State of New York

Executive Chamber

No. 202.76

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to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive, contained in Executive Orders 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, 202.59, 202.65, as continued and contained in Executive Order 202.70 for another thirty days through December 19, 2020, except:

- Pursuant to Executive Order 202.72, all suspensions of the Family Court Act shall remain in effect until December 18, 2020 and thereafter continue to remain in effect for those juvenile delinquency matters not involving a detained youth and for those child abuse and neglect proceedings not involving children that have been removed from their homes.

- Notwithstanding any contrary provision in the Criminal Procedure Law, any appearance at a criminal proceeding may be conducted virtually by electronic appearance with the consent of the parties, including but not limited to bench trials, evidentiary hearings, CPL 440 hearings, and/or probation or parole violation hearings.

IN ADDITION, I hereby temporarily suspend or modify the following from the date of this Executive Order through December 19, 2020:

- Sections 1205, 1263 and 1266 of the Public Authorities Law, to the extent necessary to permit the relevant public authorities to receive comments concerning proposed fare, toll, rental, rate, charge or other fee adjustments through public hearings held remotely and through use of telephone conference, video conference, and/or other means of transmission, including acceptance of public comments electronically or by mail, and to permit all required documentation and records to be available in an electronic format on the internet and upon request;

STATE OF NEW YORK EXECUTIVE PRIVY SEAL

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

BY THE GOVERNOR

Secretary to the Governor