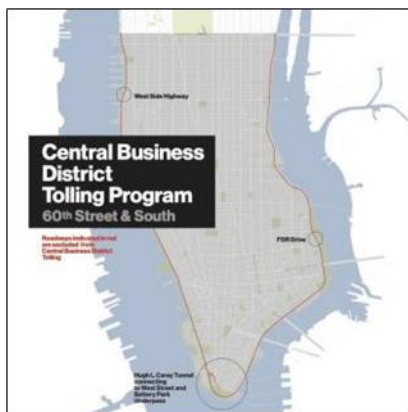


"Obstacles don't define us. Rather, it is the unparalleled courage and character of us that defines us as a people. So my confidence in the future is steeped in our glorious past - in the face of adversity, we always persist. We persevere, we prevail." Governor Kathy Hochul

In The News-New York State



Toll Gate Awaits Bench Ruling

Subject to a ruling by a New Jersey based federal judge, the Cuomo/Hochul congestion tax program will be imposed on most Manhattan bound drivers.

Federal Judge Leo Gordon conducted a hearing this afternoon in Newark to consider the State of New Jersey's request for a Temporary Restraining Order for time to clarify and reconsider the Metropolitan Transportation Authority (MTA)'s Central Business Tolling Program, aka Congestion Pricing. According to published reports, both sides presented their cases, and the Judge indicated that he would rule in the near future.

If the Judge sides with Governor Kathy Hochul and the MTA, the Authority could launch the Tolling Program at midnight, Sunday, January 5th.

Earlier this week, Judge Gordon issued a 72-page order calling upon the MTA and the Federal Highway Administration (FHA) to provide additional information regarding the program's environmental impact mitigation plans. Judge Gordon directed the FHA and MTA to respond to the order by January 17th, but did not explicitly state whether the toll could take effect as scheduled.

In November, the MTA Board approved a three-phase [toll schedule](#), with passenger vehicles charged \$9 (2025-2027), \$12 (2028-2031) and \$14 (2031) per day to enter the district and large trucks charged \$21.60 (2025-2027), \$28.80 (2028-2031) and \$36.00 (2031) for each entry into the district. The plan was slated to go live at midnight on Sunday.

Congestion pricing will generate much needed revenue to bolster MTA service and infrastructure. Opponents to the program argue that it could also cause additional traffic in areas outside of the Central Business District.



Chapters of the Laws of 2024

Chapter 609 -- Sponsored by AM Zebrowski/Senator Skoufis -- Requires municipalities to maintain municipal websites.

Chapter 622 -- Sponsored by AM Lavine/Senator Thomas -- Ensures the welfare of prospective jurors by allowing their names and addresses to remain anonymous when there is a reason to believe that a trial will pose a threat to their safety and wellbeing.

Chapter 639 -- Sponsored by Senator Mayer/AM Jacobson -- Prohibits any board of elections employee from engaging or participating in any trade or business that creates or tends to create an actual or potential conflict of interest.

Chapter 640 -- Sponsored by Senator Hoylman-Sigal/AM Lee -- Requires social media companies, as defined, to post their terms of service and to submit reports to the Attorney General on their terms of service and content moderation policies and outcomes.

Chapter 641 -- Sponsored by Senator Breslin/AM McDonald -- Requires a utilization review agent, when they are establishing a step therapy protocol, to ensure various protocols.

Chapter 647 -- Sponsored by Senator Comrie/AM Sayegh -- Provides that a business must provide notification of a data breach within 30 days of such breach; includes the department of financial services to the list of entities that must be notified of a data breach that affects any New York resident.

Chapter 652 -- Sponsored by Senator Ramos/AM Bronson -- Establishes the warehouse worker injury reduction program.

Chapter 657 -- Sponsored by Senator Gianaris/AM Gonzalez-Rojas -- Requires that the state disaggregate the Middle Eastern or North African group from the White group when collecting demographic data regarding the ancestry or ethnic origin of New York residents.

Chapter 665 -- Sponsored by Senator Ryan/AM McMahon -- Allows any person to submit an affirmation under penalty of perjury in lieu of an affidavit in an administrative proceeding.

Chapter 672 -- Sponsored by Senator Hinchey/AM -- Creates a registration system for short term rentals in New York State and allows for the collection of sales tax & applicable occupancy tax generated from such rentals to the state and localities.

