

**EDUCATION, LABOR AND FAMILY ASSISTANCE  
 ARTICLE VII LEGISLATION**

<b>Part</b>	<b>Executive</b>	<b>Assembly (A.2006-B)</b>	<b>Senate (S.1506-B)</b>	<b>Comment</b>
D	Enact the Senator Jose R. Peralta New York State DREAM Act	The Assembly proposal would not include the Jose Peralta New York State DREAM Act, since a similar bill (A.782) has already been passed by the Legislature during the current legislative session.	The Senate rejects the Executive proposal to enact a modified version of the NYS Jose Peralta Dream Act. The Senate has already passed this legislation and urges the Governor to sign the bill into law.	WBASNY has supported this legislation for many years
J	Remove Certain Requirements for Domestic Violence Victims Seeking Shelter in a Domestic Violence Shelter	The Assembly modifies Executive proposal to remove the requirement that domestic violence victims apply for public assistance and contribute for services rendered by adding language to ensure counties and residential providers are reimbursed for any costs associated with this change.	The Senate concurs with the Executive proposal to remove certain statutory requirements, as it pertains to domestic violence victims, to comply with federal law.	LC Recommendation – Support  Crim and DV support
K	Reform Persons In Need of Supervision (PINS) provisions	The Assembly modifies the Executive proposal related to the detention and placement for persons in need of supervision (PINS) as of January 1, 2020, by: <ul style="list-style-type: none"> <li>• allowing PINS to continue to be detained or placed in foster care under very narrow circumstances related to the safety of the youth or family;</li> <li>• Reinstating state reimbursement for preventive services available to youth who are alleged or adjudicated as PINS; and</li> <li>• Reinstating state</li> </ul>	The Senate believes that diversion services must remain intact for youth and their families, in an effort to avert interactions with the justice system and believes that the Executive should provide more resources and preventive services for the youth of New York State. The Senate modifies the Executive proposal regarding treatment of Persons in Need of Supervision (PINS) as follows: <ul style="list-style-type: none"> <li>• Accepts the prohibition on detention for PINS;</li> <li>• Removes the proposed carve-out language regarding a "sexually-</li> </ul>	LC Recommendation – Oppose  DV opposes  Children’s Rights and Crim Committees support this legislation

		reimbursement funding to local social services districts for costs associated with the detention and placement of PINS set to expire on January 1, 2020.	exploited child" and reverts back to the current definition; and <ul style="list-style-type: none"> <li>• Provides discretion to the judge and local commissioner of social services to order placement in foster care, if deemed necessary.</li> </ul>	
Q	Ensure Equal Pay	The Assembly does not include an Executive proposal to expand equal pay laws as well as prohibit employers from inquiring about an applicant's salary history, and instead will pass legislation related to this issue outside of the budget (A. 5308).	The Senate modifies the Executive proposal to prohibit salary history inquiries and expand the equal pay law to provide technical clarifications and ensure that local laws that provide similarly comprehensive coverage are not preempted.	WBASNY resolution to support legislation
R	Pass the Gender Expression Non-Discrimination Act	The Assembly does not include an Executive proposal to prohibit discrimination based on gender identity or expression, and include offenses regarding gender identity or expression under the hate crimes statute, as these provisions have already been signed into law (Chapter 8, Laws of 2019).	The Senate rejects the Executive proposal to enact the Gender Expression Non-Discrimination Act. The Legislature passed, and the Executive signed, the Gender Expression Non-Discrimination Act earlier this year.	WBASNY has supported this legislation for many years
S	Extend New York Human Rights Law to Cover All Students	The Assembly does not include an Executive proposal to extend the anti-discrimination protections of the Human Rights Law to students who attend public schools, BOCES, public colleges, and public universities, since a similar bill (A. 3425) has already been passed during the current legislative session.	The Senate concurs with the Executive proposal.	WBASNY supported this legislation last year

