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THE LATEST ON THE IMPACT OF THE CORONAVIRUS/COVID-19 PANDEMIC ON THE NEW YORK STATE LEGISLATIVE SESSION

Over the weekend, it was announced that two members of the New York State Assembly tested positive for COVID-19 and the staff in both of those offices have been asked to self-quarantine. Effective Sunday, March 15, the New York State Capitol was shut down to visitors.

This week, the Assembly and Senate were supposed to introduce their one-house budget proposals, but we have learned that they will be forgoing this process and that negotiations on a final budget are happening now with the goal of completing a budget by the end of this week. We are continuing to have budget meetings and will provide pertinent information as it becomes available.

In a weekend press conference, Governor Cuomo indicated that he is still hoping to enact a comprehensive budget that includes not only budget provisions but some of his signature proposals like gestational surrogacy, legalizing recreational marijuana and bail reforms. The Senate and Assembly have indicated that they are not interested in engaging in discussions on these larger issues and are instead focused on enacting a spending plan that addresses the immediate budgetary needs of New York.

One policy area that we are expecting to see action on is for paid sick leave. This was already in the Governor's proposed budget and given the impact that Coronavirus will be having, it is highly likely that some version of paid sick leave will be included in the final budget. We will know soon as the negotiations this week will determine the final extent and scope of the budget.

One other development that may impact the budget negotiations is federal legislation called the Families First Coronavirus Response Act, which would provide \$6.7 billion in healthcare funds to New York and includes a federal paid sick leave plan. This bill has passed the House of Representatives but has not yet passed the Senate. While the New York federal elected officials touted this as a win for New York, Governor Cuomo immediately expressed concerns as he stated that the level of funding for New York, given its size and Coronavirus impact, is not enough. Also, the Act places restrictions on how this new federal money can be allocated within the State. We will be tracking these federal developments to determine their impact in New York and on our budget negotiations.

On another note, this is an election year and the Coronavirus pandemic is impacting that process as well. Yesterday, the Governor issued an executive order that will limit the number of signatures required to appear on the ballot for the June primaries and ends the ballot petitioning period at 5:00 p.m. on Tuesday, March 17. Also, there are several proposals now being explored that would move New York's April 28 Presidential primary to June 23 to coincide with the state and federal legislative primaries. Finally, many village elections throughout New York are scheduled for this coming Wednesday, March 18. For now, those elections are on, but this may change as well.

Once the budget negotiations are complete, the legislature will immediately be on break. We don't yet have a date when they are expected to return. At this time, we are preparing for a possible May return.

However, given that we don't know what the trajectory of the Coronavirus will be, we are also preparing for an extended session that will see a return in late summer/early fall.

As always, if you have any questions, please contact us. We will provide updates as new information becomes available. If you have questions regarding this LEGALcurrents®, please contact any member of our firm's Government Affairs Practice Group at 518.434.4377, 585.232.6500, or for more information, visit www.hselaw.com.

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