#### Dear Neighbors and Community,

I have spent the last two weeks since the end of the legislative session in quiet deep reflection. In many ways, during session, I had put aside some of my personal feelings about living in one of the most economically and politically powerful countries in the world now run by a dictator, in order to stay focused on fighting to protect as much as I could, fighting for what, in this role as a state legislator, I could impact, and staying focused on what I could save and build. But in this small window post session and post primary, I have found a moment to deeply feel the ever present heartache and trauma that I and so many of us are carrying with us, moment to moment and day to day. Watching people, documented or undocumented, citizen and noncitizen alike, vanishing off the streets, watching funding stripped from our schools and from our healthcare and redirected to the wealthiest among us – who literally have their own schools, doctors, private transportation and culture siloed and protected from these very systematic cuts – watching natural habitats that we have continuously fought to protect for the last century sold off to the highest oil barron bidder, and on and on.

For some our reaction is to become more vigilant and more focused in the ever present fight for decency, for some it is a relief that our shadow-side as a country has now been brought to light, for some the desire to create safety for family, friends and community is an immediate visceral coping mechanism in response to this adversity. For each of us our response is unique to us, our coping strategy to face this moment, but together with grace, empathy, and conscious effort, these strategies can fit like pieces of a puzzle building the fabric that will continue to hold us together.

A hope I have for us all in these times is that we find the support we need to persevere, that we fight tribalism and find any and all bridges to truth and to each other, that we remember to find safe spaces and personal time to regularly check the mirror and ask, "Am I responding from my fear? From deep wounds? From hate? And if I am, can I find a place inside of open curiosity and exploration where I can feel safe and respond creatively to this crazy dark time from this place? What outcomes might this manifest?"

In the face of world trauma it is family and community that holds hope. At its center, what keeps family and community together is keeping a bit of that hope and care and directing it inward. For each and every one of us I hope this care can serve as a core for our resolve to stand together for decency for all. So during this time, if we need to take a moment away to build that inner care, we will all know that another of us will carry the mantle until we can step back in.

Thank you for being there as I refill my cup. I am thankful to be part of this community as we face our demons, fight to find truth, and build together.

Now back to our regularly scheduled programming!

# Legislative Update

#### Bill Passage:

<u>A1029:</u> The Sex Worker Immunity bill, a bill I've sponsored in the Assembly for the last three years, passed both houses in the final days of this legislative session. This bill addresses a critical oversight in our legal system that has left sex workers, a population vulnerable to violence and unable to safely access justice. A1029 ensures that individuals engaged in sex work cannot be prosecuted for sex work when they report crimes either done to them or a crime they witnessed. The threat of arrest has silenced sex workers from accessing justice.

As this bill both counters the victimization of a vulnerable population and helps law enforcement collect evidence for investigations of crimes this bill had support from both Democrat and Republican lawmakers and law enforcement as well as significant support and advocacy from human rights organizations. While this bill had been laid aside by the Republicans originally for debate, a lengthy negotiation on the bill language led not only to a stronger, clearer, and more comprehensive bill but a unanimous vote of support in the floor with no debate. At a time when we are seeing rights and protections ripped away from so many in this country it felt like a bright moment in the darkness.

## State Budget



Below is a summary of the final budget highlights that will tap up the budget reviews I have been doing in these newsletters. As a refresher, here is a link to the final <u>budget bills</u> and possibly more accessible, here is a <u>link to the NY Assembly final budget book</u> that gives a summary of all the various parts of the budget that make up the \$254.3 billion total for the fiscal year 2025-2026.

#### **Consumer Protections:**

The budget includes fiscal appropriations that will have both direct and indirect fiscal benefits to New Yorkers and legislative policy language for consumer protections:

- One-time inflation rebate checks will be automatically sent to those who qualify in mid-October 2025. Married filers with incomes up to \$150,000 will receive up to \$400, and those with incomes between \$150,000 and \$300,000 will receive \$300. Single filers with incomes up to \$75,000 will receive \$200, and those earning between \$75,000 and \$150,000 will receive \$150. You are eligible for a refund check if, for tax year 2023, you:
  - filed Form IT-201, New York State Resident Income Tax Return;
  - reported income within the qualifying thresholds below; and
  - were not claimed as a dependent on another taxpayer's return.
- Empire State Child Tax Credit (ESCC) for families with children, the ESCC currently provides families up to \$330 per child, depending on total household income, in the form of a refundable tax credit. This budget included changes to increase the maximum annual credit to \$1,000 for each child under the age of four and up to \$500 per child ages four through sixteen.

