State of New York

Executive Chamber

No. 202.87

EXECUTIVE ORDER

Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby find that a disaster continues to exist for which affected state agencies and local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby continue for thirty days the declaration of the State Disaster Emergency effective March 7, 2020, as set forth in Executive Order 202. This Executive order shall remain in effect through January 29, 2021.

IN ADDITION, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive, contained in Executive Orders 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.31, 202.38, 202.39, 202.40, 202.41, 202.42, 202.43, 202.48, 202.49, 202.50, 202.51, 202.52, 202.55, 202.55.1, 202.56, 202.60, 202.61, 202.62, 202.63, 202.67, 202.68, 202.72, as continued and contained in Executive Order 202.79 for another thirty days through January 29, 2021 and hereby temporarily suspend or modify the following from the date of this Executive Order through January 29, 2021:

- Chapter 89 of the laws of 2020 to the extent necessary to provide that any member otherwise qualified to receive an accidental death benefit under this chapter who dies after December 31, 2020 shall be eligible to receive such benefit;

- Chapter 91 of the laws of 2020 to the extent necessary to provide that the ability of an individual to request an absentee ballot under the terms of such chapter, or chapter 138 of the laws of 2020 shall not expire on December 31, 2020 but shall continue in full force and effect;

- Paragraph (6) of subdivision (b) of part 405.4 of Title 10 of the NYCRR to the extent necessary to remove limits on working hours for physicians and postgraduate trainees;

- Section 25.30(1)(c) of the Arts and Cultural Affairs Law to the extent that, for purposes of an approved Department of Health demonstration program, an operator or an operator's agent may utilize a paperless ticketing system that only allows a customer to transfer the ticket through the operator or the operator's agent and subject to the terms and conditions set by the operator or the operator's agent provided that a refund shall be offered for such ticket's face value to any customer, subject to the terms and conditions set forth by the operator and consistent with the demonstration program;

- Section 30.30 and Section 190.80 of the criminal procedure law are suspended to the extent necessary to toll any time periods contained therein for the period during which the criminal action is proceeding on the basis of a felony complaint through arraignment on the indictment or on a superior court information and thereafter shall not be tolled.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this 30th day of December in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor