrimination Prohibits employers from discriminating against domestic violence victims and provides accommodations to victims when they must be absent from work for a reasonable time due to domestic violence. (A.2348-A/ S.5526; Passed Assembly; Governmental Operations)

3. Domestic Partner Crime Victims' Compensation Expands eligibility for those who receive crime victim compensation awards to include a domestic partner and provides access to counseling for surviving family members of homicide victims. (A.3592/ S.629; Passed Assembly)

4. Serious Offense Definition Expands the definition of "serious offense" in the Penal Law to include certain domestic violence offenses and prohibits persons convicted of such offenses from possessing a firearm. (A.4488-A/ Passed Assembly)

5. Domestic Violence Housing Discrimination Classifies the denial of housing and other accommodations to victims of domestic violence as an "unlawful discriminatory practice" when such denial is based on their victim status. (A.9024/ S.6994; Passed Assembly; Governmental Operations)

D. Fighting Gun and Weapon Violence

1. Firearm Microstamping Establishes the Crime Gun Identification Act of 2012 that would require all new semiautomatic handguns sold in New York State, by 2014, to be microstamped with a unique code which is transferred to shell casings when the gun is fired. (A.1157-B/ S.675-C; Passed Assembly)

2. Firearm Ownership Inquiry Requires the judge in a criminal proceeding or in a family court proceeding, upon issuance of an order of protection, to inquire as to the ownership of a firearm by the defendant or respondent. (A.2494-B/S.1003; Passed Assembly)

3. Revocation of Firearms Licenses Empowers courts to revoke firearms licenses and seize weapons from individuals who are ordered into treatment at a mental health facility or whom a judge has determined are incapacitated. (A.3081/S.670; Passed Assembly)

4. Undetectable Knives Prohibits the manufacture, transport, shipment or possession of an undetectable knife for commercial sale and requires that manufacturers of knives include materials that are identifiable and detectable by a metal detector. (A.3622-A; Passed Assembly)

5. Revocation of Firearm License Involving Orders of Protection Provides for the mandatory revocation or suspension of the firearms license of an individual against whom an order or temporary order of protection has been issued. (A.6406-A/ S.7205; Passed Assembly)

E. Expanding the Use of DNA and Protecting the Innocent

1. DNA / Innocence Omnibus Bill Establishes statewide standards for the preservation and cataloguing of DNA evidence. The measure also creates the Integrity of the Criminal Justice System Commission to study the errors made in wrongful conviction cases and to make recommendations to prevent such breakdowns in the justice system.

The bill also ensures confidentiality of those who provide voluntary samples; eliminates unregulated, "rogue," DNA databases; expands access for those who have been wrongfully convicted to seek monetary damages; and mandates the videotaping of custodial interrogations conducted in police stations for felony cases. (A.5886-C; Passed Assembly)

2. Discovery Establishes the power of a court to order disclosure by the prosecution of relevant property that is shown to be material to the case of the defense, whether or not the prosecution intends to introduce the property at trial. (A.8080; Passed Assembly)

3. Fingerprint Comparison Allows a court, upon a pre-trial motion by the defendant, to order that a fingerprint obtained in the course of an investigation be compared against the state and or national fingerprint identification system upon a showing that such comparison is material to his or her defense. (A.10269; Passed Assembly)

F. Gang Prevention

1. Gang Program Establishes a gang assessment, intervention, prevention and suppression program within the division of criminal justice services. (A.3834-A; Passed Assembly)

G. Protecting Animals

1. Ban on Needless Devocalization of an Animal Prohibits the removal of the vocal chords of a dog or cat for non-medical reasons. Under the bill, violators would face fines or incarceration and may be required to forfeit ownership of their pet. The legislation also requires the suspension or revocation of a veterinarian's license if convicted of performing an illegal devocalization. (A.3431-D/ S.6167-C; Passed Assembly; Agriculture)

H. Protecting Consumers

1. Predatory Gas Pricing Prohibited Prohibits multiple gasoline price increases in a 24-hour period. (A.1970/ S.603; Passed Assembly; Governmental Operations)

2. Preventing Random Gas Pump Price Increases Redefines the permitted "additional costs" for gas to only include taxes and transportation costs and prevents wholesalers, retailers, and gas station owners from randomly increasing the price of gas, as frequently occurs in major metropolitan areas. The bill also prevents unfair gas pricing that is based on geographical location rather than on actual costs. (A.7775-B/ S.4170-B; Passed Assembly; Economic Development)

3. Recourse for Price Gouging Victims Empowers price gouging victims to sue price gougers directly while retaining the current authority of the state Attorney General to also bring legal action against violators. The bill also permits victims of price gouging to receive compensation for actual damages or \$1000, whichever is greater. In addition, the measure permits the court to award an additional penalty of up to \$5,000 for a willful or knowing violation as well as reasonable attorney's fees. (A.8340; Passed Assembly; Consumer Affairs)

4. Foreclosure Fraud Prevention Act Establishes "the foreclosure fraud prevention act of 2012" and creates two new crimes of residential mortgage foreclosure fraud in the first and second degrees. (A.10629-A/ S.7759; Passed Assembly / S.7759; Rules)

I. Housing Protection

Vacancy Decontrol Repeals vacancy decontrol laws that permit landlords to remove rent-regulated apartments from regulation when rent equals or exceeds \$2,000 per month. (A.2430-A/ S.1193-A; Passed Assembly; Housing)

Landlord Apartment Personal Use Restrictions Permits landlords to take possession of one unit for their own primary residence in cases of immediate and compelling necessity except when a tenant has occupied the apartment for 20 or more years, in which case the unit cannot be recovered by the owner for his or her personal use. (A.3033/ S.81; Passed Assembly; Housing)

Rent Overcharge Complaint Requires an owner of a rent-regulated unit to comply with an administrative order issued more than four years prior to an overcharge complaint, as long as the order has not been revoked. This bill also requires a complaint of fraud to be reviewed by the Division of Housing and Community Renewal without regard to whether such fraud allegedly occurred prior to the four years preceding the filing of a complaint. (A.4900; Passed Assembly; Housing)

J. Making Civil Justice System Fairer

1. Filing of Satisfaction of Judgment Increases the penalties for judgment-creditors who have received full payment on judgments but do not file the appropriate satisfaction in court, thus further impairing the credit of judgment-debtors. (A.1889-B/ S.438-B; Passed Assembly; Judiciary)

2. Exclusion of Judgments Excludes certain judgments, orders, or decrees issued in a matrimonial action, including an award for maintenance and or child support, from a stay of enforcement without a court order. (A.5032-A; Passed Assembly)

3. Prohibition of Denial of Class Certification Prohibits a court from denying class certification in a class action lawsuit solely because the action involves governmental operations. (A.2334/ S.5327; Passed Assembly)

4. Translation of Orders of Protection Requires the essential terms of an order of protection to be translated into the native language of the parties involved by an interpreter appointed by the court to assist in the proceedings. (A.6113/ S.1870-A; Passed Assembly; Judiciary)

