As we indicated in our Advocacy Update on May 29, last week the State Legislature passed a number of bills intended to address a variety of impacts related to the COVID-19 pandemic. Below is a summary of those bills of greatest interest to cities and villages. Keep in mind, all but one of these bills still need to be acted upon by the Governor.

**COVID-19 Presumption Death Benefit - S.8427 (Gounardes) / A.10528 (Abbate)** – Creates a public employee presumption for COVID-19 related deaths between March 1, 2020 through December 31, 2020. In order to qualify for the accidental death retirement benefit, a health professional must certify that COVID-19 was the cause or contributing factor of death. In the event a public employee dies from COVID-19, it will be presumed they did so in the line of duty. This qualifies the deceased public employee’s beneficiaries to receive the accidental death benefit. **This bill has been signed into law as Chapter 89 of the Laws of 2020.**

The following bills were also passed by both houses of the State Legislature but have not yet been acted upon by the Governor:

**Budgetary Flexibility for Local Governments - S.8417 / A.10492 Thiele** – Would extend the rollover period, from 5 to 7 years, for bond anticipation notes issued between 2015 through 2021, authorize local governments and school districts to temporarily transfer money from capital reserve funds to pay for operating costs associated with COVID-19, and extend the repayment time frame of inter-fund loan advances made for COVID-19 expenses from the end of the current year to the end of the subsequent year in which the loan takes place.

**Extension of Building Permits and Planning and Zoning Approvals** - S.8236-A (Gaughran) / A.10409-A (McDonald) – Would authorize local governments, during the COVID-19 state of emergency, to issue a single resolution extending the expiration date for all active building permits as well as planning and zoning approvals for a period of up to 120 days beyond the expiration date stated in the permit or approval.

**Property Tax Deferment and Installment Payments** - S.8138-B (Martinez) / A.10252-A (Stern) – Would permit municipalities, while the COVID-19 state of emergency is in effect, to defer property tax payments for a period not to exceed 120 days past the original tax payment due date or to permit as many installment payments as necessary, to be determined by the local legislative body, for a period not to exceed 120 days past the original tax payment due date.

**Extension of Property Tax Exemption Deadlines** - S.8122-B (Comrie) / A.10241-A (Hyndman) – Would extend, at local option, the application and renewal deadline to file for real property tax exemption or abatement programs until July 15, 2020 due to the COVID-19 state of emergency.

**IDA Loan Authorization** - S.8181-A (May) / A.10294-A (Stirpe) – Would authorize Industrial Development Agencies (IDAs) to administer a COVID-19 state of emergency loan program to provide capital funding for small businesses and not-for-profits of up to $25,000. IDAs would also be permitted to provide grants for the acquisition of personal protective equipment to prevent the spread of COVID-19. Those IDAs that participate would be required to submit a report on the activities of the program to the Governor and the State Legislature. This law would expire on December 31, 2021.

**Moratorium on Termination of Utility Services** - S.8113-A (Parker) / A.10521 (Mosley) – Would prohibit a utility corporation or municipality from terminating or disconnecting utility services to any residential customer for the nonpayment of an overdue charge for the duration of the COVID-19 state of emergency. This moratorium would remain in effect for 180 days from the expiration of the COVID-19 state of emergency for those residential customers that have experienced a change in financial
circumstances. In these instances, the utility corporation or municipality would have to offer such residential customers the right to enter into, or restructure, a deferred payment agreement without the requirement of a down payment, late fees or penalties.

**LOSAP Credits in a State of Emergency - S.8251-B (Kaminsky) / A.10438-A (Thiele)** – As a result of the COVID-19 pandemic, some volunteer fire and ambulance departments are experiencing a decrease in emergency calls and participating in fewer training events. In addition, to protect volunteers with compromised health conditions, some have been prohibited from participating in their normal volunteer service activities. In order to address the decline in opportunities for volunteers firefighter and ambulance workers to earn their LOSAP points, this legislation would give municipal governing boards the authority to authorize up to five additional LOSAP points per month during the COVID-19 state of emergency.

**Emergency Rent Relief Act of 2020 - S.8419 Kavanagh / A.10522 (Cymbrowitz)** – Would enact the “Emergency Rent Relief Act of 2020” to establish an interim residential rent relief program for low-income tenants. The program would provide rental assistance in the form of a voucher to eligible households who were rent burdened prior to the COVID-19 pandemic or are paying more than 30% of their income toward rent and are now experiencing an even greater rent burden due to a loss of income. The Act would expire on July 31, 2021.

**Electronic Absentee Ballot Authorization - S.8130-D (Myrie) / A.10516-D (Simotas)** – Would authorize the submission of electronic applications for absentee ballots to county boards of elections. The applications would be submitted though an electronic transmittal system or web portal established by the State Board of Elections or the local county boards of elections. The bill would also require absentee ballots to be counted by the county boards of election, provided that the ballot was postmarked not later than the day of the election. The provisions of this bill would expire on December 31, 2020. Consequently, electronic absentee ballot applications would be authorized for both the primary and general election days. *This bill does not specifically authorize villages to accept absentee ballot applications electronically in villages that conduct their elections pursuant to Article 15 of the Election Law.*

**Extension of Grant Deadline for Library Construction - S.8410 (Mayer) / A.10465 (Ryan)** – Would provide public libraries that received library construction grant aid during the 2017-18, 2018-19 and 2019-20 fiscal years, but were unable to complete the project due to COVID-19, an additional 12 months from the statutory project end date to complete their projects.

**Remote Hearings on Felony Complaints - S.8414 (Bailey) / A.10493 (Lentol)** – For the duration of the COVID-19 state of emergency, this would authorize parties or witnesses at hearings on felony complaints pursuant to Criminal Procedure Law Article 180 to appear at such hearing via an audio-visual system if the court finds that, due to the person's circumstances and such disaster emergency, a personal appearance by the party or witness would be an unreasonable hardship. This bill would provide for audio-visual appearances at preliminary hearings as well.

**Extension of Child Victims Act - S.7082 (Hoylman) / A.9036 (Rosenthal)** – Would extend, by one year, the period of time to file civil claims under the Child Victims Act.