



To: Bob Duffy, President and CEO  
From: Marc Cohen, Chief of Staff  
Date: June 12, 2023  
Re: End of NYS Legislative Session Brief

**Summary:** The New York State Legislature formally closed this year's session on June 10<sup>th</sup>, 2023. The focus of this brief is on end-of-session legislation most pertinent to Greater Rochester Chamber members. This brief will include only key details on the enacted FY2024 budget. The State Assembly is expected to return to Albany to take up several matters including voting on a gaming compact with the Seneca Nation.

Notably, this session saw the passage of the following, which will be sent to the Governor for signature or veto:

- Clean Slate, which provides for the sealing of certain felony convictions eight years after the completion of the sentence, and certain misdemeanor convictions three years after the completion of the sentence. Several exceptions are included in the legislation including for sex crimes and Class A felonies including murder and arson.
- Elimination of the requirement that judges employ a "least restrictive means" standard when considering bail and allowing judges to prescribe other pretrial services to those accused of crimes including counseling and chemical dependence treatment.
- The creation of a commission to explore compensation for those harmed by the legacy of slavery (reparations). If enacted, the Governor, Senate Majority Leader, and Assembly Speaker would each appoint three commission members. The commission would be charged with issuing a (non-binding) report within 18 months of the Governor's signature with suggestions that would be sent to the Legislature for potential implementation.
- Changes to public campaign financing to allow the first \$250 of larger donations to be matched (a change from the original plan which held that only donations of \$5 to \$350 would be eligible for match).
- A bill that changes the hours that a liquor store can be open on Sundays (currently noon through 9 p.m. which was changed to 10 a.m. through 10 p.m.) and another that changes the time that stores can start selling beer on Sundays (currently 5 a.m. which was changed to 3 a.m.).
- The Grieving Families Act, which was changed from last session after a veto by the Governor over concerns around adverse implications to insurance premiums and the legal system.
- Moderate increases for Medicaid reimbursement rates - inpatient received an increase of 7.5%, outpatient received an increase of 6.5%, nursing homes received an increase of 6.5%.
- An increase to Upstate's minimum wage, currently \$14.20, to \$15 on January 1, 2024, \$15.50 on January 1, 2025, and \$16 on January 1, 2026. After this point the minimum wage will be tied to inflation with exemptions to this rule should certain indicators arise.
- Modifying the amount of credit for cider, wine, and liquor under the alcoholic beverage production credit and providing parity with beer credit based on the taxes for cider, wine, and liquor.
- The Birds and Bees Protection Act which restricts the use of neonicotinoid pesticides.

The following did not pass during this session:

- Governor Hochul's proposed plan to create 800,000 new housing units over the next decade.

Greater Rochester Chamber successfully opposed the passage of:

- S.6635 / A.5745 which would have allowed any employee to receive workers' compensation for extraordinary work-related stress while eliminating the requirement to demonstrate that the stress that led to mental injury was the result of a work-related emergency. *(Note that this legislation passed in the Senate but not in the Assembly)*
- S.237 / A.6353 which would have expanded the bottle bill to include wine, liquor, distilled spirit coolers, and cider and wine products.
- S.1977 / A.46 known as the SWEAT Act would have allowed an employee to secure a lien on an employer's personal or company property for a mere claim of wage and hour violations which would create an instant presumption of guilt against the employer and denies businesses their due process.
- S.1717-A / A.22-A which would have significantly diminished local control of an IDA's decision making about how to work with project applicants and incentivize economic investment.
- S.5567-A / A.1710-A which would have eliminated the tipped wage credit.
- S.5475-A / A.373-A which would have placed prevailing wage mandates on custom fabrication work, leading to a significant loss of New York manufacturing jobs and increased construction costs for critical projects that benefit the quality of life for New Yorkers.
- S.6748 which would result in a harmful expansion of anti-trust legislation that would have allowed for private rights of action.

The following pieces of legislation that Greater Rochester Chamber supported did not pass in the Legislature this session:

- S.6030 / A.6039 which would have adjusted greenhouse gas emissions accounting.
- S.7250 / A.7549 which would have instituted a sunset on COVID sick leave.
- Legislation fixing an 1890's labor law relating to weekly pay for manual workers.
- S.920 / A.1684 which would have instituted ADA lawsuit reform.