K. Drug Prevention

1. Prohibition of Salvia Divinorum Prohibits the sale of salvia divinorum, an herbal intoxicant, to persons under 18 years of age. (A.5491; Passed Assembly)

2. Synthetic Marijuana Banned Criminalizes the sale and possession of synthetic marijuana in New York State and adds several chemical compounds used to manufacture synthetic marijuana to the schedule of controlled substances, making the sale and possession punishable by imprisonment, a fine, or both. (A.9855-A; Passed Assembly)

L. Police and Community Relations

1. Geographical Area of Employment Expands the geographic area used to determine eligibility for employment as state university police officers to the areas adjacent to the campus. (A.5372-B; Passed Assembly)

2. Racial Profiling Prohibits law enforcement officers from using racial profiling. Under the bill, police departments would be required to collect and maintain records related to traffic stops and "stop and frisk" actions and regularly submit the information to the Division of Criminal Justice Services. This bill also permits victims of profiling to seek recourse against those who solely use race and ethnicity as a basis for exercising the powers of law enforcement. (A.2288; Passed Assembly)

M. Protecting Public Health

1. Ensuring Proper Treatment of Drilling Waste Requires that waste resulting from the production or exploration of oil or natural gas be considered hazardous if the waste meets the state Environmental Conservation Law's definition of hazardous. (A.7013/S.4616; Passed Assembly; Environmental Conservation)

2. Disaster Safety for Individuals with Disabilities Requires counties to maintain voluntary registries of people who may be in need of special assistance in the event of an emergency or disaster. (A.7257; Passed Assembly; Governmental Operations)

3. Medical Marijuana Permits the use of marijuana to treat serious, life-threatening illnesses under a doctor's supervision. The bill requires that a licensed practitioner certify that a patient has a serious condition for which they are likely to receive palliative or therapeutic benefit from treatment which includes the medical use of marijuana. Under the bill, a certified patient or designated caregiver, who is required to be registered with the state Department of Health (DOH) will be permitted to possess up to two and one half ounces of marijuana.

Also, the bill authorizes DOH to license and regulate "registered organizations and producers" to dispense medical marijuana to certified patients. Lastly, it requires DOH to issue registry identification cards to certified patients and designated caregivers. (A.7347/ S.7283-A; Passed Assembly; Health)

N. Promoting Driver Safety

1. School Bus Safety Establishes a School Bus Motorist Education Program to educate motorists of the dangers of passing stopped school buses in order to reduce the number of violations and promote school bus passenger safety. (A.1178/ S.5741; Passed Assembly; Transportation)

2. Seat Belts in Rear Seats Prohibits any person from riding in the rear seat of a motor vehicle unless they are properly restrained by a seat belt. (A.1306/ S.1337; Passed Assembly; Transportation)

3. Insurance Fraud Prevention Expands the definition of insurance fraud in the fourth degree, a Class E felony, to include a person who commits an act of insurance fraud and operates a motor vehicle and intentionally causes or attempts to cause a collision. (A.6177-A; Passed Assembly)

O. Miscellaneous Legislation

1. Diplomatic Immunity Notification Act Requires notification to certain federal and state agencies when persons who act in violation of New York's laws claim diplomatic immunity. The notification must include the name of the protected person, their title, position, and/or assignment, in the United States, and information about the incident, including the potential violations of the penal law. (A.291-A/ S.7262; Passed Assembly)

2. Gender Expression Nondiscrimination Act Protects transgender people under the Human Rights Law by prohibiting discrimination based on gender identity or expression. (A.5039/ S.6349; Passed Assembly; Governmental Operations)

3. New York State Fair Pay Act Prohibits an employer from discriminating against employees on the basis of sex, race and/or national origin by paying different wages. (A.6130-A/ S.2200-A; Passed Assembly; Labor)

4. Comparable Worth Ensures that public employees of municipalities will be paid equally for work of equivalent value regardless of sex, race or national origin. The bill establishes methodologies that may be used by the president of the civil service commission for determining equivalent value of work and mandates that he or she submit to the legislature and executive a list of those segregated titles for which a wage disparity exists. (A.6448-A; Passed Assembly; Governmental Employees)

5. Credit History in Hiring Considerations Prohibits an employer or potential employer from using an individual's credit history when making decisions to hire, terminate, promote, demote or discipline such individual. (A.8070-B/ S.4905-A; Passed Assembly; Consumer Affairs)

6. Criminal Background Information Directs the Department of Corrections and Community Supervision to both publish a brochure, describing the resources available to the public for the purpose of gathering criminal background information on an individual, and post this same material on its website. (A.8296/ S.5735; Passed Assembly)

7. Ban on Novelty Lighters Prohibits the distribution or sale of novelty lighters, which are equipped with musical sounds, toy-like designs and flashing lights. (A.8402-A/ S.7411; Passed Assembly / S.7411; Consumer Affairs)

8. Identity Protection Prohibits businesses from requiring individuals to include unnecessary personal identifying information on forms that are filed with a government agency and made available for public inspection. (A.9111/ S.7819; Passed Assembly; Governmental Operations)

9. Open and Transparent Access to Public Records Bars the state from issuing categorical or blanket denials when records are requested and requires specific justifications for denial of access to records under the Freedom of Information Law.

Additionally, the bill provides that files held by law enforcement agencies or files that which relate to ongoing litigation are accessible when: 1) their disclosure does not interfere with an open investigation or proceeding; and 2) the release of the records has been approved by the judge presiding over the litigation. (A.9460/ S.7818; Passed Assembly; Governmental Operations)

10. Protects Employee Online Account Privacy Prohibits employers from requiring an employee or applicant for employment to disclose information used to access a personal account or service through an electronic communications device. (A.9654/ S.6831; Passed Assembly; Labor)

11. Expanding Qualified Agency Access to Criminal Records Amends the definition of qualified agencies to include public defenders, legal aid societies and assigned counsel administrators for the purpose of retrieving criminal history information of clients represented by such individuals or entities. (A.10709/ S.7005-A; Passed Assembly)

IV. ORIGINAL CODES BILLS AND BILLS DUAL REFERENCED TO THE COMMITTEE ON CODES THAT THE GOVERNOR VETOED³

- 1.** Directs the commissioner of parks, recreation and historic preservation to cooperate with municipalities in establishing adopt-a-park programs; municipalities may enter into agreements with volunteer groups for provision of services. (A.3409-B/ S.2686-B; Veto 139)
- 2.** Prohibits the filling, emptying or use of any liquefied petroleum gas cylinder, container or receptacle, except by the owner thereof or by a person authorized in writing by such owner. (A.4055/ S.773; Veto 136)
- 3.** Allows employers to suspend a police officer without pay pending disciplinary charges. (A.7761-A/ S.5336-A; Veto 141)
- 4.** Relates to the authority of an agent to act outside a hospital setting to make certain decisions regarding the transport of the principal to a particular medical setting when such principal is unconscious or unresponsive. (A.8389/ S.5014-A; Veto 156)
- 5.** Provides for the certification by the education department of certified registered nurse anesthetists. (A.8392-C/ S.5356-D; Veto 165)
- 6.** Relates to the practice of surgical technology and surgical technologists; defines terms. (A.9303/ S.6511-A; Veto 165)
- 7.** Provides procedures for resolution of disputes between a public employer and Suffolk county probation officers. (A.9423/ S.6576; Veto 152)
- 8.** Grants those assigned or employed for three continuous years as investigators and senior investigators in the bureau of criminal investigation or as a station commander, corporal, zone commander, zone sergeant, first sergeant, staff sergeant, captain or major within the division of state police protection from removal or other disciplinary action without a hearing. (A.9431/ S.6544; Veto 168)

³ Veto Memo. Numbers refer to those issued in 2012.

