

AN HISTORIC YEAR IN ALBANY

from

Assemblyman

Jeffrey Dinowitz



Dear Neighbor:

This year was the most satisfying and productive year that I have had throughout my tenure in Albany as your Assemblyman. I am very proud to have passed a personal-best 28 bills through both houses (good for third most out of all 150 members), and as a legislature we have passed some of the most monumental policy changes in at least a generation. We made revolutionary strides

to protect tenants, save our climate, rebuild our democracy, prevent gun violence, fix our transit, promote public health, support workers and consumers, and ensure justice for all people.

It is a tremendous relief to finally have a partner in the State Senate, after so many years of watching our bills from the Assembly die without receiving so much as a vote. I am energized and optimistic as we work together to accomplish even more in 2020.

There is certainly more work to be done. Some of my outstanding priorities include: passage of the New York Health Act, improving our mass transit system, continuing to improve our electoral process, formalize gestational surrogacy, continue our aggressive action to combat climate change, and more.

Thank you to each and every one of you who has advocated for what you believe in, and I look forward to our continued partnership on behalf of the Northwest Bronx.

Sincerely,

Jeffrey Dinowitz
Member of Assembly

Housing

Omnibus Rent Reform Package to Protect Tenants (A.8281)**

- Corrects decades of systemic erosion of tenants' rights
- Please see next page for details about this landmark legislation to secure tenant protections and rent reforms for all New Yorkers

Reverse Mortgages for Co-Ops (A.2632-B)*

- Allows co-op shareholders who are over 62 years old to apply for a reverse mortgage, which is an important financial resource that was previously only available to homeowners and condo owners

SCRIE Renewal Notices (A.3148-A)*

- Requires SCRIE program to send out renewal notices at least 30 days in advance of expiration

Protect Inherited Property (A7058-A)*

- Combats the ability of predatory landlords to force a sale when property is partitioned among heirs

Climate Action Now

Climate and Community Protection Act (A.8429)

- Requires New York electrical generation to be 70% renewable by 2030 and 100% carbon-free by 2040
- Creates path to net zero emissions across all sectors and 85% greenhouse gas reduction statewide by 2050
- Promotes clean energy projects in disadvantaged communities

Constitutional Right to Clean Water and Clean Air (A.2064)

- Must pass again in the next legislature (2021 or 2022) and then be ratified by popular vote

Bring Your Own Bags (A.2008-C, Part H)**

- Prohibits plastic carry-out bags and authorizes localities to impose 5-cent surcharge on paper bags (exempting SNAP/WIC recipients)
- Dedicates 40% of revenue to reusable bag distribution in low- and fixed-income communities, with the rest going to the Environmental Protection Fund

Ban Off-Shore Drilling (A.2572)**

- Prohibits leasing of state-owned underwater coastal lands for oil and natural gas drilling
- Restricts corporations from developing pipelines in the North Atlantic Planning Area

*Indicates a bill for which I am the lead sponsor.

**Indicates the bill has already been signed by the Governor.

The content presented here is for informational purposes only, and should not be construed as legal advice or interpretation of law. For more information about the bills mentioned in this handout, or any other legislative policy questions, please feel free to contact my office. I can be reached by email at dinowitzj@nyassembly.gov, by phone at 718-796-5345, or in person/by mail at 3107 Kingsbridge Avenue, Bronx, NY, 10463. Please be prepared with a bill number if you have a specific question.

