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

10133--A

I N A S S E M B L Y

May 9, 2012

Introduced by M. of A. BARRON -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law and the state finance law, in relation to requiring reports by state agencies relating to certain grants and expenditures made to community based organizations

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

Section 1. Section 164 of the executive law, as amended by chapter 833 of the laws of 1965, is amended to read as follows:

S 164. Reports by and to the department. 1. Each department, other than the executive department, shall make an annual report to the governor and legislature on or before the fifteenth day of May, for the preceding calendar year. It shall contain such information concerning the department and its several divisions, bureaus, offices, agencies and institutions, and their activities and affairs, and such recommendations, as the head of the department shall deem necessary or proper, and any matters required by express provision of law to be included in such report. A department also shall make such other and special reports as the governor or either house of the legislature may require. From time to time, the head of a department may require from any board, commission or other body in the department or from any subordinate officer or employee, division or bureau of the department, or from any institution subject to the supervision of the department, or from any agency of the department, such reports or information as such head may deem necessary. Unless expressly authorized by the head of the department, there shall be hereafter no separate report, annual or otherwise, directly to the legislature or governor by any such board, commission, body, officer, division, bureau, institution or agency notwithstanding any existing provision of law authorizing or requiring such report.

2. IN ADDITION TO THE ANNUAL REPORT REQUIRED BY THIS SECTION, THE DIVISION OF THE BUDGET SHALL MAKE A REPORT TO THE LEGISLATURE BY MARCH FIRST OF EACH YEAR RELATING TO DISTRIBUTION OF FUNDS AND GRANTS TO COMMUNITY BASED ORGANIZATIONS AND SUCH REPORT SHALL BE POSTED ON THE

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

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DIVISION OF THE BUDGET WEBSITE IN A MANNER WHICH IS CLEAR AND ACCESSIBLE TO THE PUBLIC. SUCH REPORT SHALL PROVIDE A LISTING OF RECIPIENTS, BY ZIP CODE, OF GRANTS, AWARDS OR FUNDS APPROPRIATED FOR SERVICES AND PROGRAMS WHICH ARE MADE TO ORGANIZATIONS WHICH PROVIDE SERVICES ON A LOCAL BASIS PURSUANT TO PROGRAMS ESTABLISHED BY LAW.

S 2. Section 14 of the state finance law, the closing paragraph as further amended by section 104 of part A of chapter 62 of the laws of 2011, is amended to read as follows:

S 14. Departmental statements. 1. In addition to the annual department reports prescribed by law, the head of each department of the state, on or before the fifteenth day of October in each year, shall submit to the governor a statement of the sources, amounts and disposition of all money received by such department, its divisions, bureaus or officers for the preceding fiscal year other than money appropriated for such department by the legislature or money which was paid by such department into the treasury. Such statement shall include a description of the nature and the amount of each fund, if any, then under the supervision or control of such department or the head thereof or under the supervision or control of any division, bureau, commission, board or other organization therein or under the supervision or control of the head or any other officer of such division, bureau, commission, board or organization, which was derived from any source whether or not deposited in the treasury, a citation of the statute authorizing the creation or establishment of each such fund and the nature and amount of any payments made therefrom during the preceding fiscal year. The director of the budget in the executive department shall make rules, which shall be approved by the governor, regulating the form and contents of such statements. Copies of such statements shall be simultaneously furnished to the senate finance committee and the assembly ways and means committee for their information.

2. The governor, in such form and with such explanation as he may desire, shall transmit to the legislature, with the annual budget, a recapitulation or summary of the information contained in such statements arranged under appropriate headings for each department. The provisions of this section shall not apply to any funds received by the superintendent of financial services [or the superintendent of financial services] in a fiduciary capacity or to the state teachers' retirement fund, or any state employees' retirement and pension fund, but such exemption from the application of this section shall not affect any other provision of law requiring a report or statement of such funds.

3. IN ADDITION TO THE ANNUAL REPORT REQUIRED BY THIS SECTION, THE DIVISION OF THE BUDGET SHALL MAKE A REPORT TO THE LEGISLATURE BY MARCH FIRST OF EACH YEAR RELATING TO DISTRIBUTION OF FUNDS AND GRANTS TO COMMUNITY BASED ORGANIZATIONS AND SUCH REPORT SHALL BE POSTED ON THE DIVISION OF THE BUDGET WEBSITE IN A MANNER WHICH IS CLEAR AND ACCESSIBLE TO THE PUBLIC. SUCH REPORT SHALL PROVIDE A LISTING OF RECIPIENTS, BY ZIP CODE, OF GRANTS, AWARDS OR FUNDS APPROPRIATED FOR SERVICES AND PROGRAMS WHICH ARE MADE TO ORGANIZATIONS WHICH PROVIDE SERVICES ON A LOCAL BASIS PURSUANT TO PROGRAMS ESTABLISHED BY LAW.

S 3. This act shall take effect immediately.