PEACE OFFICER AND POLICE OFFICER LEGISLATION

- 1.** Relates to persons designated as peace officers. (A.948-B/ S.3134-B; Passed Both Houses; Delivered to Governor)
- 2.** Expands the geographical area of employment of university police officers. (A.5372-B/ No Same As; Passed Assembly)
- 3.** Designates police officers of the U.S. Department of Veterans Affairs as peace officers. (A.8657/ S.2165; Passed Both Houses; Delivered to Governor)
- 4.** Relates to designating certain employees of the Seneca county sheriff's office serving as uniformed marine patrol officers and uniformed court security officers as peace officers. (A.8989-A/ S.6171-A; Passed Both Houses; Delivered to Governor)
- 5.** Designates as peace officers, the uniformed court officers of the town court of the town of New Windsor. (A.9411/ S.6319; Passed Both Houses; Delivered to Governor)
- 6.** Designates court attendants in the town of Highlands as peace officers. (A.9434/ S.6320; Passed Both Houses; Delivered to Governor)
- 7.** Designates security services officers of the University of Rochester as peace officers. (A.9666-A/ S.6249-B; Passed Both Houses; Delivered to Governor)
- 8.** Designates uniformed officers of the fire marshal's office of the town of Huntington as peace officers. (A.9883/ S.6996; Passed Both Houses; Delivered to Governor)
- 9.** Relates to including members of the fire investigation unit in the city of Schenectady as peace officers. (A.10116/ S.7241; Passed Both Houses; Delivered to Governor)
- 10.** Grants uniformed members of the bureau of fire prevention of the town of Islip peace officer status. (A.10731/ S.7721; Passed Both Houses; Delivered to Governor)

V. CODES COMMITTEE PARTICIPATION IN HEARINGS AND ROUNDTABLES IN 2012

A. An examination of “Stop and Frisk” policy and practice.

On May 18, 2012, the Codes Committee, together with the Assembly Committee on Correction and the New York State Black, Puerto Rican, Hispanic and Asian Legislative Caucus, convened a roundtable meeting concerning law enforcement “stop and frisk” policies and practices in New York State.

A police officer must have reasonable suspicion that a crime has occurred, is occurring or is about to occur in order to stop and frisk an individual. This type of stop can be an important component of a law enforcement investigation; an accompanying body pat-down or frisk can also be important for the safety of the officer and persons nearby. However, the number of persons stopped and frisked in New York City has increased significantly in recent years. Approximately ninety percent of these encounters do not end in an arrest. Further, persons of color and ethnic minorities in New York have been disproportionately subjected to these stop and frisk procedures.

The Assembly has repeatedly approved legislation that would require all police departments in the state to implement a policy against racial and ethnic profiling. That legislation would also require police departments to maintain data concerning vehicle and pedestrian stops, and make such information available to assist in efforts to determine whether police agencies may be engaging in ethnic or racial profiling.

The conveners of this roundtable meeting heard from a variety of experts and knowledgeable persons concerning current “stop, question and frisk” policies and practices (primarily in New York City), the perceived impact of these policies and practices on public safety, and the effect of these policies and practices on individuals and families when – as often is the case -- persons who are stopped or detained (sometimes repeatedly) have not, in fact, committed a crime.

B. An examination of the adequacy of outreach and social services for human trafficking victims.

The Codes Committee, together with the committees on Social Services and Oversight, Analysis and Investigation conducted a roundtable on October 16th, 2012 to examine the adequacy of outreach and social services for human trafficking victims. The discussion focused on currently available outreach efforts, social services assistance statewide for human trafficking victims, and identification of gaps, roadblocks and possible solutions to any such gap or roadblock.

When New York State enacted its Human Trafficking law in 2007, it recognized that those persons trafficked were victims, not criminals, and should be treated as such. Therefore, the law includes provisions to provide services for such victims. It is estimated that there could be close to 800,000 victims of human trafficking in New York. Since the enactment of the law, data from service providers, law enforcement and other sources have shown that in comparison to the estimated 800,000 victims, relatively few have been provided with victims services. The roundtable consisted of social and legal service providers as well as representatives from state agencies, who collectively discussed ways to better identify and provide services to victims of human trafficking, from initial point of contact, to long term housing and safety solutions.

The SFY 2012-2013 enacted state budget allocated funds for services for human trafficking victims, which the New York State Assembly supports each year so that trafficking victims can continue to be provided with necessary services.

C. An examination of the adequacy of services available to victims of domestic violence and economic abuse.

The Codes Committee, together with the Judiciary Committee, conducted a hearing on December 5, 2012 to examine how state law and policy can be more effective in addressing economic abuse as a form of domestic abuse, and can better address the economic needs and challenges faced by domestic violence victims. Also discussed was the adequacy of the level of state funding provided for these services.

Economic abuse is a tool abusers may use to intimidate and control their victims. This type of abuse can take many forms, and some victims of domestic violence are unable to remove themselves and their children from the situation because their partner has control of their finances as well as over educational, employment and/or housing opportunities. Others realize, only after leaving an abusive relationship, that their finances are in ruin.

This hearing brought together representatives from the Office of Court Administration, survivors of economic domestic violence, consumer protection groups, legal services and social services groups to discuss how the state can more effectively address the needs of victims of economic domestic abuse. Issues discussed included reforms in the judicial process, the need for financial counseling for victims of domestic violence, enactment of the Consumer Credit Fairness Act, and improving access to civil legal services including in family court matters and financial/consumer legal matters such as credit reporting issues and debt collection abuses.