Chapter 679 -- Sponsored by Senator Krueger/AM Dinowitz -- Establishes the climate change adaptation cost recovery program and the climate change adaptation fund.

Chapter 678 -- Sponsored by AM Gibbs/Senator Cleare -- Authorizes the department of economic development to give a preference to any tourist promotion agency that is promoting the sport of stickball.



Vetoos of 2024

Veto #115 -- Sponsored by AM Epstein/Senator Kavanagh -- Requires nursing home operators to notify the Commissioner of the New York State Department of Health ninety days ahead of an anticipated closure. The notification shall include a proposed plan for closure, subject to the approval of the Commissioner, and describe procedures the operator will take to notify and assess nursing home residents affected by the closure.

Veto #117 -- Sponsored by AM Solages/Senator Mayer -- Requires that industrial development agency membership include a representative of a local labor organization and either a representative of a school board or a superintendent of a school district.

Veto #122 -- Sponsored by AM Weinstein/Senator Hoylman-Sigal -- Provides for the types of damages that may be awarded to the persons for whose benefit an action for wrongful death is brought.

Veto #130 -- Sponsored by Senator Ramos/AM Bronson -- Relates to requiring training to reduce abusive conduct and bullying in the workplace.

Veto #132 -- Sponsored by Senator Harckham/AM Bronson -- Relates to prevailing wage requirements applicable to brownfield remediation work performed under private contract.

Veto #137 -- Sponsored by Senator Breslin/AM Fahy -- Authorizes the county of Albany to levy hotel and motel taxes on short-term rentals.

Veto #139 -- Sponsored by Senator Cleare/AM Aubry -- Removes the lifetime ban on jury duty for convicted felons.

In The News-New York City



Comptroller DiNapoli Audit Finds MTA Needs to Strengthen Extreme Weather Preparations

Lack of Inspections, Lax Weather Alerts Leave Bus Depots and Tunnels Vulnerable

Three Metropolitan Transportation Authority agencies – Bridges & Tunnels (B&T), NYC Transit Department of Buses (Transit Bus), and MTA Bus Company (MTA Bus) need to improve their preparations for extreme weather as [an audit released](#) yesterday by New York State Comptroller Thomas DiNapoli found a lack of maintenance and inspections of resiliency equipment, and a failure to follow weather alert procedures.

“While the MTA has been funding and implementing capital projects that adapt the transportation system to climate change and extreme weather, and developed plans and procedures to activate for extreme weather-related conditions, these plans are only as good as their execution,” Comptroller DiNapoli said. “This audit identifies areas where MTA needs to improve and ensure bus depots and tunnels are maintained, inspected and prepared for the next weather emergency.”

According to the Comptroller Superstorm Sandy caused roughly \$5 billion in damages to MTA assets, including serious damage to the Queens Midtown Tunnel, the Hugh L. Carey Tunnel, and six bus depots in 2012. In its aftermath, B&T and MTA’s bus operating units – Transit Bus and MTA Bus (Bus Operations) – both carried out projects to protect against future coastal storms and developed procedures to follow before and in the aftermath of extreme weather.

Comptroller DiNapoli’s audit found, however, that these agencies have not carried out a systemwide risk assessment — a recommendation of the MTA’s Blue Ribbon Commission on Sustainability — to help identify the potential for damage to their transportation systems. B&T officials said they did not see a risk and had no plan to do an assessment, although some individual assessments were done along with work to safeguard against extreme weather. Bus Operations officials did not provide a systemwide risk assessment for depots, although some risk review had been done at four depots that had been identified as having flooded in the past.

DiNapoli’s audit offered 13 recommendations including that B&T and Bus Operations update their systemwide risk assessments periodically showing progress and any new issues that need to be addressed; maintain and inspect equipment regularly and as required in a timely manner; and that procedures are adopted to address all weather events including flash floods, flash freezing and tornadoes.

In its response, MTA officials acknowledged the recommendations and in a limited number of cases agreed with all or part of them.



New York Legislative Leaders Reject MTA's \$65B Capital Plan



New York legislative leaders have rejected a \$65.4 billion plan to upgrade New York City’s mass transit system, citing a lack of funding for the proposed improvements.

In a letter to Metropolitan Transportation Authority chairman Janno Lieber, Senate Majority Leader Andrea Stewart-Cousins and Assembly Speaker Carl Heastie said the agency’s five-year capital program faces a "significant funding deficit" estimated at more than \$33 billion that "needs to be addressed before we can approve the program."

