

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

5888--B

2011-2012 Regular Sessions

I N A S S E M B L Y

March 2, 2011

Introduced by M. of A. BRENNAN, GALEF, P. RIVERA -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to prohibiting bonuses for employees of state or local authorities

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

1 Section 1. The public authorities law is amended by adding a new
2 section 2854 to read as follows:
3 S 2854. PROHIBITION ON PAYMENT OF BONUSES AT STATE AND LOCAL AUTHORI-
4 TIES. NOTWITHSTANDING ANY PROVISION OF LAW, COMPENSATION PAID OR OTHER-
5 WISE PROVIDED TO INDIVIDUALS EMPLOYED BY OR ON BEHALF OF STATE OR LOCAL
6 AUTHORITIES SHALL BE LIMITED TO COMPENSATION AND BENEFITS COMPARABLE TO
7 THOSE BENEFITS PROVIDED TO CIVIL SERVICE EMPLOYEES, AND, IF APPLICABLE,
8 REIMBURSEMENT OF EXPENSES. NO BONUS OF ANY NATURE SHALL BE PAID TO ANY
9 INDIVIDUAL EMPLOYED BY OR ON BEHALF OF A STATE OR LOCAL AUTHORITY UNLESS
10 THE BONUS IS PAID PURSUANT TO A WRITTEN AGREEMENT WITH PERFORMANCE
11 GOALS, EXECUTED AND RATIFIED BY THE BOARD OF THE STATE OR LOCAL AUTHORI-
12 TY BEFORE THE PERFORMANCE IS RENDERED. PRIOR TO AWARDED THE BONUS, A
13 WRITTEN EVALUATION OF THE PERFORMANCE RENDERED, IN COMPARISON TO THE
14 PREDETERMINED PERFORMANCE GOALS, SHALL BE RATIFIED BY THE BOARD AND
15 RECORDED IN THE BOARD MINUTES. NOTHING IN THIS SECTION SHALL SUPERSEDE
16 ANY COLLECTIVE BARGAINING AGREEMENT ENTERED INTO PRIOR TO THE EFFECTIVE
17 DATE OF THIS SECTION. IN NO EVENT SHALL MEMBERS OF THE BOARD OF A STATE
18 OR LOCAL AUTHORITY RECEIVE A BONUS OF ANY NATURE. NOTHING IN THIS
19 SECTION SHALL BE CONSTRUED TO AUTHORIZE PAYMENT OF AFTER THE FACT BONUS-

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

LBD09976-03-2

1 ES OR PAYMENTS FOR PERFORMANCE ALREADY RENDERED AND FULLY COMPENSATED,
2 INCLUDING BUT NOT LIMITED TO A RETROACTIVE PAY INCREASE OR INCENTIVE
3 PAYMENT.
4 S 2. This act shall take effect immediately.