State of New York

Executive Chamber

No. 202.64

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 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to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive contained in Executive Order 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, and 202.53 as continued and contained in Executive Order 202.57 for another thirty days through October 18, 2020, and I hereby temporarily suspend or modify the following from the date of this Executive Order through October 18, 2020:

- Section 522 of Labor Law is modified to exclude from the definition of "total unemployment" per diem, part-time work performed between September 18, 2020 and November 3, 2020 for the New York State Board of Elections or a local board of elections where the total earnings for the week from all work performed for any employer do not exceed $504.00 and the employer is not the separating employer identified in the original claim, and not to require claimants to report such part-time work when certifying for weekly benefits.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I do hereby issue the following directives through October 18, 2020:

- The directive contained in Executive Order 202.48, which modified the directive in Executive Order in 202.28 that prohibited the initiation of a proceeding or enforcement of an eviction of any commercial tenant for nonpayment of rent or a foreclosure of any commercial mortgage for nonpayment of such mortgage is continued through October 20, 2020.

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

BY THE GOVERNOR

Secretary to the Governor