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

9825

I N A S S E M B L Y

April 13, 2012

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

AN ACT to amend the legislative law, in relation to salaries of members when a budget is not passed on time

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

Section 1. Subdivision 1 of section 5 of the legislative law, as amended by chapter 635 of the laws of 1998, is amended to read as follows:

1. Effective January first, nineteen hundred ninety-nine, each member of the legislature shall receive a salary of seventy-nine thousand five hundred dollars per annum. Such salary of a member of the legislature shall be payable in twenty-six bi-weekly installments provided, however, that if legislative passage of the budget as defined in subdivision three of this section has not occurred [prior to the first day of any fiscal year] BY APRIL FIRST OR THE FIRST SESSION DAY FOLLOWING APRIL FIRST SHOULD APRIL FIRST FALL ON A NON-SESSION DAY, the net amount of any such bi-weekly salary installment payments to be paid on or after such day shall be withheld [and not paid until such legislative passage of the budget has occurred whereupon bi-weekly salary installment payments shall resume and an amount equal to the accrued, withheld] and unpaid [installments shall be promptly paid to each member]. SUCH BI-WEEKLY PAYMENTS SHALL RESUME UPON PASSAGE OF THE BUDGET, PROVIDED, HOWEVER, ANY MISSED PAYMENTS SHALL NOT BE PAID RETROACTIVELY.

For purposes of this section, net amount shall mean gross salary minus any or all of the following deductions: federal taxes, state taxes, social security taxes, city taxes, payments on retirement loans, retirement contributions, contributions to health insurance or other group insurance programs, child support and court ordered payments.

S 2. This act shall take effect immediately.

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

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