Housing Stability and Tenant Protection Act of 2019 (A.8281)

FOR RENT REGULATED TENANTS:

- Makes rent protections permanent by repealing sunset clause
- Ends 20% vacancy bonus and longevity increases, and ensures Rent Guidelines Board cannot reinstate a vacancy bonus
- Preferential rents are permanent for the duration of a tenancy
- Repeals high-rent and high-income decontrol
- Extends window to file for rent overcharges to at least six years
- Expands rent regulation opt-in option statewide
- Sets maximum increase for rent control apartments to the average of the last five years of RGB increases or 7.5%, whichever is less
- Ensures tenancy rights to program recipients
- MCI/IAI reforms: see below for details

FOR ALL TENANTS:

- Bans tenant blacklists and prohibits landlord retaliation
- Prohibits application fees except for the actual cost of background checks and credit checks
- Limits late fees to \$50 or 5% of monthly rent (for renters)
- Allows tenants to pay full rent arrears before an eviction hearing to avoid eviction
- Guarantees tenants facing eviction at least one adjournment of at least 14 days
- Allows a judge to stay an eviction for up to one year when the tenant cannot find suitable housing in the same neighborhood or extreme hardship
- Limits security deposits to one month's rent and requires return of the deposit within 14 days of the end of occupancy with an itemized statement for any portion of the deposit withheld
- Requires notice of rent increase or non-renewal of at least 30 days (occupied for less than one year), 60 days (between one and two years), and 90 days (more than two years)

MAJOR CAPITAL IMPROVEMENT REFORM:

- Limits approvals for work to essential building functions and other improvements (such as heat, plumbing, windows, roofing) and excludes maintenance
- Limits spending to HCR schedule of reasonable costs for improvements
- Prohibits MCI approval where landlord has hazardous violations on building
- Caps MCI increase at 2% annually (down from 6%)
- Adjusts MCI increase caps retroactively for seven years (for continuing tenants)
- Amortization over 12 years (for 35 units or less) or 12.5 years (for larger buildings)
- MCI will be a rent surcharge instead of part of the legal rent, and will expire after 30 years

INDIVIDUAL APARTMENT IMPROVEMENT REFORM:

- Limits rent increases to 3 times in any 15 year period, capped at \$15,000
- Amortization over 14 years (for 35 units or less) or 15 years (for larger buildings)
- IAI will be a rent surcharge instead of part of the legal rent, and will expire after 30 years

Transportation For Everyone

Congestion Pricing (A.2009, Part G and Subparts A and F)**

- Authorizes the establishment of a central business district tolling program in Manhattan (60th Street and below, not including the highways)
- Revenue will be lock boxed for improvements to subway, bus, and Metro-North/LIRR service
- Details to be implemented by Triborough Bridge and Tunnel Authority upon recommendation of a Traffic Mobility Review Board
- Recommendations due between November 15, 2020 and December 31, 2020

Bronx Rebate for Henry Hudson Bridge Toll*

- Beginning in Spring 2020, Bronx residents with vehicles registered in the Bronx will be allowed to enroll in an EZ Pass program to rebate the cost of the Henry Hudson Bridge Toll

Green Light Bill (A.3675-B)**

- Allows all New Yorkers to apply for a driver license, pass a road test, and purchase automobile insurance
- Expands allowable proof of identity requirements to be submitted with an application for a non-commercial driver license
- Restricts disclosure of personal information from applicants, including to agencies primarily enforcing immigration law

NEXT STEPS: Require ADA compliance in subway system (A.7753), Establish half-price MetroCard fare for veterans (A.2131-A), Include rider representatives on MTA Board (A.6770), Create second free transfer for standard MetroCard fares (A.2481-A)

Promote Public Health

Vaccine Exemptions (A.2371-A)*, **

- Repeals all non-medical exemptions to school vaccine requirements in New York State (public and private schools)
- Allows unvaccinated children a grace period to continue attending school while they catch up (must have received at least the first dose in each series and have age-appropriate appointments scheduled to complete the series)
- 84% public support, including nearly unanimous support among medical professionals, health policy experts, and school supervisors

Comprehensive Contraception Coverage Act (A.585-A)**

- Requires health insurance providers to cover FDA-approved contraceptive drugs

Reproductive Health Act (A.21)**

- Codifies Roe v. Wade in New York State
- Removes charge of abortion from criminal code and instead establishes guidelines for pregnancy termination in public health law

