

6356

I N   S E N A T E

February 1, 2012

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Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and  
when printed to be committed to the Committee on Finance

AN ACT to amend the executive law and the state finance law, in relation  
to requiring reports by state agencies relating to certain grants and  
expenditures made to community based organizations

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 164 of the executive law, as amended by chapter 833  
2     of the laws of 1965, is amended to read as follows:  
3     S 164. Reports by and to the department. 1. Each department, other  
4     than the executive department, shall make an annual report to the gover-  
5     nor and legislature on or before the fifteenth day of May, for the  
6     preceding calendar year. It shall contain such information concerning  
7     the department and its several divisions, bureaus, offices, agencies and  
8     institutions, and their activities and affairs, and such recommenda-  
9     tions, as the head of the department shall deem necessary or proper, and  
10    any matters required by express provision of law to be included in such  
11    report. A department also shall make such other and special reports as  
12    the governor or either house of the legislature may require. From time  
13    to time, the head of a department may require from any board, commission  
14    or other body in the department or from any subordinate officer or  
15    employee, division or bureau of the department, or from any institution  
16    subject to the supervision of the department, or from any agency of the  
17    department, such reports or information as such head may deem necessary.  
18    Unless expressly authorized by the head of the department, there shall  
19    be hereafter no separate report, annual or otherwise, directly to the  
20    legislature or governor by any such board, commission, body, officer,  
21    division, bureau, institution or agency notwithstanding any existing  
22    provision of law authorizing or requiring such report.  
23    2. IN ADDITION TO THE ANNUAL REPORT REQUIRED BY THIS SECTION, EACH  
24    DEPARTMENT, INCLUDING THE EXECUTIVE DEPARTMENT, OR THE STATEWIDE FINAN-  
25    CIAL SYSTEM MANAGED BY THE DIVISION OF THE BUDGET SHALL MAKE AN ADDI-  
26    TIONAL REPORT TO THE LEGISLATURE BY MARCH FIRST OF EACH YEAR RELATING TO  
27    DISTRIBUTION OF FUNDS AND GRANTS TO COMMUNITY BASED ORGANIZATIONS BY OR

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 THROUGH SUCH DEPARTMENT. INFORMATION RELATING TO THE DISTRIBUTION OF  
2 FUNDS AND GRANTS SHALL ALSO BE AVAILABLE ON THE STATEWIDE FINANCIAL  
3 SYSTEM WEBSITE IN A MANNER WHICH IS CLEAR AND ACCESSIBLE TO THE PUBLIC.  
4 SUCH REPORT SHALL PROVIDE A LISTING OF RECIPIENTS, BY ZIP CODE, OF  
5 GRANTS, AWARDS OR FUNDS APPROPRIATED FOR SERVICES AND PROGRAMS WHICH ARE  
6 MADE TO ORGANIZATIONS WHICH PROVIDE SERVICES ON A LOCAL BASIS PURSUANT  
7 TO PROGRAMS ESTABLISHED BY LAW.

8 S 2. Section 14 of the state finance law, the closing paragraph as  
9 further amended by section 104 of part A of chapter 62 of the laws of  
10 2011, is amended to read as follows:

11 S 14. Departmental statements. 1. In addition to the annual department  
12 reports prescribed by law, the head of each department of the state, on  
13 or before the fifteenth day of October in each year, shall submit to the  
14 governor a statement of the sources, amounts and disposition of all  
15 money received by such department, its divisions, bureaus or officers  
16 for the preceding fiscal year other than money appropriated for such  
17 department by the legislature or money which was paid by such department  
18 into the treasury. Such statement shall include a description of the  
19 nature and the amount of each fund, if any, then under the supervision  
20 or control of such department or the head thereof or under the super-  
21 vision or control of any division, bureau, commission, board or other  
22 organization therein or under the supervision or control of the head or  
23 any other officer of such division, bureau, commission, board or organ-  
24 ization, which was derived from any source whether or not deposited in  
25 the treasury, a citation of the statute authorizing the creation or  
26 establishment of each such fund and the nature and amount of any  
27 payments made therefrom during the preceding fiscal year. The director  
28 of the budget in the executive department shall make rules, which shall  
29 be approved by the governor, regulating the form and contents of such  
30 statements. Copies of such statements shall be simultaneously furnished  
31 to the senate finance committee and the assembly ways and means commit-  
32 tee for their information.

33 2. The governor, in such form and with such explanation as he may  
34 desire, shall transmit to the legislature, with the annual budget, a  
35 recapitulation or summary of the information contained in such state-  
36 ments arranged under appropriate headings for each department. The  
37 provisions of this section shall not apply to any funds received by the  
38 superintendent of financial services [or the superintendent of financial  
39 services] in a fiduciary capacity or to the state teachers' retirement  
40 fund, or any state employees' retirement and pension fund, but such  
41 exemption from the application of this section shall not affect any  
42 other provision of law requiring a report or statement of such funds.

43 3. IN ADDITION TO THE ANNUAL REPORT REQUIRED BY THIS SECTION, EACH  
44 DEPARTMENT, INCLUDING THE EXECUTIVE DEPARTMENT, OR THE STATEWIDE FINAN-  
45 CIAL SYSTEM MANAGED BY THE DIVISION OF THE BUDGET SHALL MAKE AN ADDI-  
46 TIONAL REPORT TO THE LEGISLATURE BY MARCH FIRST OF EACH YEAR RELATING TO  
47 DISTRIBUTION OF FUNDS AND GRANTS TO COMMUNITY BASED ORGANIZATIONS BY OR  
48 THROUGH SUCH DEPARTMENT. INFORMATION RELATING TO THE DISTRIBUTION OF  
49 FUNDS AND GRANTS SHALL ALSO BE AVAILABLE ON THE STATEWIDE FINANCIAL  
50 SYSTEM WEBSITE IN A MANNER WHICH IS CLEAR AND ACCESSIBLE TO THE PUBLIC.  
51 SUCH REPORT SHALL PROVIDE A LISTING OF RECIPIENTS, BY ZIP CODE, OF  
52 GRANTS, AWARDS OR FUNDS APPROPRIATED FOR SERVICES AND PROGRAMS WHICH ARE  
53 MADE TO ORGANIZATIONS WHICH PROVIDE SERVICES ON A LOCAL BASIS PURSUANT  
54 TO PROGRAMS ESTABLISHED BY LAW.

55 S 3. This act shall take effect immediately.