See Appendix H

APPENDIX A- 2012 COMMITTEE WORKLOAD

<u>FINAL ACTION</u>	<u>ASSEMBLY BILLS</u>	<u>SENATE BILLS</u>	<u>TOTAL</u>
BILLS REPORTED WITH OR WITHOUT AMENDMENT			
TO FLOOR; NOT RETURNING TO COMMITTEE (FAVORABLE)	93		93
TO WAYS AND MEANS	68		68
TO RULES	163		163
TOTAL	324		324
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BILLS HAVING COMMITTEE REFERENCE CHANGED			
TO Corrections	3		3
TO Corporations	1		1
TOTAL	4		4
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SENATE BILLS SUBSTITUED OR RECALLED			
SUBSTITUED		49	49
RECALLED		7	7
TOTAL		56	56
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BILLS HELD FOR CONSIDERATION WITH A ROLL-CALL VOTE	119	0	119
BILLS NEVER REPORTED, DIED IN COMMITTEE	722	157	879
BILLS HAVING ENACTING CLAUSES STRICKEN	26		26
MOTIONS TO DISCHARGE	0		0
TOTAL BILLS IN COMMITTEE	1195	197	1392
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TOTAL NUMBER OF COMMITTEE MEETINGS HELD	22		

APPENDIX B - SCHEDULE OF 2012 CODES COMMITTEE MEETINGS

<u>MONTH</u>	<u>DATE</u>	<u>DAY</u>
January	9	Monday
January	18	Wednesday
January	31	Tuesday
February	14	Tuesday
March	1	Thursday
March	12	Monday
March	15	Thursday
March	20	Tuesday
March	27	Tuesday
April	18	Wednesday
May	1	Tuesday
May	8	Tuesday
May	15	Tuesday
May	22	Tuesday
June	5	Tuesday
June	11	Monday
June	12	Tuesday
June	14	Thursday
June	18	Monday
June	19	Tuesday
June	20	Wednesday
June	21	Thursday

TOTAL NUMBER OF COMMITTEE MEETINGS HELD: 22

APPENDIX C - CODES LAWS OF 2012

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A2215-A	458	Zebrowski	Requires pleadings in actions arising from the conduct of a business required to be licensed by the state to set forth in the pleadings that the business was licensed at the time the cause of action arose.
A3457	113	Gabryszak	Relates to the filing of a false financing statement.
A3964-A	29	Magnarelli	Makes possession and sale of embalming fluid a misdemeanor.
A4672-B	434	Rivera P	Enhances the criminal penalties for assaulting certain employees of a local social services district while in the performance of their duties; elevates it to assault in the second degree, a class D felony.
A6062-A	377	Lentol	Relates to assault on a New York city sanitation worker; provides that such assault is either a class C felony or constitutes assault in the second degree when such assault is by means of releasing or failing to control an animal with the intent to obstruct such person from performing their lawful duties.
A9098	14	Schimel	Includes the division of forensic services of the Nassau county medical examiner's office in the definition of "qualified agencies."
A9380-B	287	DenDekker	Establishes a voluntary surveillance access database where residential homeowners and business owners may elect to have location information of electronic surveillance systems made available to law enforcement agencies.
A9555	19	Lentol	Relates to DNA testing of certain offenders convicted of a crime.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A10204	330	Lifton	Exempts students in gun safety and proficiency courses from certain provisions of law.
A10553-A	358	Lentol	Relates to the authority of district attorneys to hire and retain licensed professionals.
A10555	347	Lentol	Authorizes the transfer of interim probation supervision where the defendant moves to or lives in another county; provides that sentencing court retains jurisdiction; applies to judicial diversion.
A10624	491	Lentol	Establishes a domestic violence fatality review team; adds members to the advisory council on domestic violence (part A); prohibits certain persons from controlling the disposition of a decedent's remains (part B); relates to the confidentiality program of the department of state (part C); relates to the consideration of certain factors when determining the issuance of an order of recognizance or bail and establishes the crime of aggravated domestic violence (part D); relates to a reasonable request to receive communications of health information by alternative means where disclosure could endanger a person (part E).
A10640-B	181	Aubry	Relates to charitable bail organizations; authorizes the superintendent to issue certificates to a charitable bail organization to deposit money as bail under certain circumstances.
A10664	476	Weinstein	Relates to orders of observation for the purpose of determining incapacitation.
A10713	456	Lentol	Relates to the crime of possessing an obscene sexual performance by a child to include knowingly accessing with intent to view such material.

