

3549--B

Cal. No. 333

2011-2012 Regular Sessions

I N S E N A T E

February 25, 2011

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the state finance law, in relation to restriction on raising, extending, imposing and revising state taxes, fees, assessments, surcharges and levies

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

1 Section 1. Subdivision 3 of section 92 of the state finance law, as
2 separately amended by chapters 405 and 957 of the laws of 1981, is
3 amended to read as follows:
4 3. At the close of each fiscal year any cash surplus remaining in the
5 general fund over and above the norm for such fiscal year shall be
6 transferred from or retained in such fund as hereinafter in this subdi-
7 vision provided. There shall be transferred to the tax stabilization
8 reserve fund all of such surplus moneys, up to and including an amount
9 equivalent to two-tenths of one per centum of such norm, unless such
10 transfer would increase such reserve fund to an amount in excess of two
11 per centum of the amount of the norm for such fiscal year, in which
12 event such transfer shall be limited to such amount as will increase
13 such reserve fund to such two per centum limitation. Any balance of such
14 surplus moneys, thereafter remaining in the general fund, shall be
15 retained in such fund and be available for the reduction of state taxes.
16 IF AT THE CLOSE OF ANY FISCAL YEAR THERE EXISTS ANY CASH SURPLUS REMAIN-
17 ING IN THE GENERAL FUND OVER AND ABOVE THE NORM, IN THE FOLLOWING STATE
18 FISCAL YEAR THERE SHALL NOT BE ENACTMENT OF ANY INCREASE, EXTENSION,
19 IMPOSITION OR REVIVAL OF ANY STATE TAX, FEE, ASSESSMENT, SURCHARGE OR
20 OTHER LEVY WHICH EFFECTS REVENUES IN SUCH FISCAL YEAR.
21 S 2. This act shall take effect immediately.

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

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