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

5691

2011-2012 Regular Sessions

I N A S S E M B L Y

February 25, 2011

Introduced by M. of A. RABBITT -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to requiring the comptroller to approve certain bills prior to being submitted for legislative vote

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

Section 1. Section 52 of the legislative law, as added by chapter 23 of the laws of 1990, is amended to read as follows:

S 52. Requirements with respect to bills affecting tax expenditures AND STATE RECEIPTS. 1. For purposes of this section[,]: (A) the terms "tax expenditures" and "cost of tax expenditure" shall have the same meanings that they have in section one hundred eighty-one of the executive law;

(B) THE TERM "STATE RECEIPTS" SHALL MEAN ANY TAX, CHARGE OR FEE THAT MAY BE ASSIGNED TO A PERSON BY THE STATE OF NEW YORK.

2. Tax expenditure impact statement. In addition to any other fiscal note required, a bill that enacts or amends any tax expenditures shall be accompanied by an impact statement consisting of a fiscal note separately stating the estimated cost of the tax expenditures in the bill (a) for the first year it is to be in effect and (b) for the next succeeding year, as well as a statement of the public purpose to be served by such tax expenditures, unless the legislature affirmatively sets forth that no such public purpose statement is required.

3. COMPTROLLER IMPACT STATEMENT. IN ADDITION TO ANY OTHER FISCAL NOTE REQUIRED, A BILL THAT ENACTS OR AMENDS ANY STATE RECEIPTS SHALL BE SUBMITTED TO THE COMPTROLLER WHOSE DUTY IT SHALL BE, WITHIN TWENTY DAYS OF RECEIPT OF SUCH INFORMATION, TO RENDER A DECISION IN THE FORM OF A COMPTROLLER IMPACT STATEMENT WHICH DENIES OR APPROVES PRESENTING SUCH BILL TO THE LEGISLATURE. UPON RECEIPT OF SUCH COMPTROLLER IMPACT STATEMENT, THE LEGISLATURE SHALL VOTE TO DENY OR APPROVE SUCH BILL.

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

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4. Hearings. Hearings held by the legislature pursuant to article seven of the constitution shall include sufficient time for discussion and review of tax expenditures.

[4.] 5. Joint report. The chairmen of the fiscal committees shall issue a joint report on the governor's annual tax expenditure report. Such joint report shall include: a summary of the legislature's action on any recommendations by the governor to continue, modify or repeal any tax expenditures; a summary of any legislative initiative to continue, modify or repeal any tax expenditures; and any revisions in the estimated costs of any tax expenditures included in the tax expenditure report submitted pursuant to section one hundred eighty-one of the executive law.

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