"Closing the MTA’s proposed 2025-2029 capital plan deficit may require state legislative action, or identifying additional non-state revenue sources, and can be solved during the upcoming legislative session in the context of the state budget negotiations," the lawmakers wrote.

The leaders indicated that they plan to negotiate the amount of funding available for the MTA’s capital plan in the upcoming state budget.

The decision places a hold on the Authority's capital improvement projects — some of which were set to go into effect on January 1st.

The MTA Board approved the Capital Plan on September 25th, began the required public hearings and delivered the plan to the MTA Capital Program Review Board, as required by State law. Majority Leader Cousins and Speaker Heastie, as members of the Review Board, rejected the plan.

"Now that the Legislature has raised these objections to the capital plan, we look forward to seeing their recommendations on which of those projects should be deprioritized and which revenue streams they are willing to propose," Governor Kathy Hochul's spokesperson Avi Small said in a statement.

In published reports, MTA spokesperson John McCarthy said the funding requests in the capital plan noted that lawmakers did not raise any objections to the plan when the MTA Board of Directors approved it in September. "...We remain optimistic that the legislature will join the governor in supporting safer, more reliable, and expanded transit," he said.

Briefs

2025 Brings Increased Benefits for Workers and Lower Costs for Employers

In addition to the much-publicized increase to New York's minimum wage and the State's first-in-the-nation approved leave for prenatal care benefit, 2025 also brings increases in paid family leave and workers compensation benefits. Employers will also see a decrease in the workers' compensation assessments.

Paid Family Leave: Benefit Total Increases

NYS Paid Family Leave provides eligible employees with up to 12 weeks of job-protected, paid time off to bond with a new child, care for a family member with a serious health condition, or to assist loved ones when a family member is deployed abroad on active military service.

Starting January 1, 2025, New Yorkers taking Paid Family Leave may receive up to \$14,127.84 in total benefits – an increase of over \$300 from 2024. Employees taking Paid Family Leave receive 67 percent of their average weekly wage, up to a cap of 67 percent of the current New York State Average Weekly Wage (NYSAWW), which is \$1,757.19 for 2025. The maximum weekly benefit will be \$1,177.32, and the total possible benefit to an employee is \$14,127.84.

Employees will contribute 0.388 percent of their gross wages per pay period to pay for Paid Family Leave in 2025, with a maximum annual contribution of \$354.53 (0.388 percent of the NYSAWW). Employees earning less than the NYSAWW will contribute less than the annual cap of \$354.53, consistent with their actual wages.

Workers' Compensation

Starting January 1, 2025, the minimum workers' compensation weekly benefit will increase to \$325 per week, in accordance with legislation signed into law by Governor Kathy Hochul in September 2023. That's up from \$275 per week in 2024. Prior to January 1, 2024, the minimum weekly benefit had been \$150 per week for more than a decade.

On July 1, 2026, the minimum weekly benefit will be indexed to the NYSAWW. The institution of annual increases in the minimum weekly benefit, and eventual indexing to the NYSAWW, will ensure the minimum weekly benefit is more equitable to injured workers going forward.

Workers' Compensation Assessment Rate Reduction

Additionally, as of January 1, 2025, the workers' compensation assessment rate for employers will be 7.1 percent of the standard premium or premium equivalent – a 22 percent decrease from 2024 – which is expected to save New York State businesses approximately \$191 million.

The employer assessment rates are determined by the NYS Workers' Compensation Board's need and budgeted statewide premium. The rate is calculated by dividing the Board's total estimated annual expenses by a base of total estimated statewide premium. Insurers are required to apply the assessment rate to their premium or premium equivalent.

The 2025 rate of 7.1 percent reflects an over 43 percent decrease since 2019, when the assessment rate was 12.6 percent.

Governor Signs Legislation Clarifying Conflicts of Interest at Board of Elections

Governor Kathy Hochul signed legislation aimed at ending any actual or perceived conflicts of interests of board of elections employees caused by outside income related to the administration of elections and supervision of elections in which they are candidates.

Chapter 639 of the Laws of 2024, sponsored by Senator Shelley Mayer and AM Jonathan Jacobson, prohibits any board of elections employee from having any interest in a trade or business that creates or tends to create an actual or potential conflict of interest. Additionally, the bill prohibits a board of elections employee from remaining on the board's payroll while running for an electoral office that is supervised by the board at which they are employed.

