

7395

I N S E N A T E

April 7, 2010

Introduced by Sen. PERALTA -- 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:

1 Section 1. The public officers law is amended by adding a new article
2 5-A to read as follows:

3 ARTICLE 5-A
4 POSTING OF FEES IMPOSED
5 BY GOVERNMENTAL ENTITIES

6 SECTION 81. DEFINITIONS.

7 81-A. INTERNET POSTING OF FEES.

8 81-B. CONSPICUOUS POSTING OF FEES.

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

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

15 2. "MUNICIPAL AGENCY" MEANS ANY DEPARTMENT, BOARD, BUREAU, DIVISION,
16 COMMISSION, COMMITTEE, PUBLIC AUTHORITY, PUBLIC CORPORATION, COUNCIL,
17 OFFICE OR OTHER GOVERNMENTAL ENTITY PERFORMING A GOVERNMENTAL OR PROPRI-
18 ETARY FUNCTION FOR A MUNICIPALITY, EXCEPT THE JUDICIARY.

19 3. "STATE AGENCY" MEANS ANY DEPARTMENT, BOARD, BUREAU, DIVISION,
20 COMMISSION, COMMITTEE, PUBLIC AUTHORITY, PUBLIC CORPORATION, COUNCIL,
21 OFFICE OR OTHER GOVERNMENTAL ENTITY PERFORMING A GOVERNMENTAL OR PROPRI-
22 ETARY FUNCTION FOR THE STATE, EXCEPT THE JUDICIARY.

23 S 81-A. INTERNET POSTING OF FEES. 1. WITHIN NINETY DAYS OF THE EFFEC-
24 TIVE DATE OF THIS ARTICLE, THE SECRETARY OF STATE SHALL PROVIDE AND
25 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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1 LIST OF THE AMOUNT OR RANGE OF AMOUNTS OF EACH FEE IMPOSED OR COLLECTED
2 BY EACH STATE AGENCY, AND THE PURPOSE OF SUCH FEE.

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

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

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

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

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