- \$2.5 million in funding for the <u>Public Utility Law Project</u> which represents and advocates for low-income consumers to assist with the daunting task of dealing with utility companies to ensure fair and affordable access to service.
- 'Click to Cancel', companies must now give customers a way to easily cancel their subscription that is as simple as when they signed up.
- <u>Buy Now, Pay Later' oversight</u> which establishes a framework to introduce safeguards that help limit the risks these pose to consumers such as data exploitation and excessive fees.
- Returning online purchases should be less stressful as new legislation requires online retail sellers to post return and refund policies in a way that is easily accessible for consumers.
- Regulations against unfair overdraft fees to eliminate the most exploitative and deceptive banking fees, cap overdraft fees, strengthen customer communications, and establish stricter transaction processing requirements.
- Al Companion legislation requires operators of Al companions to implement safety measures to detect and address users' expression of suicidal ideation or self-harm and to regularly disclose to users that they are not communicating with a human.
- Surveillance Pricing Disclosure: Businesses that use personal data to set prices (algorithmic pricing) must now inform consumers when this practice is used. This is critically important because personalized algorithmic pricing can quietly undermine fairness, exploit vulnerable groups, and deepen inequality. Using your location, browsing history, device type, income level, or even battery percentage, businesses can charge you a different price than someone else, for the exact same item or service. Algorithms can infer how badly you need something (like medication, a flight, or a hotel during an emergency) and raise prices accordingly. Even without explicitly using race or gender, algorithms can infer proxies through zip codes, language use, or online behavior. Finally, people from historically marginalized communities may be charged more or offered worse deals, without ever knowing why.

#### **Corrections & Public Protection**

While there were some good investments in the area of public safety as documented below, overall I felt it was a missed opportunity to address some of the fundamental problems we see in prisons. For years I have championed the Earned Time Act (A1085) that would provide increased good time and merit time allowance credits to incarcerated individuals and incentivize participation in educational, vocational, treatment-related, and other beneficial programming. When incarcerated individuals engage in rehabilitative programming, violence between those incarcerated as well as against corrections staff and volunteers is reduced. As people reenter their communities they

are also less likely to recommit crimes if they have regularly been encouraged and incentivized to participate in programming. While we came very close to a final agreement, an earned time proposal fell out of the budget negotiations in the final days of negotiation. I will continue to fight for this legislation until it passes.

The budget also includes a new "mask charge", a Class B misdemeanor as an enhancer when someone uses a mask to conceal their identity while committing (or fleeing from) a Class A misdemeanor or felony. An "enhancer" means that it applies only as an add-on to a Class A misdemeanor or felony and not a standalone offense. The governor's stated intent for the original language was to address masked individuals involved in antisemitic or violent incidents, especially those at subway stations or during public protests. The final budget language was modified from an initial proposal to ban or penalize mask-wearing more broadly, in response to civil liberties concerns ensuring that it is not a universal mask ban and that masking for health, cultural, religious, or protest reasons remains legal unless used in conjunction with a crime.

The negotiations on discovery was a key driver of the very late budget this year. Here are some highlights of the final language:

- Judges must now weigh the entirety of prosecutor efforts—including whether any missing evidence prejudiced the defense—before deciding to invalidate a Certificate of Compliance (COC)
- Prosecutors are required to turn over materials "related" (not just strictly "relevant") to charges, retaining the more broad scope of evidence required to be shared with the defense
- If prosecutors act in good faith and diligently, judges can use proportionate remedies (e.g., delay, sanctions) instead of case dismissal

#### Budget details:

- \$135 million allocated for prosecutors and defenders to ensure compliance with discovery
- \$535 million for system-wide stabilization addressing urgent infrastructure, staffing shortages, and healthcare access.
- \$1.5 million for corrections personnel (e.g., overtime, hiring, and staffing support).
- \$400 million to install fixed cameras in all state correctional facilities aimed at increasing transparency and accountability.
- \$18.4 million to expand body-worn cameras for corrections officers.
- \$7.2 million to create a new division within the Office of Special Investigations (OSI) focused on allegations of staff misconduct.
- \$347 million for ongoing gun violence prevention programs across the state.