In signing the legislation, Governor Hochul cited the need for revisions, a chapter amendment, to the new law to consider limited staffing at some boards of elections.

"I strongly support the intent of this bill," Governor Kathy Hochul said in signing the legislation. "However, the bill as written would create operational hurdles for local boards of election who are already subject to limited staff. Changes are necessary to allow for flexibility in these cases by creating an exception to this requirement where there is bipartisan support to keep a staff member on payroll and where the staff will still be prohibited from overseeing any portion of an election in which they are a candidate."

As currently written the law prohibits:

- A board of elections employee from maintaining any direct financial interest in a company that provides services to a candidate who has an election overseen by that employee's office.
- A board of elections employee from maintaining any direct financial interest in a company that sells voting machines, electronic poll books or other electronic equipment to the board.
- Any board of elections employee from remaining on the board's payroll while running for an office that is supervised by the board at which they are employed. An employee may remain in "leave without pay" status until the time when either their candidacy ends, or up until the day following certification of election results, whichever comes first. However, this prohibition shall not apply to unpaid party positions.

In addition, the law clarifies that it is not a conflict of interest for a board employee, who is a member of a county committee, a district leader, a member of the state committee, or a delegate to a national party convention to endorse or support a candidate for a party or public office as part of their duties in party position.

New York Defines Health Insurance Utilization Review Protocols for Prescription Drugs

Health insurance utilization review agents will be required to follow certain rules when establishing a step therapy protocol for prescription drugs, under legislation signed by Governor Kathy Hochul.

Sponsored by Senator Neil Breslin and AM John McDonald, Chapter 641 of the Laws of 2024 requires certain patient protections for plans and utilization review agents to follow when establishing a step therapy protocol. In signing the legislation, Governor Hochul cited the need for revisions.

"I support the goals of this legislation, which will serve to eliminate step therapy protocols that can be burdensome on the patient with little or no corresponding health benefits," Governor Hochul said in signing the legislation. "However, technical changes are necessary to ensure that the legislation can be implemented effectively. I have reached an agreement with the Legislature to enact these changes. On the basis of this agreement, I am pleased to sign this bill."

As currently written the law prohibits the following step therapy protocols:

- Requiring an insured to try and fail on more than one drug before providing coverage to the insured.
- Requiring usage of a step therapy-required drug for longer than 30 days.
- Requiring a step therapy if the patient has taken the prescribed drug covered by a plan within the past 365 days.
- Requiring a newly enrolled insured to repeat step therapy for a prescribed drug where they have already completed a step therapy protocol for that drug under a different plan.
- Requiring usage of a step therapy for a prescribed drug that was previously approved by a plan for a specific medical condition after the insured's plan implements a formulary change.

State Demographic Data to Recognize Middle Eastern and North African Ancestry

Governor Kathy Hochul signed legislation to require separate data collection categories for White, Middle Eastern, and North African groups in New York State.

“We’re so proud that communities from across the globe call New York home,” Governor Hochul said. “Reviewing accurate data is a key starting point when crafting public policy. By ensuring that Middle Eastern and North African communities are accurately represented in State data collection, we’ll be able to identify ways to support this community going forward.”

Sponsored by Senator Michael Gianaris and AM Jessica Gonzalez-Rojas, the legislation requires every state agency, board, department, or commission that collects demographic data as the ancestry or ethnic origin of residents, to use separate collection categories for the “White” group in New York State. The collection categories and tabulations include the following North African and Middle Eastern Groups:

- Major North African (NA) groups: Egyptian, Moroccan, Sudanese, Algerian, Tunisian, and Libyan;
- Major Middle Eastern (ME) groups: Yemeni, Iranian, Palestinian, Iraqi, Lebanese, Israeli, Jordanian, Syrian, Armenian, and Saudi;
- Other Middle Eastern and North African (MENA) groups.

“In one of the most diverse cities in the nation, New Yorkers of Middle Eastern and North African descent will no longer be invisible, by being lumped into vague categories like 'white' or 'other,' Arab American Family Support Center Advocacy and Engagement Lead Salma Mohamed explained. “This lack of recognition has limited cultural representation and, more concerningly, masked real challenges and needs of our communities, including access to appropriate healthcare and community funding...”

