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The Session That Was, And That Wasn't

06-21-19

Was

The Reproductive Health Act

Back in January, Governor Cuomo signed into law the Reproductive Health Act, a key component of his 2019 Justice Agenda. The Reproductive Health Act protects women's reproductive rights by ensuring New Yorkers can make personal healthcare decisions and medical professionals can provide services without fear of criminal penalty. The legislation codifies Roe v. Wade into New York State law. "In the face of a federal government intent on rolling back Roe v. Wade and women's reproductive rights, I promised that we would pass this critical legislation within the first 30 days of the new session - and we got it done," Governor Cuomo said.

Child Victim's Act

The Legislature passed the Child Victim's Act at the end of January, which effectively increased the statute of limitations for cases of child sexual abuse. The Child Victims Act will allow child victims to seek prosecution against their abuser until the age of 55 in civil cases, a significant increase from the previous limit of age 23. For criminal cases, victims can seek prosecution until they turn 28. The bill also includes a one-year window during which victims of any age or time limit can come forward to prosecute.

Election Reform

Another central goal of Governor Cuomo's 2019 Justice Agenda was reforming New York State election law. The legislative package was passed and signed with other measures within the first 100 days of session and had some cheering and others scratching their heads wondering how New York politicians are going to go about raising money from here on out. The laws will allow for eight days of early voting before an election, synchronize federal and state primary elections, allow voter preregistration for teenagers, provide voter registration portability within the state, and close the LLC loophole.

Jose Peralta New York State DREAM Act

The Senate and Assembly passed, and then the Governor signed, the Jose Peralta New York State DREAM Act, which allows undocumented children who are already students in the state to qualify for state aid for higher education. It also creates a fund for college scholarship opportunities and removes barriers that prevent undocumented families from college saving programs.

Elimination of Religious Exemptions for Vaccinations

Last week, New York became the fifth state in the nation to bar religious exemptions for vaccine requirements in school children. The state Senate and Assembly passed the measure following a dramatic committee meeting and two spirited floor debates about bodily autonomy, science, and whether public health concerns should trump the First

Amendment. The Governor quickly signed the legislation into law; "The science is crystal clear: Vaccines are safe, effective and the best way to keep our children safe," "While I understand and respect freedom of religion, our first job is to protect the public health and by signing this measure into law, we will help prevent further transmissions and stop this outbreak right in its tracks."

Rent Reform

The Housing Stability and Tenant Protections Act of 2019 was passed late last week and promptly signed by the Governor ahead of the June 15 expiration of the old laws. The bill includes many of the protections that tenant advocates have pushed for under the banner of "universal rent control," including ending high-rent vacancy deregulation, narrowing the preferential rent loophole, and putting in place more protections against major capital improvements (MCIs) and individual apartment improvements (IAI).

Green Light Bill

Early this week, the Senate passed the "Green Light Bill," which is designed to give undocumented immigrants the right to a driver's license. The controversial bill was passed last week by the Assembly and the Governor signed it into law late Monday night.

Climate Leadership and Community Protection Act

On Tuesday night, the state Senate passed the Climate Leadership and Community Protection Act and the Assembly followed suit on Wednesday, making New York State home to the country's most ambitious climate targets, including 100 percent carbon-free electricity by 2040 and economy-wide, net-zero carbon emissions by 2050. The Governor signaled Thursday he would sign the legislation

Wasn't

Recreational Marijuana

On the last originally scheduled day of the New York State legislative session on Wednesday, legalization of recreational marijuana appeared to be a no-go for state lawmakers. A final bill legalizing marijuana was supposed to be introduced late Tuesday night, but the bill was never submitted. On Wednesday, even the bill's sponsor admitted the effort had failed. Legal pot went up in smoke, however in the final hours of session, lawmakers agreed to further

decriminalize possession of the drug and automatically expunge many low-level marijuana convictions across the state.

Prevailing Wage

A bill that would expand prevailing wage to any construction project that is partially funded with public money shifted into a neutral gear on Thursday with Governor Cuomo saying it appeared dead. The bill included a one-year carve out for New York City, allowing labor leaders and the commissioner of labor to develop a locally tailored plan. Assembly Speaker Carl Heastie said the measure has been held up with "regional" issues raised by members.

Solitary Confinement

State lawmakers failed to vote on legislation, known as the HALT bill, that would have restricted solitary confinement in prisons and jails before the legislative session ended. The decision not to move forward with the legislation, sponsored by Senator Luis Sepúlveda and Assemblyman Jeffrion Aubry, was announced after Governor Cuomo and legislative leaders agreed on a deal to implement some changes administratively instead. "These new steps build on this year's landmark reforms and will further help to correct inequities and end inhumane practices in our criminal justice system," Cuomo said in a statement Friday. "Together we will continue to work on this issue, fight to move this state forward and create a stronger, fairer and more just New York for all."

Gestational Surrogacy

New York will continue its ban on allowing women to be paid to act as gestational surrogates for individuals who can not physically have a child on their own, such as infertile or same-sex couples. Assembly Speaker Carl Heastie said the bill ultimately didn't have the support to pass after a number of concerns were aired by members of the Democratic conference. Some members were worried the bill was a slippery slope toward commercializing women's bodies. "We must ensure that the health and welfare of women who enter into these arrangements are protected, and that reproductive surrogacy does not become commercialized," Heastie said. "This requires careful thought. While our work for this session is nearly complete, I look forward to continuing this conversation in the coming months with our members and interested parties to develop a solution that works for everyone."