- \$35 million to improve safety and security at synagogues, mosques and other community locations through the Securing Communities Against Hate Crimes (SCAHC) program.
- Class B misdemeanor for any individuals who use a mask to intentionally conceal their identity while committing a crime.
- \$8 million to boost the State Police's enforcement efforts at the Northern Border
- \$2.3 million to enhance preparedness and crisis response capabilities for incidents of mass violence.

#### **Expanded support for survivors and victims:**

- \$13 million for rape crisis centers. This doubled the funding allocated in last year's budget for the 52 programs across the state.
- Over \$3.3 million to expand services to survivors of sexual assault including coverage of HIV prophylaxis medication coverage, increase reimbursement rates for forensic exams, and expand new options for virtual forensic exam services in underserved areas.
- \$3.8 million to expand victim compensation programs including increasing the cap for funeral expenses for homicide victims from \$6,000 to \$12,000 and increasing the compensation for victims of scams and f

#### **Local Government & In-District Investments**

The budget process allows individual members of the legislature to include funding requests specifically for programs and infrastructure projects within the district. This year's budget included important operating dollars for the following programs in the district:

- \$150,000 for the Greater Ithaca Activities Center (GIAC) to expand programming and youth engagement
- \$103,000 for the State Theatre of Ithaca to continue arts and cultural access
- \$300,000 for Tompkins County Rapid Medical Response to enhance emergency response capacity

#### Reserves & Fiscal Health:

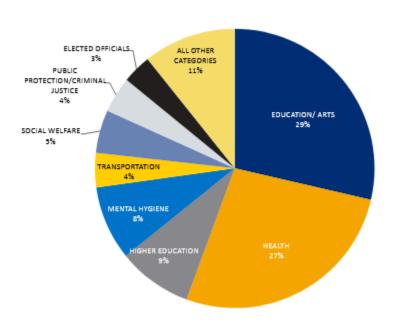
The state maintains reserves totaling an estimated \$44.1 billion, including:

- \$9.8 billion in statutory rainy day funds
- \$21.3 billion in budget reserves for expenses like future labor contracts, deficits due to federal cuts to existing budget agreements, and debt service
- \$13 billion in undesignated reserves

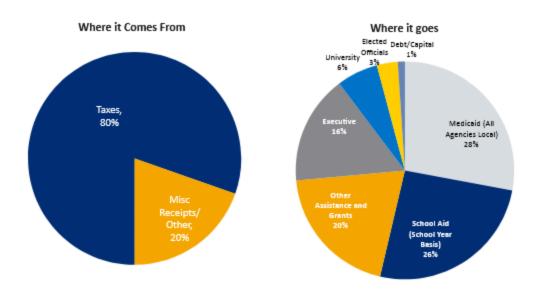
Additionally, in this year's budget the state used a one-time \$8 billion payment to eliminate the debt in the Unemployment Insurance Trust Fund, which had ballooned during the pandemic. Paying this off removes a major burden on small businesses and reduces future interest payments.

#### **Understanding the State Budget Overall:**





### State Operating Funds FY 2026 Enacted Budget - \$146.1 Billion



The final budget for 25-26 totals \$254.3 billion, a 5.3% increase from the previous year. Here's how the state pays for that and where it goes:

Where the money comes from:

- \$117.4 billion from taxes (income tax, sales tax, business taxes)
- \$38.7 billion in miscellaneous receipts (fees, fines, settlements, interest)
- \$93.1 billion in federal grants (especially for Medicaid, education, transportation)

#### Where the money goes:

- \$199.9 billion in local assistance: this includes funding for schools, Medicaid, mental health programs, food access, and housing
- \$27.8 billion for state operations (e.g. salaries, agencies' operating expenses, oversight functions)
- \$12.96 billion for capital projects (e.g. roads, bridges, clean water infrastructure)
- \$2.3 billion for debt service: a decrease from last year thanks to refinancing and one-time federal support

This wraps up the budget summary from this legislative session, though there is an elephant in the room, the federal BBB (it feels truly too ridiculously and honestly

disgusting to acknowledge the name of a bill so at odds with what the bill actually does - tear families apart and decimate the economy and livelihood and health of most of the US for the interests of the very few ultra wealthy). We are still reviewing the full scope of this bill and what it will mean for our state and our communities. Once we have a clearer understanding of its impact, we will be issuing a follow-up newsletter focused entirely on the federal budget—what's in it, what it changes, and how it may affect you and your family.

Stay tuned.

In good health,

Anna Kelles, Ph.D.

Assemblymember, 125th A.D.

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