APPENDIX D - DUAL REFERENCED LAWS OF 2012

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A697-D	110	Paulin	Relates to requirements for pet dealers for the care and sale of cats and dogs; requires the implementation of an appropriate plan for the exercise of animals in their possession.
A1074-B	105	Weisenberg	Provides that a tanning facility shall not permit the use of an ultraviolet radiation device by persons sixteen years of age and under.
A2955	405	Weisenberg	Authorizes the town of Hempstead, in the county of Nassau, to establish a speed limit of less than 30 miles per hour on certain highways in the community of Lido Beach.
A3363	274	Lavine	Requires access aisles of handicapped accessible parking spaces to be at least eight feet wide.
A4153-C	479	Magnarelli	Provides for the licensure of perfusionists; allows for the issuance of limited permits for a fee of fifty dollars; provides that such permits are subject to the full disciplinary and regulatory authority of the board of regents and the education department.
A4365-A	370	Perry	Prohibits pay-per-call prize schemes from charging more for the call than that charged by a telephone corporation regulated by the appropriate regulatory commission for the same call.
A4578-A	410	Silver	Establishes an intercity bus service permit system in cities having a population of one million or more; defines terms; provides exemptions; imposes civil penalties for violations; requires a public hearing.
A5275	478	Titone	Authorizes an attorney to attach a lien to awards and settlement proceeds received by his or her client through alternative dispute resolution or settlement negotiations.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A6439	304	Rosenthal	Increases penalties associated with the packaging, sale or certification of kosher foods; increases first violation from one thousand dollars to two thousand five hundred dollars; increases second violation from five thousand dollars to seven thousand five hundred dollars.
A6932	412	Weisenberg	Authorizes the city of Long Beach, Nassau County to establish speed limits on Cleveland Avenue, Harding Avenue, Mitchell Avenue, Belmont Avenue, Atlantic Avenue, Coolidge Avenue, Wilson Avenue and Taft Avenue below 30 miles per hour.
A7329	404	Barron	Prohibits compensation based on home loan terms by mortgage brokers or mortgage lenders.
A7355-B	48	Gottfried	Provides for the licensing of physician assistants and the continued registration of specialist assistants.
A7502-B	119	Paulin	Prohibits dangerous practices at companion animal grooming facilities; provides that no heating elements in cage or box dryers shall be turned on; provides that any violation shall be punishable of a fine between \$250-\$500.
A7859-A	381	Glick	Relates to the licensure of private proprietary schools; provides for increased competition among schools to improve the quality of training provided at private proprietary schools and the quality of student performance in the workplace.
A8307	480	Lavine	Relates to the adoption registry; permits applications from persons born outside the state but adopted within the state.
A8321	306	Glick	Amends the education law, in relation to allowing those submitting applications to the department of education under title eight of the education law to submit an affirmation in lieu of an oath.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A8375-A	371	Dinowitz	Prohibits prison inmates from accessing, collecting or performing data processing of personal identifying information pertaining to New York State residents.
A8604-B	450	Rosenthal	Relates to consignments of works of art to art merchants by artists and their successors in interest.
A8614-B	460	Titone	Relates to the definition of an artist and theatrical employment agencies.
A8668-A	1	Silver	Enacts the Iran divestment act of 2012 to prevent public investment in companies operating in Iran's energy sector with investments that have the result of directly or indirectly supporting the efforts of the Government of Iran to achieve nuclear weapons capability.
A8691-A	9	Heastie	Authorizes NYC to issue new taxicab licenses to vehicles that are accessible to individuals with disabilities; authorizes New York City to issue 18,000 hail taxicab licenses; generally relates to New York City taxicabs.
A8694-A	3	Paulin	Relates to procedures for destitute children; relates to kinship guardian assistance payments; clarifies that the court may appoint an attorney for the child in article 10-B proceedings; provides a new definition of "destitute child" to include a child who is in a state of want or suffering, does not fit with the definition of an abused or neglected child under FCA article 10 and is without any parent or caretaker available to sufficiently care for such child due to certain conditions.
A8903	4	Morelle	Makes technical corrections relating to the treatment of qualified financial contracts in an insurance insolvency proceeding affecting a domestic, foreign or alien insurer.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A8909	5	Jeffries	Relates to the dealings of mortgage brokers and home improvement contractors; exempts from provisions relating to payment of mortgage proceeds to a borrower or third party, rather than directly to a home improvement contractor, those home improvement loans insured by the FHA under the National Housing Act or the Energy Policy Act of 1992.
A8917	363	Brindisi	Relates to records of parole release interviews for inmates detained as sex offenders.
A8962	367	Brindisi	Permits brewers with a certain annual volume and with a certain percentage of sales to terminate an agreement with a beer wholesaler without having good cause; requires payment of fair market value of the applicable distribution rights lost; allows for the arbitration panel to review the fair market value; sets forth definitions.
A8965	383	Dinowitz	Relates to cancellation of membership camping contracts.
A8982	77	Sayward	Authorizes any person licensed as a physician, physician's assistant, massage therapist, physical therapist, chiropractor, dentist, optometrist, nurse, nurse practitioner or podiatrist in another state or territory and appointed by the World Triathlon Corporation to practice his or her profession in this state in connection with an athletic event sanctioned by such corporation.
A8992-A	372	Dinowitz	Tracks federal privacy act of 1974 with respect to the obligation of a person to disclose their social security number to another person, partnership, association or corporation; provides where there is no legal basis for request that a person may refuse to provide his or her social security number; provides for enforcement by attorney general.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A9044-B	448	Rosenthal	Prohibits the sale of electronic cigarettes to persons under 18 years of age.
A9104	69	Ramos	Extends time limitations for certain actions relating to injury or death caused by contact with or exposure to phenoxy herbicides while serving as a member of the armed forces of the United States in Indo-China from February 28, 1961 through May 7, 1975.
A9216	33	Glick	Relates to authorizing certain health care professionals licensed to practice in other jurisdictions to practice in this state in connection with an event sanctioned by New York Road Runners, in relation to extending the provisions thereof.
A9224	106	Silver	Provides for the application of the Iranian energy sector divestment act to public authorities and SUNY and CUNY; prohibits certain contracts.
A9229	364	Brindisi	Relates to maintaining up-to-date photographs of sex offenders subsequent to release.
A9293-A	438	Pretlow	Expands the definition of podiatry to include conditions of the ankle and all soft tissue structures of the leg below the knee affecting the foot and ankle.
A9353-C	486	Dinowitz	Provides that in any proceeding alleging a muni-meter violation, it shall be an affirmative defense that the person summoned did in fact purchase muni-meter ticket prior to or contemporaneously with the issuance of the summons.
A9362-A	445	Paulin	Relates to wine and liquor auctions; removes restrictions on the number of auctions that can happen through the year.
A9400	137	Weinstein	Extends the chief administrator of the courts' authority to allow referees to determine certain applications to a family court for an order of protection.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A9422-A	267	Sweeney	Requires the department of environmental conservation, in cooperation with the department of agriculture and markets, to take action with respect to nonnative animal and plant species.
A9539-D	388	Ramos	Provides for the establishment of a traffic and parking violations agency in the county of Suffolk and appointment of traffic prosecutors.
A9540	343	Reilly	Authorizes the use of the Albany county correctional facility for detention of persons under arrest and being held for arraignment in any court in the county of Albany.
A9552-A	144	McEneny	Prohibits persons from owning, possessing, selling, transferring or manufacturing animal fighting paraphernalia with intent to engage in animal fighting.
A9553	232	Aubry	Grants the state commission of correction authority to access inmate medical records.
A9585	319	Butler	Authorizes certain premises to sell liquor.
A9586-D	265	Jaffee	Relates to duties of providers of mammography services to notify and inform patients if a mammogram demonstrates dense breast tissue.
A9589	421	Cahill	Relates to a license to sell liquor at retail for consumption on certain premises in the city of Kingston, Ulster County.
A9593-A	427	Dinowitz	Relates to requirements for unit pricing in certain non-chain convenience stores.
A9604-A	227	Lifton	Authorizes people to hunt by crossbow in the county of Cortland.
A9638	231	Kolb	Allows for rifle hunting in Cayuga county.
A9771	408	Skartados	Authorizes the city of Newburgh to establish an administrative tribunal for the adjudication of parking infractions; further authorizes the city of Newburgh to provide for the appointment of hearing examiners.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A9787	403	Robinson	Provides that no agreement for preauthorized electronic fund transfers entered into on or after January first, two thousand thirteen permit or require the transfer of any amount as a penalty or final payment after a stop payment notice has been given.
A9794-A	214	Paulin	Authorizes a physician, nurse practitioner, physician assistant, registered nurse, licensed practical nurse or emergency medical technician to act as a designated camp health director or to provide health services at a children's overnight, summer day, or traveling summer day camp with a permit.
A9844	28	Markey	Extends certain provisions of law relating to the resale of tickets to places of entertainment through May 14, 2013.
A9863	484	Cahill	Relates to the sale and production of liquor by farm distilleries.
A9898	233	Schimmel	Relates to the eligibility for crime victim awards of certain family members of homicide victims.
A9963-A	441	Abbate	Provides that police officers and firefighters employed by bi-state authorities are covered under health and safety standards for public employees.
A10015	392	Mayer	Authorizes the city of Yonkers to adopt a local law creating a bureau of administrative adjudication for code and ordinance violations regarding conditions which constitute a threat or danger to the public health, safety or welfare.
A10039-B	465	Ortiz	Establishes Lauren's law requiring the commissioner of health to ask applicants about joining the donate life registry on consent applications.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A10041-B	326	Rosenthal	Relates to wild and exotic animal protection; prohibits release of such animals; requires owners of exotic animals to pay for costs associated with animal recapture.
A10095	270	Simanowitz	Allows body piercing with parental or guardian consent for persons under the age of 18.
A10096	328	Schimminger	Includes the Sons of the American Legion and the American Legion Auxiliary in the definition of "club," extending certain provisions to such groups.
A10118	329	Canestrari	Relates to the profession of occupational therapy.
A10141-B	449	Dinowitz	Prohibits smoking within 100 feet of the entrances or exits of any public or private educational institution; exempts smoking in or around a private residence.
A10190	242	Schimminger	Relates to the terms of sale of alcoholic beverages.
A10198	166	Markey	Extends through January 1, 2015, provisions authorizing the operation of certain leased personal watercraft and prop-craft without a boating safety certificate.
A10253	333	Wright	Relates to subpoenas in proceedings before the public employment relations board; relates to exclusions from article 23 of the civil practice law and rules.
A10298	228	Castro	Relates to roundabouts and makes technical corrections to provisions of law relating to lane-use control signal indications, circular intersections and railroad grade crossings.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A10336-B	365	Paulin	Relates to sexual offenses by health care or mental health care providers; requires the professional conduct officer designated to investigate a complaint of a licensee's professional misconduct to report certain sex offenses to the appropriate law enforcement official or authority.
A10345	468	O'Donnell	Relates to the authority of support magistrates in family court to adjudicate child support license suspension proceedings.
A10415-A	470	Weinstein	Relates to probation in child support, delinquency, persons in need of supervision and family offense proceedings.
A10569-A	369	Barrett	Relates to telemarketing; prohibits pre-recorded messages in certain circumstances; requires a mechanism for consumers to automatically add their number to the seller's do-not-call list.
A10577	246	Morelle	Relates to self-funded student health benefit plans.
A10608	475	Weinstein	Relates to the appointment of guardians.
A10623	447	Cusick	Enacts the Internet system for tracking over-prescribing (I-STOP) act and creates a prescription monitoring program registry (part A); relates to prescription drug forms, electronic prescribing and language assistance (part B); relates to schedules of controlled substances (part C); relates to continuing education for practitioners and pharmacists in prescription pain medication awareness and the duties of the pain management awareness workgroup (part D); relates to the safe disposal of controlled substances (part E).
A10665	433	Canestrari	Authorizes the sheriff of Albany county to enter into agreements for custody of inmates from other states.

