

6824

2011-2012 Regular Sessions

I N   A S S E M B L Y

April 4, 2011

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Introduced by M. of A. GALEF, MAGEE, CALHOUN, GIGLIO, CORWIN, KOLB --  
Multi-Sponsored by -- M. of A. BARCLAY, BURLING, BUTLER, CONTE,  
CROUCH, HAWLEY, J. MILLER, MOLINARO, RAIA, REILICH, SAYWARD, TEDISCO,  
THIELE -- read once and referred to the Committee on Governmental  
Operations

AN ACT to amend the legislative law, in relation to fiscal impact notes  
on bills and to repeal certain provisions of such law relating thereto

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

1     Section 1. Section 51 of the legislative law is REPEALED and a new  
2     section 51 is added to read as follows:  
3     S 51. FISCAL IMPACT NOTES ON BILLS AFFECTING THE STATE OR POLITICAL  
4     SUBDIVISIONS. 1. AS USED IN THIS SECTION:  
5     (A) THE TERM "POLITICAL SUBDIVISION" MEANS ANY COUNTY, CITY, TOWN,  
6     VILLAGE, SPECIAL DISTRICT OR SCHOOL DISTRICT, OR ANY AGENCY, AUTHORITY,  
7     COMMISSION, DEPARTMENT OR INSTRUMENTALITY THEREOF.  
8     (B) THE TERM "QUALIFYING BILL" MEANS ANY BILL OR AMENDMENT TO A BILL  
9     FILED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION WHICH ESTABLISHES  
10    OR ELIMINATES A STATE PROGRAM, SIGNIFICANTLY CHANGES SERVICES REQUIRED  
11    TO BE PROVIDED BY SUCH PROGRAM, OR RESULTS IN A CHANGE IN REVENUES OR  
12    EXPENSES OF THE STATE OR ANY POLITICAL SUBDIVISION.  
13    2. BEFORE DISCHARGING QUALIFYING BILLS FROM CONSIDERATION, THE SENATE  
14    FINANCE COMMITTEE OR THE ASSEMBLY WAYS AND MEANS COMMITTEE SHALL PREPARE  
15    FOR EACH SUCH BILL A FISCAL IMPACT STATEMENT CLEARLY DETAILING THE ESTI-  
16    MATED COST OR SAVINGS ENTAILED BY SUCH BILL TO THE STATE AND AFFECTED  
17    POLITICAL SUBDIVISION FOR THE THREE FISCAL YEARS FOLLOWING ADOPTION OF  
18    SUCH BILL. SUCH FISCAL IMPACT STATEMENT SHALL ALSO PROVIDE THE SOURCE OR  
19    SOURCES OF SUCH ESTIMATES.  
20    3. A FISCAL IMPACT STATEMENT REQUIRED TO BE PREPARED UNDER THIS  
21    SECTION SHALL BE MADE AND SHALL REMAIN A PART OF THE BILL IT DESCRIBES,

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

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1 AND SHALL BE AFFIXED TO THE BILL BEFORE IT IS LAID UPON THE MEMBERS'  
2 DESKS FOR CONSIDERATION.

3 4. IN DETERMINING THE FISCAL IMPACTS OF A BILL, THE SENATE FINANCE  
4 COMMITTEE AND ASSEMBLY WAYS AND MEANS COMMITTEE SHALL ESTIMATE SUCH  
5 IMPACTS ON THE BASIS OF ANY OR ALL OF THE FOLLOWING:

6 (A) INDIVIDUAL POLITICAL SUBDIVISIONS;

7 (B) AGGREGATES OF POLITICAL SUBDIVISIONS EITHER STATEWIDE OR BY A  
8 LESSER GEOGRAPHIC AREA;

9 (C) REPRESENTATIVE POLITICAL SUBDIVISIONS WITH RELEVANT CHARACTER-  
10 ISTICS SUCH AS POPULATION, AREA, AVERAGE INCOME, WEIGHTED AVERAGE DAILY  
11 ATTENDANCE OF PUPILS, OR ANY OTHER RELEVANT CHARACTERISTICS APPROPRIATE  
12 TO THE ESTIMATE; OR

13 (D) ANY OTHER APPROPRIATE, CONVENIENT OR ACCESSIBLE GROUPING OF CHAR-  
14 ACTERISTICS OR POLITICAL SUBDIVISIONS.

15 5. ESTIMATED OR ACTUAL FISCAL IMPACTS DISCLOSED UNDER THIS SECTION  
16 SHALL BE REPORTED IN UNITS OF MONEY, SERVICES, PERSONNEL, EQUIPMENT, OR  
17 ANY OTHER APPROPRIATE, CONVENIENT OR ACCESSIBLE UNIT OR UNITS OF MEAS-  
18 UREMENT.

19 6. IF THE ESTIMATES CONTAINED IN A FISCAL IMPACT STATEMENT ARE INACCU-  
20 RATE, SUCH INACCURACIES SHALL NOT AFFECT, IMPAIR OR INVALIDATE SUCH  
21 BILL.

22 7. FISCAL IMPACT STATEMENTS SHALL NOT BE REQUIRED FOR BILLS: (A)  
23 SUBJECT TO THE PROVISIONS OF SECTION FIFTY OF THIS ARTICLE, OR (B)  
24 ACCOMPANIED BY SPECIAL HOME RULE REQUESTS SUBMITTED BY EACH AFFECTED  
25 POLITICAL SUBDIVISION, OR (C) WHICH PROVIDE ONLY DISCRETIONARY AUTHORITY  
26 TO POLITICAL SUBDIVISIONS, OR (D) SUBMITTED PURSUANT TO SECTION TWENTY-  
27 FOUR OF THE STATE FINANCE LAW.

28 S 2. This act shall take effect on the first of January next succeed-  
29 ing the date on which it shall have become a law.