New York Legislative Update

State News:
June was a very busy month in Albany. The Legislative Session ended in the early morning hours on June 21st after a flurry of activity and attempts to reach agreement on a few outstanding issues. In the end, they could not agree on adult-use cannabis but did pass a bill that would decriminalize possession of marijuana and expunge records of low-level convictions. We will likely see the issue raised again next session, giving legislators plenty of time to come to agreement on legalization.

The Democratic-controlled Senate passed some major bills revamping rent regulation in NYC, confronting climate change, and allowing drivers’ licenses for undocumented immigrants, expansion of abortion protections, voting reforms, Child Victims Act, sexual harassment laws, equal pay for equal work, gun control, the DREAM Act, and the property tax cap.

Issues Update:
Retainage: S.5498 / A.574 (Brooks / Braunstein). With a bill introduced in both houses, and a huge push at Lobby Day, our Retainage Bill was in play. It was laid out for discussion on the floor for the full Assembly vote, only to be “laid aside”, and unfortunately due to the timing of end of session, the bill was not brought up again for a vote. The Senate bill remains in the Senate Finance Committee. Both bills will be live in the 2020 Legislative Session.

Unfair Religious Exemptions by the Amish: We met with Senator George Amedore. We are continuing to educate legislators on the importance of leveling the playing field with the Amish builders that do not have to pay taxes or workers compensation. This is an unfair advantage to lumber retailers and builders that must abide by NYS laws. We have been researching their “unconventional” practices in other areas as well. We will continue to find angles to attack this.

Commercial Claims: S.1832 / A.4360 (Gianaris / DenDekker) This bill would raise the civil jurisdictional limits from the current $5,000 to $10,000 for commercial claims and small claims courts in all courts except justice courts. The bill passed in the Senate and never moved out of the Assembly Judiciary Committee. However, a new bill introduced at the request of the Office of Court Administration emerged and eventually passed both houses. This bill, S.6417 / A.7525 (Gianaris / DenDekker), if signed, will increase small claims jurisdiction in the Civil Court from $5,000 to $10,000. The bill is limited to NYC only. The jurisdictional limit for small claims will remain at $5,000 for City Courts outside of NYC, and $3,000 for Town and Village Courts.

Small Business Package of Bills: We were successful in getting three bills passed by both houses to ease the regulatory burden on small businesses. We worked with the National Federation of Independent Business NY and The Business Council of NYS to urge legislators to support these bills: S.2842 (Kaplan) / A.5153 (Schimminger), authorizes state agencies to publish certain rulemaking notices by electronic means; S.5815-C (Kaplan) / A.7540-B (McDonald), provides small businesses with the opportunity to cure an initial violation of a regulation in limited circumstances; S.5812 (Kaplan) / A.842 (Simotas). Requires agencies proposing regulations that affect small businesses or local governments to assess the minimum time such entities will need to come into compliance with any new regulatory requirements.

Questions?
Please contact Kirk Ives, Director of Government Affairs at 518-880-6376 or kives@nrla.org.

Did You Know?
The lumber and building materials industry has taxable annual wages of $1,734,396,868 in N.Y.