Raise Tobacco Age (A.558)

- Increases the age to purchase tobacco products from 18 to 21 years old

Combat E-Cigarette Use (A.481-A)

- Expands youth outreach efforts aimed at reducing tobacco use to include electronic cigarettes and liquid nicotine

Supporting Workers

Boss Bill aka “the Hobby Lobby bill” (A.584)**

- Prohibits employers from discriminating against employees based on their personal reproductive health decisions
- Provides recourse for such violations

Workplace Sexual Harassment (A.8421)

- Extends sexual harassment and discrimination protections to all employers in New York State
- Eliminate “severe or pervasive” standard from discriminatory and retaliatory harassment
- Extends liability for all forms of unlawful discriminatory conduct, including against non-employees
- Prohibits mandatory arbitration and non-disparagement clauses related to discrimination
- Limits non-disclosure agreements from impeding government agency investigations and private claims or actions
- Expands power of Attorney General to prosecute
- Requires employers to provide notice containing sexual harassment policy and information presented at their training program, in English and the employee’s preferred language
- Extends time frame for victims of sexual harassment to file administrative complaints with the Division of Human Rights from one year to three years
- Requires that every four years the model sexual harassment prevention guidance document and sexual harassment policy will be reviewed and updated as necessary

Farm Laborers Fair Labor Practices Act (A.8419)

- Collective bargaining rights for farm workers
- Establishes mandatory days off, overtime, unemployment insurance, sanitary conditions, workers’ compensation, disability, and minimum wage coverage for farm workers

Car Wash Minimum Wage (A.6346-C)

- Requires that car wash workers in Nassau, Suffolk, Westchester, and NYC be paid the minimum wage without gratuities

Protecting Consumers

Utility Consumer Advocate (A.1966)*

- Creates State Office of the Utility Consumer Advocate to represent utility consumers’ interests in residential utility matters

Credit Report Data Breach Protection (A.2374)*

- Provides reasonable consumer protections when a credit reporting agency has a breach involving social security numbers

Plain Language Contracts (A.2653-A)*

- Increases threshold for plain language requirement in consumer contracts to \$250,000 (from \$100,000)

Crackdown on ESCO Slamming (A.3245-A)*

- Prohibits unauthorized changes in suppliers of natural gas or electric service

Right to Yelp (A.3548)*

- Prohibits contracts for sale/lease of consumer goods or services from including a provision waiving the consumer’s right to make any statement regarding their experience

Justice For All People

Criminal Justice Reform (Budget)**

- Eliminates cash bail for most misdemeanor and non-violent felony offenses, replaced by release on recognizance or non-monetary conditions where appropriate
- Requires issuance of appearance ticket in lieu of arrest for most misdemeanor or class E felony offenses
- Requires judges to consider financial resources of each defendant and alternate forms of bail for higher-level cases
- Requires prosecution to generally be “ready for trial” within six months for a felony charge and 90 days for a misdemeanor charge
- Revises “discovery” law to require early, scheduled disclosure with strong oversight by judge
- Broadens circumstances where court may issue protective order conditioning, denying, or limiting disclosure where appropriate
- Prosecution will be required to provide discovery to the defense within 15 days after arraignment and certain disclosures before most negotiated guilty pleas
- Expands Rape Shield Law to include sex trafficking
- Requires expanded reporting by law enforcement agencies on use of force
- Reduces maximum misdemeanor sentence to 364 days
- Limits public disclosure of arrest photographs, except when needed for legitimate law enforcement purposes
- Removal of inaccurate information from criminal history records

LGBTQ+ Protections

- Gender Expression Non-Discrimination Act (A.747)**
- Ban Conversion Therapy (A.576)**
- End “Gay Panic” Defense (A.8375)**

