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

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I N S E N A T E

January 21, 2010

Introduced by Sen. MONSERRATE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law, in relation to requiring the posting of the amounts of the fees imposed by state and municipal agencies

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

Section 1. The public officers law is amended by adding a new article 5-A to read as follows:

ARTICLE 5-A

POSTING OF FEES IMPOSED BY GOVERNMENTAL ENTITIES

SECTION 81. DEFINITIONS.

81-A. INTERNET POSTING OF FEES.

81-B. CONSPICUOUS POSTING OF FEES.

S 81. DEFINITIONS. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT REQUIRES OTHERWISE:

1. "FEE" MEANS ANY FEE, CHARGE, TAX, FINE, PENALTY OR SURCHARGE IMPOSED BY A STATE AGENCY OR MUNICIPAL AGENCY PURSUANT TO STATE LAW, RULE OR REGULATION, OR PURSUANT TO ANY LOCAL LAW, ORDINANCE, RESOLUTION, RULE OR REGULATION.

2. "MUNICIPAL AGENCY" MEANS ANY DEPARTMENT, BOARD, BUREAU, DIVISION, COMMISSION, COMMITTEE, PUBLIC AUTHORITY, PUBLIC CORPORATION, COUNCIL, OFFICE OR OTHER GOVERNMENTAL ENTITY PERFORMING A GOVERNMENTAL OR PROPRIETARY FUNCTION FOR A MUNICIPALITY, EXCEPT THE JUDICIARY.

3. "STATE AGENCY" MEANS ANY DEPARTMENT, BOARD, BUREAU, DIVISION, COMMISSION, COMMITTEE, PUBLIC AUTHORITY, PUBLIC CORPORATION, COUNCIL, OFFICE OR OTHER GOVERNMENTAL ENTITY PERFORMING A GOVERNMENTAL OR PROPRIETARY FUNCTION FOR THE STATE, EXCEPT THE JUDICIARY.

S 81-A. INTERNET POSTING OF FEES. 1. WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ARTICLE, THE SECRETARY OF STATE SHALL PROVIDE AND POST, ON THE INTERNET WEBSITE MAINTAINED BY THE STATE OF NEW YORK, A

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

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LIST OF THE AMOUNT OR RANGE OF AMOUNTS OF EACH FEE IMPOSED OR COLLECTED BY EACH STATE AGENCY, AND THE PURPOSE OF SUCH FEE.

2. WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ARTICLE, EACH STATE AGENCY SHALL PROVIDE AND POST, ON SUCH AGENCY'S INTERNET WEBSITE, A LIST OF THE AMOUNT OR THE RANGE OF AMOUNTS OF EACH FEE IMPOSED OR COLLECTED BY SUCH AGENCY, AND THE PURPOSE OF SUCH FEE.

3. WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ARTICLE, EACH MUNICIPALITY SHALL PROVIDE AND POST, ON SUCH MUNICIPALITY'S INTERNET WEBSITE, A LIST OF THE AMOUNT OR RANGE OF AMOUNTS OF EACH FEE IMPOSED OR COLLECTED BY ANY MUNICIPAL AGENCY OF SUCH MUNICIPALITY, AND THE PURPOSE OF SUCH FEE.

S 81-B. CONSPICUOUS POSTING OF FEES. 1. WITHIN SIXTY DAYS OF THE EFFECTIVE DATE OF THIS ARTICLE, EVERY STATE AGENCY WHICH IMPOSES OR COLLECTS FEES SHALL, AT EACH AND EVERY OFFICE OF SUCH AGENCY, CONSPICUOUSLY POST OR PROVIDE A WRITTEN LIST OF THE AMOUNT OR THE RANGE OF AMOUNTS OF EACH FEE IMPOSED OR COLLECTED AT SUCH OFFICE, AND THE PURPOSE OF SUCH FEE.

2. WITHIN SIXTY DAYS OF THE EFFECTIVE DATE OF THIS ARTICLE, EVERY MUNICIPAL AGENCY WHICH IMPOSES OR COLLECTS FEES SHALL, AT EACH AND EVERY OFFICE OF SUCH AGENCY, CONSPICUOUSLY POST OR PROVIDE A WRITTEN LIST OF THE AMOUNT OR THE RANGE OF AMOUNTS OF EACH FEE IMPOSED OR COLLECTED AT SUCH OFFICE, AND THE PURPOSE OF SUCH FEE.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.