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A10667	366	Schimminger	Relates to where beer may be sold relating to brewpubs.
A10677	360	Gabryszak	Requires employers to provide emergency escape systems to firefighters.
A10694	108	Magee	Creates a farm brewery license.
A10706	184	Weinstein	Authorizes pilot program permitting use of electronic means for commencing actions in certain criminal and family court proceedings.

APPENDIX E - 2012 CODES BILLS THAT PASSED THE ASSEMBLY

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A291-A	Lancman	Requires notification to certain federal and state agencies when certain persons with diplomatic immunity violate the law.
A948-B	Peoples-Stokes	Relates to persons designated as peace officers.
A1986-B	Rosenthal	Establishes the crime of aggravated family offense when a person has committed a specified offense and has been convicted of one or more specified offenses within the past five years.
A3834-A	Ramos	Relates to establishing a gang assessment, intervention, prevention and suppression program within the division of criminal justice services.
A5032-A	Cook	Excludes certain judgments, orders or decrees issued in a matrimonial action from a stay of enforcement without a court order.
A5372-B	Lentol	Expands the geographical area of employment of university police officers.
A6177-A	Weprin	Enacts Alice's Law; relates to the crime of insurance fraud with regard to staging accidents.
A6406-A	Weinstein	Provides for the mandatory revocation or suspension of the firearms license of, and eligibility therefor of an individual against whom an order or temporary order of protection has been issued, under certain circumstances.
A7390	Perry	Relates to the speedy trial of certain traffic infractions.
A8080	Lentol	Relates to discovery.
A8657	Miller M	Designates police officers of the U.S. Department of Veterans Affairs as peace officers.
A8989-A	Kolb	Relates to designating certain employees of the Seneca county sheriff's office serving as uniformed marine patrol officers and uniformed court security officers as peace officers.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A9087-A	Lentol	Directs the superintendent of state police to develop and institute child-sensitive arrest policies and procedures for instances where police are arresting an individual who is a parent, guardian or other person legally charged with the care or custody of a child.
A9411	Calhoun	Designates as peace officers, the uniformed court officers of the town court of the town of New Windsor.
A9434	Calhoun	Designates court attendants in the town of Highlands as peace officers.
A9666-A	Bronson	Designates security services officers of the University of Rochester as peace officers.
A9883	Conte	Designates uniformed officers of the fire marshal's office of the town of Huntington as peace officers.
A10116	Amedore	Relates to including members of the fire investigation unit in the city of Schenectady as peace officers.
A10269	Lavine	Authorizes a court to order the division of criminal justice services to compare fingerprints of the defendant against the statewide database.
A10629-A	Weinstein	Enacts "the foreclosure fraud prevention act of 2012"; creates the crimes of residential mortgage foreclosure fraud in the first and second degrees.
A10709	Lentol	Relates to the definition of qualified agencies.
A10731	Boyle	Grants uniform members of the bureau of fire prevention of the town of Islip peace officer status.