Fines Begin for NYC Trash Container Violations Under New DSNY Rule

The grace period for New York City’s trash containerization rule ended this week and the City Department of Sanitation has begun enforcing the requirement that all residents use a 55-gallon or less bin with a secure lid for curbside pickup.

Since the rule’s implementation in November, residents were given a warning period to adjust. This grace period ended Thursday, January 2nd. Failure to use a 55-gallon or less bin with a secure lid for trash set out will result in fines of \$50 for a first offense, \$100 for a second offense, and \$200 for third and subsequent offenses.

City to Hold Hearing on New Hotel Operator License Rules

The City Department of Consumer and Worker Protection (DCWP) will hold a public hearing on proposed rules to implement the hotel operator license law (Local Law 104). The public hearing will be held on February 3rd at 11 a.m. It will be accessible by phone and videoconference.

The [proposed rules](#) designate the expiration date for hotel licenses, set forth license application requirements for hotels, specify the records that hotels must maintain for inspection by the Department, note the grounds for license suspension, revocation, or denial of a license renewal, and explain the requirements for transfers of a hotel license. Finally, the proposed rules create a penalty schedule for violations of the hotel licensing law and rules.

To participate in the public hearing via phone, please dial +1 646-893-7101, Phone conference ID: 383 304 883#. To participate in the public hearing via videoconference, please follow the online link: <https://tinyurl.com/4czvnyjf>; Meeting ID: 221 004 259 811; Passcode: Bw3P86MM.

Mayor Adams Appoints Vijah Ramjattan as Executive Director of Mayor's Office for the Prevention of Hate Crimes

New York City Mayor Eric Adams today announced the appointment of Vijah Ramjattan as the executive director of the New York City Mayor's Office for the Prevention of Hate Crimes (OPHC). As executive director, Ramjattan will oversee the office's interagency efforts to combat hate crimes using community-based programs and provide support to victims of hate and bias crimes. Joining Ramjattan at OPHC are deputy executive director Erica Ware and senior project manager Jelissa Thomas.

Before being appointed to this role, he served as a senior clinical research program administrator for the New York State Psychiatric Institute-Research Foundation for Mental Hygiene. He previously served as counselor and grievance coordinator on Rikers Island for the New York City Department of Correction. Earlier in his career, Ramjattan served as president of the Council District 28 Community Education Council and as an interfaith chaplain for NYC Health + Hospitals/Queens. Ramjattan earned his Bachelor of Arts in Psychology and Comparative Religion from The City University of New York's Hunter College

Erica Ware previously served as the deputy director of the Victim Services Unit for the Office of the District Attorney of Richmond County and holds a Bachelor of Arts in Sociology from the College of Staten Island. Jelissa Thomas previously served as a master teacher and teacher coach for the Equity Project Charter School. She holds a Bachelor of Arts in Political Science and a Masters in Education.

2025 Legislative Calendar



New York State Legislative Session Calendar January — June 2025



The New York State legislative session calendar establishes a schedule for the 2025 legislative session and provides dates important to the legislative process. The session calendar is intended to afford Members flexibility in conducting legislative business in Albany and planning activities within their home districts. The session calendar will foster orderly and timely consideration of legislation. Unforeseen events may require modification of the session calendar.

JANUARY						
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January 8 2025 Legislative Session convenes
January 20 Martin Luther King, Jr. Day
January 21 Final Day for Submission of Executive Budget

February 17 Presidents' Day
April 1 Beginning of new Fiscal Year
May 26 Memorial Day

 Indicates session day

Coming Up

New York State

Wednesday, January 8th

New York State Senate Session,
Senate Chamber – New York State Capitol, Albany, 12 p.m.

New York State Assembly Session,
Assembly Chamber – New York State Capitol, Albany, 12 p.m.

New York City

Wednesday, January 8th

City Council Stated Meeting, Council Chambers – City Hall, Charter Meeting, 1:30 p.m.

Thursday, January 9th

Mayor's State of the City Address, Appollo Theater, Manhattan, 10 a.m.

Subcommittee on Zoning and Franchises, Council Chambers – City Hall, 11 a.m.

Friday, January 10th

Committee on Health, Council Chambers – City Hall, 1 p.m.

Committee on Civil Service and Labor, Council Chambers – City Hall, 1 p.m.

Committee on Hospitals, Council Chambers – City Hall, 1 p.m.

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