Child Victim’s Act (A.2683)**

- Begins statute of limitations for sex crimes against minors at age 23, instead of 18
- Increases statute of limitations for civil actions for sex crimes against minors until age 55
- Establishes one year lookback window for survivors of childhood sexual abuse to bring civil actions otherwise not covered by changed law
- Treats governmental and non-governmental defendants equally

Decriminalization of Marijuana (A.8240-A)

- Defines unlawful possession in the first degree as more than one ounce of marijuana with maximum of \$200 fine
- Expunge records of those with certain misdemeanor marijuana related records and/or charges

Domestic Violence Statute of Limitations (A.3974)

- Expands alternative sentencing for domestic violence cases and allows the opportunity for resentencing when domestic violence was a significant factor

Ban on Revenge Porn (A.5981)

- Establishes the crime of unlawful dissemination or publication of an intimate image and creates a private right of action for such crimes

Education From Day One

Jose Peralta New York State DREAM Act (A.782)**

- Creates a DREAM fund and commission to provide scholarships to college bound students
- Allows undocumented students to apply for college financial aid
- Allows non-citizens to open NYS 529 College Tuition Savings Program accounts

Erin's Law (A.2577-B)*

- Requires public schools to teach K-8 students how to recognize and react to inappropriate behavior from adults in order to prevent childhood sexual abuse
- Requires instruction to teachers and parents about how to recognize if a child is being abused

Reform Teacher/Principal Evaluation (A.783)**

- Eliminates mandatory use of state-created or administered tests in teacher and principal evaluations
- Subjects selection and use of assessments to collective bargaining

Combatting Gun Violence

Red Flag Bill (A.2689)**

- Creates procedure for requesting and issuing temporary and final extreme risk protection orders to surrender or remove firearms possessed by the subject of such orders
- Creates judicial process to return firearms to such person, with input from the District Attorney, County Attorney, protected party, and every licensing officer responsible for the issuance of relevant licenses

Don't Arm Teachers (A.1715-A)

- Prohibits schools from authorizing employees to carry firearms (excluding school resource officers, police officers, peace officers, or security guards)

Plastic Gun Ban (A.763)

- Criminalize manufacture, sale, transport, and possession of firearms, rifles, shotguns, and major components of such weapons which are not detectable by metal detector or other commonly used security screenings

Clarify Firearm Transport Requirements (A.7752)*

- Clarifies when a pistol or revolver may be legally transported by a license holder and establishes a statewide standard for the safe transportation of firearms

Bump Stock Ban (A.2684), Statewide Gun Buyback (A.2685), Gun Safe Storage (A.2686), Expanded Background Checks (A.2690)



(Re)Building Democracy

Voter Pre-Registration (A.774)**

- Allows 16- and 17-year-olds to pre-register to vote

Voter Registration Transfers (A.775)*, **

- Automatically transfers voter registration between counties in New York State when somebody moves, making it easier for people to participate in elections

Restrict LLC Contributions (A.776)**

- Subjects Limited Liability Companies to the same contribution limits as all corporations
- Requires disclosure of individuals with membership interests and attributes LLC contributions to each individual member

Same-Day Voter Registration (A.777)

- Would allow eligible people to register to vote on the same day as the election
- Constitutional Amendment – must pass next legislature (2021-2022) and then be ratified by popular vote statewide

No-Excuse Absentee Ballots (A.778)

- Would allow any eligible voter to request to vote by mail without declaring a reason to do so
- Constitutional Amendment – must pass next legislature (2021-2022) and then be ratified by popular vote statewide

Consolidated Primaries (A.779)**

- Combines all primaries (except for US President) to the same day

Early Voting (A.780)**

- Establishes 10 early voting days for all elections
- Sets additional rules and requirements about notification and operation of early voting

SUNY/CUNY Voter Registration (A.2599-A)*

- Requires the State and City Universities of New York to provide voter registration forms and absentee ballots to students
- Requires for these locations to assist in completion of these documents