T	Prohibit Source of Income Discrimination	The Assembly does not include an Executive proposal to prohibit housing discrimination on the basis of lawful source of income	The Senate rejects the Executive recommendation to prohibit lawful source of income discrimination, as this issue should be addressed outside the budget.	LC Recommendation – Support  Diversity and Access to Justice Committees support
V	Increase Protections Against Harassment in the Workplace	The Assembly does not include an Executive proposal related to harassment in the workplace.	The Senate rejects the Executive proposal to clarify the legal interpretation of sexual harassment in the workplace, create additional requirements for non-disclosure agreements, and require the Department of Labor to distribute workplace sexual harassment. The Senate acknowledges that combating sexual harassment in the workplace is vital and is strongly committed to combating sexual harassment in the workplace and working with advocates to pass a comprehensive, deliberative and focused legislative solution outside of the budget process.	LC Recommendation – Support  <i>NOTE: Did Labor &amp; Employment Law Committee review?</i>  <i>SR recommendation: do not include in memo</i>
X	Ensure Breastfeeding is Protected in the Workplace	The Assembly does not include an Executive proposal that would amend the Human Rights law to clarify that lactation is a pregnancy-related condition entitled to reasonable accommodation in the workplace, since a similar bill (A 5975) has already been passed during the current legislative session	The Senate concurs with the Executive proposal to add lactation to the definition of pregnancy-related conditions for which reasonable accommodations must be provided.	LC Recommendation - Support
Y	Prohibit Conversion Therapy for Minors	The Assembly does not include the Executive	The Senate does not include the Executive proposal to	WBASNY supported this legislation

		proposal to prohibit mental health professionals from using conversion therapy on patients under the age of eighteen because this provision has signed into law (Chapter 7 of the Laws of 2019)	prohibit mental health professionals from using conversion therapy on patients under the age of eighteen because this provision has signed into law (Chapter 7 of the Laws of 2019)	
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**HEALTH AND MENTAL HYGIENE  
 ARTICLE VII LEGISLATION**

<b>Part</b>	<b>Executive</b>	<b>Assembly (A.2007-B)</b>	<b>Senate (S.1507-B)</b>	<b>Comment</b>
L	Require Insurance Companies to provide coverage for medically necessary fertility preservation and large group insurance policies to provide coverage for IVF	The Assembly does not include an Executive proposal to require insurance policies to provide coverage for medically necessary fertility preservation and large group insurance policies to provide coverage for in vitro fertilization and will instead advance a similar bill (A. 2817)	The Senate modifies the Executive proposal regarding fertility preservation and in vitro fertilization to broaden the required coverage for in vitro fertilization, not limiting the coverage to three cycles of in vitro fertilization or large groups.	<i>NOTE: Did Health Law Committee review?</i>  <i>SR recommendation: do not include in memo</i>
M	Enact the Comprehensive Contraception Coverage Act	The Assembly does not include an Executive proposal to require health insurers to cover contraceptives without cost-sharing requirements or other restrictions, since a similar bill (A.585-A) has already been passed during the current legislative session	The Senate rejects without prejudice the Executive proposal to enact the Comprehensive Contraceptive Care Act as this proposal has been addressed outside of the Budget process.	WBASNY has supported this legislation for many years
R	Establish the Maternal Mortality Review Board to review and assess the cause of death and factors leading to each death to reduce the risk of maternal mortality	The Assembly does not include the Executive's proposal to establish the Maternal Mortality Review Board within the DOH, and will advance a similar bill outside of the budgetary process.	The Senate modifies the Executive proposal to establish a Maternal Mortality Review Board by ensuring that New York City's Maternal Mortality Review Board is preserved as a separate entity.	WBASNY supported with recommendations last year  <i>NOTE: same language as last year in memo</i>

Part	Executive	Assembly (A.2007-B)	Senate (S.1507-B)	Comment
	and severe maternal morbidity in NYS			
S	Enact the Reproductive Health Act and revise existing provisions of law regarding abortion.	The Assembly does not include an Executive proposal for the Reproductive Health Act, codifying existing protections for reproductive health decision making, because this provision has already been signed into law (Chapter 1, Law of 2019).	The Senate rejects without prejudice the Executive proposal to enact the Reproductive Health Act as this proposal has been addressed outside of the Budget.	WBASNY has supported this legislation for many years