APPENDIX F - 2012 DUAL REFERENCED BILLS THAT PASSED THE ASSEMBLY

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A212-B	Maisel	Prohibits the manufacture, sale or distribution of business transaction paper containing bisphenol A.
A367	Cusick	Provides that students may be employed for up to five hours on any day preceding a school day as a qualified lifeguard or aquatic supervisory staff, provided that the employer receives and maintains both the written consent of the minor's parent or guardian and a certificate which shall be provided to the employer at the end of each marking period by the minor's school which shall assert that such minor is in satisfactory academic standing.
A558	Lentol	Requires the department of environmental conservation to require, as a condition precedent to the issuance or renewal of a major facility license, the submission of satisfactory evidence that the applicant has implemented, or is in the process of implementing, state and federal plans and regulations for the prompt detection of petroleum discharges; requires applicants for a major facility license to submit information, in form satisfactory to the commissioner, describing the equipment used at the facility to promptly detect petroleum discharges; requires major facilities to install equipment to promptly detect discharges of petroleum from a tank and any connected petroleum pipelines within one year of effective date; defines "prompt detection."
A612-B	Peoples-Stokes	Authorizes cities in excess of two hundred thousand but less than two hundred twenty thousand and in excess of one million to provide by local law for the adjudication of traffic infractions.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A672-A	Jaffee	Prohibits the selling, offering for sale or distribution of any electrical or extension cords with fraudulent seals for the Underwriters' Laboratory; authorizes local code enforcement entities to enforce the provisions of the section; provides that for the first civil penalty of this section, a one hundred dollar fine shall be issued and such seller or distributor shall complete a training seminar on how to identify false underwriters laboratory labels and increases fines for the second or subsequent violations of this section; provides that a training component shall be created and provided by the office of fire prevention and control and shall be made available on its website.
A1178	Gantt	Provides for the transfer of a portion of fines issued for illegally passing a school bus to the comprehensive school bus driver safety training program for the study and promotion of issues involving school bus safety; establishes a school bus motorist education fund.
A1290	Gantt	Provides that a court may require the reexamination of certain drivers, including the administration of a road test, pursuant to section five hundred six of the vehicle and traffic law; provides for the court or the clerk to notify the commissioner of motor vehicles of an order for reexamination; requires for the expense of the reexamination to be the expense of the person required to be examined.
A1346-C	Gantt	Authorizes a motor vehicle dealer who receives a vehicle for resale and satisfies any security interest in such vehicle, but has not received a release of security interest for such vehicle, to apply to the commissioner of motor vehicles for a certificate of title free of liens upon submission of proof that the security interest in the vehicle has been satisfied.
A1710-A	Kavanagh	Requires certain corporations to permit shareholders to attend meetings via remote communication and to be deemed present for voting purposes.
A1889-B	Rosenthal	Increases penalties for failure to execute and file satisfied judgments of \$5,000 or more with court clerk from \$100 to \$500.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A2392-A	Markey	Requires every golf course to make available at least one functional cardiac defibrillator and requires that employees of such facility be trained in its proper operation and use.
A2430-A	Rosenthal	Makes conforming technical changes to the New York City administrative code and the emergency tenant protection act relating to vacancy decontrol.
A2688	Pretlow	Provides that if it appears that a death may have resulted from the commission of a crime, the coroner or medical examiner in any county with geographic jurisdiction over the crime shall have concurrent jurisdiction and authority to investigate the death.
A3033	Lopez V	Relates to recovery of certain housing accommodations by a landlord; limits a landlord's ability to take possession of units for their own primary residence, permit recovery of only one unit, and restrict such ability if the tenant has occupied the apartment for twenty or more years.
A3141-A	Sweeney	Relates to regulation of toxic chemicals in children's products; establishes the interstate chemical clearinghouse.
A3392-C	Latimer	Relates to proceedings for challenges to real property assessments.
A3431-D	Zebrowski	Restricts the performance of surgical devocalization procedures on dogs and cats.
A3507-A	Glick	Prohibits insurers from refusing to issue or renew, cancel, or charge or impose an increased premium for homeowners' insurance policies based on the breed of a dog owned.
A3592	Glick	Expands eligibility for those who receive awards under crime victims' compensation to include a domestic partner; defines domestic partner; further provides for out-of-pocket loss to include the cost of counseling for surviving family members of homicide victims.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A3729-A	Weprin	Relates to claims for loss or damage to real property; creates continuing education requirements for licensed persons and qualifications for public and independent adjusters; allows for a revocation of licenses with an opportunity to reapply for such licenses.
A4020	Canestrari	Prohibits any person from attempting to or to in fact alter, deface, injure, knock down, cover, remove or otherwise interfere with any traffic control device or railroad sign or signal; provides an affirmative defense therefor that operator can show he or she was not aware of the device.
A4133	Englebright	Requires that signs posted for highway work zone traffic control, including but not limited to highway construction zones, maintenance work area, or restricted highways, to be promptly covered or removed whenever such sign or signs are not applicable.
A4408	Perry	Relates to the issuance of arrest warrants and appearance tickets upon a youth; provides for the police officer to immediately notify the parent or other person legally responsible for the care of such youth with whom the youth is domiciled that the youth has been arrested; provides further that the police officer need not notify the parent or other person legally responsible when such youth is not also a juvenile offender and the notification would endanger the health and safety of such youth.
A4583	Aubry	Provides for defense and indemnification of a duly elected officer of a parents' association in New York City community school districts in suits by community board members or superintendents or school principals.
A4887-A	Crespo	Implements the immigrant assistance service enforcement act; increases fines imposed upon those who violate laws regarding immigrant assistance services; requires certain immigrant assistance service providers to be registered with the department of state.
A4900	Rosenthal	Relates to the effect on rent reduction orders on the period preceding the filing of an overcharge complaint.
A5029-A	Thiele	Relates to providing recourse for manufactured homeowners in manufactured home parks confronted with unjustifiable rent increases; creates a local option in counties in New York state to provide such protection.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A5125	Abbate	Ensures port authority of New York and New Jersey police officers who become ill or injured in the performance of their duties as to necessitate medical or other remedial treatment shall receive full wages until the disability arising therefrom has ceased.
A5565-A	Heastie	Authorizes certain wholesalers authorized to sell beer at retail for off premises consumption to also sell certain grocery items.
A5700-A	Braunstein	Provides that practicing or appearing as an attorney-at-law without being admitted and registered shall be a class E felony instead of a misdemeanor.
A6130-A	Wright	Enacts the "New York State fair pay act"; provides that it shall be an unlawful employment practice for an employer to discriminate between employees on the basis of sex, race and/or national origin by paying different wages.
A6354	Nolan	Increases penalties relating to the protection of underground facilities.
A6477	Galef	Prohibits a person from operating a motor vehicle with children under the age of 8 in the front seat in most cases; makes limited exceptions.
A6573-B	Sweeney	Requires the development of guidelines and procedures by the office of mental health to help avert retraumatization of victims of sexual offenses in a behavioral health outpatient setting.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A7347-B	Gottfried	Legalizes the possession, acquisition, use, delivery, transfer, transport or administration of marihuana by a certified patient or designated caregiver for a certified medical use; prescribes procedures for such possession, acquisition, etc. including certification of patients by their practitioner, and that, in the practitioner's professional judgment, the serious condition should be treated with the medical use of marihuana; provides that possession or acquisition of marihuana shall be lawful under these provisions provided that the marihuana possessed does not exceed a total aggregate weight of two and a half ounces; directs the department of health to monitor such use and promulgate rules and regulations for registry identification cards; provides for reports by the department of health to the governor and legislature on the medical use of marihuana.
A7351	DenDekker	Includes the examination of tinted or shaded windows in the periodic inspection of motor vehicles required by law; authorizes the commissioner of motor vehicles to promulgate any and all rules and regulations necessary.
A7369-B	Galef	Creates a process for local disciplinary actions against assessors.
A7401-B	Abbate	Relates to reciprocity of debarments imposed under the federal Davis-Bacon Act; provides that any contractor who has been debarred from federal job sites for having disregarded obligations to employees under the Davis-Bacon Act shall also be debarred under the labor law from bidding on or being awarded similar contracts on public work job sites sponsored by the state or any of its political subdivisions.
A7707-C	Maisel	Prohibits the possession, sale, offering for sale, trade or distribution of shark fins.
A7768-B	Brennan	Relates to claims and actions against the New York city school construction authority arising out of contracts; provides accrual of claims shall be deemed to have occurred as of the date payment for the amount claimed was denied.
A7775-B	Thiele	Relates to zone pricing of gasoline.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A7854-C	Rosenthal	Prohibits the sale of pavement products containing coal tar; prohibits the use of pavement products containing coal tar.
A8008-A	Wright	Relates to the powers of the board to investigate unfair labor practices.
A8070-B	Stevenson	Enacts the "credit privacy in employment act" to prohibit the use of credit information in hiring and employment determinations.
A8094	O'Donnell	Clarifies the scope of the term "educational institution."
A8340	Dinowitz	Creates a private right of action for unlawful price gouging for injunctive relief and recovery of actual damages or \$1,000 whichever is greater, or both, in addition to right of action granted to attorney general; permits the court to award a prevailing plaintiff an additional penalty of up to \$5,000 for a willful or knowing violation and reasonable attorney's fees.
A8359-B	Wright	Requires the licensing of persons engaged in the design, construction, operation, inspection, maintenance, alteration and repair of elevators and other automatic people moving devices and creates the New York state elevator safety and standards board.
A8402-A	Dinowitz	Prohibits the retail sale, distribution or offer to sell at retail to any person in the state, novelty lighters; provides definition of novelty lighters; establishes civil penalties; makes certain exceptions; provides no person is subject to a civil penalty for any violation occurring before the 90th day after enactment.
A8431	Dinowitz	Relates to arbitration organizations; requires private arbitration organizations involved in fifty or more consumer arbitrations per year to collect, publish at least quarterly, and make available to the public in a computer-searchable database certain information relating to such arbitrations; prohibits financial conflicts of interest.
A8801-C	Rivera N	Relates to price gouging of medicine and provides for a private right of action for persons injured by the price gouging of medicine.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A8928-B	Nolan	Requires transmitters of money to provide a warning which informs consumers of certain fraudulent activities that may occur.
A8968-B	Hikind	Requires the sanitation department of the city of New York to provide owners, lessees or persons in charge of a premises at which a violation of the city solid waste disposal law is alleged to have occurred with a photograph of the materials, condition or situation constituting the violation.
A9022	Englebright	Requires entities that submit records to state agencies that are excepted from disclosure under FOIL to periodically re-apply for the exception.
A9024	Englebright	Prevents housing discrimination against victims of domestic violence.
A9025	Englebright	Changes the reporting requirements relative to restitution and fair treatment standards for the office of victims services from annual to every two years; consolidates reporting requirements regarding victims service programs; requires information collected by local and state probation departments relating to victim impact statements to be included in the biennial report.
A9028	Englebright	Provides that in any action commenced under the state's anti-trust law, the court may direct that all or any part of a criminal fine or civil penalty imposed upon a violator may, in the court's discretion, be ordered to be deposited with the office of victim services.
A9045	Sweeney	Relates to expanding the TRIS-free children and babies act; expands the definition of "TRIS" to include TDCPP (TRIS (1,3-dichloro-2-propyl) phosphate).
A9085-B	Dinowitz	Provides that a retail establishment with a roll-your-own tobacco machine shall be deemed a tobacco product manufacturer and the resulting product shall be deemed a cigarette for purposes of certain provisions of the tax law, the public health law and the executive law.
A9111	Englebright	Prohibits persons or business entities from filing unnecessary personal identifying information with an agency; provides for enforcement by the attorney general.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A9150-A	Brennan	Relates to the functioning of the port authority as an open, transparent and accountable interstate public authority.
A9306	Giglio	Authorizes non-residents of the county of Allegany to be appointed as peace officers for the society for the prevention of cruelty to animals for such county.
A9437	Dinowitz	Prohibits the sale of unsafe cribs and restricts the use of such cribs in certain settings.
A9460	Englebright	Relates to requiring a particularized and specific justification for denial of access to records under the freedom of information law, exemption from disclosure under the freedom of information law of certain law enforcement related records and to records identifying victims.
A9624	Weinstein	Relates to orders for child support obligors to seek employment or participate in job training, employment counseling or other programs.
A9654	Dinowitz	Prohibits an employer from requesting or requiring that an employee or applicant disclose any user name, password, or other means for accessing a personal account or service through specified electronic communications devices.
A9689	Magnarelli	Relates to audits by the state comptroller of certain organizations directly or indirectly controlled by municipal corporations and certain other government entities.
A9724-B	McLaughlin	Authorizes big game hunting in Albany county with a pistol, rifle, shotgun, crossbow or long bow for a period of 2 years.
A9801	Gottfried	Relates to enhancing the quality of adult living program for adult care facilities (EQUAL); limits use of certain funds; requires residents' input; prohibits use for daily operating expenses.
A9809	Jeffries	Enacts the "save New York call center jobs act of 2012"; requires prior notice of relocation of call center jobs from New York to a foreign country; directs the commissioner of labor to maintain a list of employers who move call center jobs; prohibits loans or grants.

