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

10600

I N A S S E M B L Y

June 7, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Magnarelli, Malliotakis) -- read once and referred to the Committee on Local Governments

AN ACT to amend the municipal home rule law and the New York city charter, in relation to procedures for the passage of local laws

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

Section 1. Subdivision 4 of section 20 of the municipal home rule law, as amended by chapter 45 of the laws of 1974, is amended to read as follows:

4. A proposed local law may be introduced only by a member of the legislative body at a meeting of such body or as may be otherwise prescribed by the rules of procedure adopted by the legislative body. No such local law shall be passed until it shall have been in its final form and either (a) upon the desks or [table] TABLES of the members at least seven calendar days, exclusive of Sunday, prior to its final passage, or (b) mailed to each of them in postpaid properly addressed and securely closed envelopes or wrappers in a post box or post office of the United States post office department within the local government at least ten calendar days, exclusive of Sunday, prior to its final passage, unless the elective or appointive chief executive officer, if there be one, or otherwise the chairman of the board of supervisors, in the case of a county, the mayor in the case of a city or village or the supervisor in the case of a town shall have certified as to the necessity for its immediate passage and such local law be passed by the affirmative vote of two-thirds of the total voting power of the legislative body.

FOR PURPOSES OF THIS SUBDIVISION, A PROPOSED LOCAL LAW SHALL BE DEEMED TO BE UPON THE DESKS OR TABLES OF THE MEMBERS IF: IT IS SET FORTH IN A LEGIBLE ELECTRONIC FORMAT BY ELECTRONIC MEANS, AND IT IS AVAILABLE FOR REVIEW IN SUCH FORMAT AT THE DESKS OF THE MEMBERS. FOR PURPOSES OF THIS SUBDIVISION "ELECTRONIC MEANS" MEANS ANY METHOD OF TRANSMISSION OF INFORMATION BETWEEN COMPUTERS OR OTHER MACHINES DESIGNED FOR THE PURPOSE OF SENDING AND RECEIVING SUCH TRANSMISSIONS AND WHICH: ALLOWS THE RECIP-

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

LBD16128-02-2

IENT TO REPRODUCE THE INFORMATION TRANSMITTED IN A TANGIBLE MEDIUM OF EXPRESSION; AND DOES NOT PERMIT ADDITIONS, DELETIONS OR OTHER CHANGES TO BE MADE WITHOUT LEAVING AN ADEQUATE RECORD THEREOF.

S 2. Section 36 of the New York city charter, as amended by a vote of the people of the city of New York at the general election held in November 1975 and as renumbered by a vote of the people of the city of New York at the general election held in November 1989, is amended to read as follows:

S 36. Local laws; passage. No local law shall be passed until it shall have been in its final form and upon the desks of the council members at least seven calendar days, exclusive of Sundays, prior to its final passage, unless the mayor shall have certified as to the necessity for its immediate passage and such local law be passed by the affirmative vote of two-thirds of all the council members.

FOR PURPOSES OF THIS SECTION, A LOCAL LAW SHALL BE DEEMED TO BE UPON THE DESKS OF THE COUNCIL MEMBERS IF: IT IS SET FORTH IN A LEGIBLE ELECTRONIC FORMAT BY ELECTRONIC MEANS, AND IT IS AVAILABLE FOR REVIEW IN SUCH FORMAT AT THE DESKS OF THE MEMBERS. FOR PURPOSES OF THIS SECTION "ELECTRONIC MEANS" MEANS ANY METHOD OF TRANSMISSION OF INFORMATION BETWEEN COMPUTERS OR OTHER MACHINES DESIGNED FOR THE PURPOSE OF SENDING AND RECEIVING SUCH TRANSMISSIONS AND WHICH: ALLOWS THE RECIPIENT TO REPRODUCE THE INFORMATION TRANSMITTED IN A TANGIBLE MEDIUM OF EXPRESSION; AND DOES NOT PERMIT ADDITIONS, DELETIONS OR OTHER CHANGES TO BE MADE WITHOUT LEAVING AN ADEQUATE RECORD THEREOF.

S 3. This act shall take effect immediately.