S T A T E O F N E W Y O R K

5984

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

Introduced by M. of A. GALEF, MAGEE, FIELDS, CALHOUN, WALKER, GIGLIO, ALFANO, CORWIN, KOLB -- Multi-Sponsored by -- M. of A. BARCLAY, BARRA, BURLING, BUTLER, CONTE, CROUCH, ERRIGO, HAWLEY, MILLER, MOLINARO, RAIA, REILICH, SAYWARD, SCOZZAFAVA, TEDISCO, THIELE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to fiscal impact notes on bills and to repeal certain provisions of such law relating thereto

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

Section 1. Section 51 of the legislative law is REPEALED and a new section 51 is added to read as follows:

S 51. FISCAL IMPACT NOTES ON BILLS AFFECTING THE STATE OR POLITICAL SUBDIVISIONS. 1. AS USED IN THIS SECTION:

(A) THE TERM "POLITICAL SUBDIVISION" MEANS ANY COUNTY, CITY, TOWN, VILLAGE, SPECIAL DISTRICT OR SCHOOL DISTRICT, OR ANY AGENCY, AUTHORITY, COMMISSION, DEPARTMENT OR INSTRUMENTALITY THEREOF.

(B) THE TERM "QUALIFYING BILL" MEANS ANY BILL OR AMENDMENT TO A BILL FILED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION WHICH ESTABLISHES OR ELIMINATES A STATE PROGRAM, SIGNIFICANTLY CHANGES SERVICES REQUIRED TO BE PROVIDED BY SUCH PROGRAM, OR RESULTS IN A CHANGE IN REVENUES OR EXPENSES OF THE STATE OR ANY POLITICAL SUBDIVISION.

2. BEFORE DISCHARGING QUALIFYING BILLS FROM CONSIDERATION, THE SENATE FINANCE COMMITTEE OR THE ASSEMBLY WAYS AND MEANS COMMITTEE SHALL PREPARE FOR EACH SUCH BILL A FISCAL IMPACT STATEMENT CLEARLY DETAILING THE ESTIMATED COST OR SAVINGS ENTAILED BY SUCH BILL TO THE STATE AND AFFECTED POLITICAL SUBDIVISION FOR THE THREE FISCAL YEARS FOLLOWING ADOPTION OF SUCH BILL. SUCH FISCAL IMPACT STATEMENT SHALL ALSO PROVIDE THE SOURCE OR SOURCES OF SUCH ESTIMATES.

3. A FISCAL IMPACT STATEMENT REQUIRED TO BE PREPARED UNDER THIS SECTION SHALL BE MADE AND SHALL REMAIN A PART OF THE BILL IT DESCRIBES,

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

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AND SHALL BE AFFIXED TO THE BILL BEFORE IT IS LAID UPON THE MEMBERS' DESKS FOR CONSIDERATION.

4. IN DETERMINING THE FISCAL IMPACTS OF A BILL, THE SENATE FINANCE COMMITTEE AND ASSEMBLY WAYS AND MEANS COMMITTEE SHALL ESTIMATE SUCH IMPACTS ON THE BASIS OF ANY OR ALL OF THE FOLLOWING:

(A) INDIVIDUAL POLITICAL SUBDIVISIONS;

(B) AGGREGATES OF POLITICAL SUBDIVISIONS EITHER STATEWIDE OR BY A LESSER GEOGRAPHIC AREA;

(C) REPRESENTATIVE POLITICAL SUBDIVISIONS WITH RELEVANT CHARACTERISTICS SUCH AS POPULATION, AREA, AVERAGE INCOME, WEIGHTED AVERAGE DAILY ATTENDANCE OF PUPILS, OR ANY OTHER RELEVANT CHARACTERISTICS APPROPRIATE TO THE ESTIMATE; OR

(D) ANY OTHER APPROPRIATE, CONVENIENT OR ACCESSIBLE GROUPING OF CHARACTERISTICS OR POLITICAL SUBDIVISIONS.

5. ESTIMATED OR ACTUAL FISCAL IMPACTS DISCLOSED UNDER THIS SECTION SHALL BE REPORTED IN UNITS OF MONEY, SERVICES, PERSONNEL, EQUIPMENT, OR ANY OTHER APPROPRIATE, CONVENIENT OR ACCESSIBLE UNIT OR UNITS OF MEASUREMENT.

6. IF THE ESTIMATES CONTAINED IN A FISCAL IMPACT STATEMENT ARE INACCURATE, SUCH INACCURACIES SHALL NOT AFFECT, IMPAIR OR INVALIDATE SUCH BILL.

7. FISCAL IMPACT STATEMENTS SHALL NOT BE REQUIRED FOR BILLS: (A) SUBJECT TO THE PROVISIONS OF SECTION FIFTY OF THIS ARTICLE, OR (B) ACCOMPANIED BY SPECIAL HOME RULE REQUESTS SUBMITTED BY EACH AFFECTED POLITICAL SUBDIVISION, OR (C) WHICH PROVIDE ONLY DISCRETIONARY AUTHORITY TO POLITICAL SUBDIVISIONS, OR (D) SUBMITTED PURSUANT TO SECTION TWENTY-FOUR OF THE STATE FINANCE LAW.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.