<u>BILL NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A9855-A	Zebrowski	Adds synthetic cannabinoids to the schedule of controlled substances.
A10051	Paulin	Relates to severely or repeatedly abused children in child protective and parental termination proceedings.
A10255	Goldfeder	Prohibits the disclosure of highway, bridge, tunnel and other thoroughfare toll records, and commuter railroad and transit records to protect privacy, unless necessary to perform law enforcement functions of certain public officials and bodies or to further another public entity's official functions.
A10256	Skartados	Prohibits the imposition of any charge or fee on the telephone bill of a consumer when such fee or charge is imposed by a third party, unless the consumer explicitly agrees to the nature and amount of such fee or charge; makes the unauthorized imposition of such a fee void and unenforceable; directs the public service commission to enforce such provisions.
A10348	Paulin	Relates to permanency planning in juvenile delinquency and persons in need of supervision proceedings.
A10400-A	Lifton	Relates to residency requirements for peace officers employed by Cornell University.
A10639	Robinson	Relates to warrants and orders of protection in persons in need of supervision cases in family court.
A10721	Ortiz	Enacts the "protection of people with special needs act"; enacts various provisions for the protection of persons in state operated and licensed facilities from abuse, neglect and mistreatment; establishes the justice center for the protection of people with special needs.
A10784	Morelle	Relates to limits on certain supplementary insurance; permits insured to refuse supplementary insurance; requires certain disclaimer; relates to payments to durable medical equipment providers.

APPENDIX G - 2012 DUAL REFERENCED BILLS VETOED BY GOVERNOR

<u>BILL NUMBER</u>	<u>VETO NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A3409-B	139	Schimminger	Directs the commissioner of parks, recreation and historic preservation to cooperate with municipalities in establishing adopt-a-park programs; municipalities may enter into agreements with volunteer groups for provision of services.
A4055	136	Magee	Prohibits the filling, emptying or use of any liquefied petroleum gas cylinder, container or receptacle, except by the owner thereof or by a person authorized in writing by such owner.
A7761-A	141	Abbate	Allows employers to suspend a police officer without pay pending disciplinary charges.
A8389	156	Lavine	Relates to the authority of an agent to act outside a hospital setting to make certain decisions regarding the transport of the principal to a particular medical setting when such principal is unconscious or unresponsive.
A8392-C	165	Paulin	Provides for the certification by the education department of certified registered nurse anesthetists.
A9303-A	158	Cahill	Relates to the practice of surgical technology and surgical technologists; defines terms.
A9423	152	Abbate	Provides procedures for resolution of disputes between a public employer and Suffolk county probation officers.

<u>BILL NUMBER</u>	<u>VETO NUMBER</u>	<u>SPONSOR</u>	<u>SUMMARY</u>
A9431	168	Abbate	Grants those assigned or employed for three continuous years as investigators and senior investigators in the bureau of criminal investigation or as a station commander, corporal, zone commander, zone sergeant, first sergeant, staff sergeant, captain or major within the division of state police protection from removal or other disciplinary action without a hearing.

APPENDIX H - 2012 COMMITTEE HEARINGS

<u>TITLE</u>	<u>COMMITTEES</u>	<u>DATE/LOCATION</u>
An examination of “Stop and Frisk” policy and practice.	Codes Committee Correction Committee New York State Black, Puerto Rican, Hispanic And Asian Legislative Caucus	May 18, 2012 New York City
An examination of the adequacy of outreach and social services for human trafficking victims.	Codes Committee Social Services Committee Oversight, Analysis & Investigation Committee	October 16, 2012 New York City
Examination of the problem of economic abuse as a form of domestic abuse.	Codes Committee Judiciary Committee	December 5, 2012 New York City