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MEMORANDUM

TO: NYSPPFA

FROM: Hinman Straub Advisors, LLC

RE: 2024 End of Session Review

DATE: June 11, 2024

The 2024 New York State Legislature completed its scheduled work last week, with the Senate finishing late Friday evening, June 7th, and the Assembly adjourning the morning of June 8, 2024. In total, the Senate and Assembly passed 1,679 and 960 bills respectively; of these bills, 805 have passed both houses and will await action by the Governor over the next several months.

While the last several days of the legislative session were typical in the frenetic pace in passing of legislation, the very last-minute announcement by Governor Hochul to delay the implementation of the NYC congestion pricing law complicated work on other issues.

This decision is not only controversial from a policy perspective, but it also creates a \$1 billion annual deficit in the budget of the Metropolitan Transportation Authority (“MTA”), severely inhibiting the MTA’s capital plan and its ability to obtain bonds and other forms of debt for future projects. The Governor and legislative leaders were unable to reach an agreement on replacing that revenue. As a result, the legislature may need to reconvene prior to the end of the calendar year, to address the MTA’s budget shortfall.

During the final days of session, several high-profile bills which appeared on the verge of passing both houses (e.g. packaging reduction/EPR, the NY HEAT Act, assisted suicide, wholesale prescription drug importation) ultimately failed to receive final passage. Nevertheless, the legislature did agree upon several higher profile measures including:

- Training to Reduce Abuse Conduct and Bullying in the Workplace. This bill would expand public employers’ current obligations as it relates to determining factors and establishing reporting systems and training protocols to address factors that may place employees at risk of occupational injuries, by also including abuse conduct and bullying in the workplace. If signed by the Governor, this bill will take effect 180 days thereafter.

- **Extraordinary Work-Related Stress.** This bill would amend the workers' compensation law, to allow all workers the ability to file a claim for mental injury caused by extraordinary work-related stress. If signed by the Governor, this bill will take effect on the next January 1st thereafter.
- **Retail Worker Safety Act.** If signed into law, this bill will require retail worker employers to develop and implement programs to prevent workplace violence and directs the Department of Labor to produce a model workplace violence prevention training program. In addition, it requires employers to provide certain training as well as the installation of panic buttons at certain stores.
- **Warehouse Worker Injury Reduction Program.** Both houses of the legislature passed a bill requiring employers to establish an injury reduction program designed to identify and minimize the risks of musculoskeletal injuries and disorders among workers involved in performing manual materials handling tasks.
- **Lithium-ion Battery Standards.** Legislation passed both houses which would prohibit the sale of lithium-ion batteries used in micromobility devices, bicycles with electric assist or limited use motorcycles unless such batteries are manufactured in accordance with certain standards.
- **Perfluoroalkyl and Polyfluoroalkyl (PFAS) Ban.** The legislature reached an agreement on legislation that prohibits the sale of certain products that contain regulated perfluoroalkyl and polyfluoroalkyl substances. Covered products include architectural paint; cleaning products: which include air care products, automotive products, general cleaning products (not including personal care products), polish or floor maintenance products; fabric treatment, rugs, ski wax, textiles, and textile articles.
- **Children In Social Media.** The legislature reached agreement on two bills designed to protect children who use social media: The Child Data Protection Act, which seeks to limit children under 18 from accessing addictive feeds and algorithms; and the New York Child Protective Data Act which prohibits online sites from sharing or selling the personal data of children under 18 without parental consent.
- **Climate Change Superfund Act.** This legislation requires companies doing business in New York that are responsible for greenhouse gas emissions (i.e. petroleum companies) to proportionately pay \$3 billion/year for 25 years into a fund designed to assist in infrastructure projects needed to address climate change.
- **Wrongful Death (“Grieving Families Act”).** For the third year, the Legislature passed legislation which would create a cause of action for individuals whose relatives have died as the result of the liability of a third party. The previous two versions of the bill have been vetoed by the Governor.
- **Gun Safety.** The Legislature passed legislation hold manufacturers accountable for guns which can easily be converted into illegal machine guns.

The NYS Legislature is technically in session year-round and does not formally adjourn until the end of the calendar year.

Please see the enclosed NYSPFFA Legislative Matrix for pertinent firefighter legislation.