**PUBLIC PROTECTION AND GENERAL GOVERNMENT  
 ARTICLE VII LEGISLATION**

Part	Executive	Assembly (A.2005-B)	Senate (S.1505-B)	Comment
D	Provide a market-based interest rate on court judgments and accrued claims	The Assembly does not include the Executive’s proposal that would require the rate of interest paid upon any judgment or accrued claim to be calculated based on the market rate.	The Senate rejects the Executive proposal to convert the current legal rate of interest, from nine percent per annum to a market rate of the weekly average one-year constant maturity treasury yield.	WBASNY opposed this legislation last year
P	Child Victim's Act	The Assembly did not include; The Legislature passed, and the Executive signed, the Child Victims Act.	The Senate rejects the Executive proposal to enact the Child Victims Act. The Legislature passed, and the Executive signed, the Child Victims Act.	WBASNY supported certain sections  <i>NOTE: same language as last year in memo</i>
Q	Prohibiting a sexual orientation panic defense	The Assembly budget does not include a proposal for limitation on the use of the extreme emotional disturbance defense in cases involving gender identity or expression and sexual orientation.	The Senate rejects the Executive proposal to limit application of the extreme emotional disturbance defense to murder in the second degree, which should be addressed outside the budget.	LC Recommendation – Oppose  Criminal Committee opposed the legislation, LQBT Committee did not respond to inquiry  <i>SR recommendation: do not include in</i>

Part	Executive	Assembly (A.2005-B)	Senate (S.1505-B)	Comment
				<i>Memo</i>
R	Amend the Rape Shield Law	The Assembly does not include the Executive Proposals and will instead advance an alternative stand-alone bill. The Assembly will seek an expansion of the rape shield law to include prosecutions for sex trafficking.	The Senate rejects the Executive proposal to extend the provisions of the rape shield law, which should be addressed outside the budget	LC Recommendation – Support  Criminal and DV Committees support
S	End Revenge Porn	The Assembly does not include the Executive Proposal as the Assembly has already passed legislation providing for a private right of action for the nonconsensual dissemination of an intimate image (A. 5981).	The Senate rejects the Executive proposal to establish criminal penalties and civil remedies for disseminating an intimate image without the consent of the subject of the image. The Legislature has passed a similar proposal, which awaits action by the Executive.	WBASNY supports in concept  Children’s Rights, DV, and Mat supported the legislation. Crim Committee felt that an age should be suggested (18) under which children will not be prosecuted  <i>NOTE: SR recommend not include in Memo</i>
T	Eliminate the Statute of Limitations for Rape in the 2nd and 3rd degrees	The Assembly does not include elimination of the statute of limitations for rape in the 2nd and 3rd degrees.	The Senate rejects the Executive proposal to eliminate the statute of limitations for rape in the second degree and rape in the third degree, which should be addressed outside the budget	LC Recommendation – Support  Criminal Committee felt a SOL should be included and that not having a SOL was prejudicial to those accused of rape several years after the fact. DV supports.
U	Domestic Violence Survivors Justice Act	The Assembly does not include the Executive Proposal and will instead advance an alternative stand-alone bill.	The Senate rejects the Executive proposal to enact the Domestic Violence Survivors Justice Act. The Senate remains committed to ensuring access to justice for survivors of	LC Recommendation – Support  DV and Crim support

Part	Executive	Assembly (A.2005-B)	Senate (S.1505-B)	Comment
			domestic violence, and this issue should be addressed outside the budget	
DD	Increase the biennial registration fee for attorneys and the criminal history search fee	<p>The Assembly modifies the Executive proposal to increase the criminal history search fee by an additional \$10 over the Executive Proposal to a new total fee of \$100 and directs the revenue into the Indigent Legal Services Fund.</p> <p>The Assembly does not include an increase to the biennial registration fee for attorneys.</p>	The Senate has concerns regarding the use of fees included in part DD of the public protection and general government article VII to pay for the increased funding for public defense services because of the impact that the increase in the biennial registration fee for attorneys will have on public interest lawyers and because the increase in the criminal history search fee could increase the likelihood that background check companies will use less accurate information sources which will negatively impact the very individuals this funding is intended to assist. The Senate believes the Governor should identify other sources to support these needed services.	WBASNY opposed – letter issued
QQ	Establish the child-parent security act	The Assembly does not include language that legalizes gestational surrogacy contracts and the creation of a civil procedure for judgments of parentage for children born through the use of assisted reproduction.	The Senate rejects the Executive proposal to enact the Child-Parent Security Act	WBASNY has supported this legislation for many years