

5921

2011-2012 Regular Sessions

I N S E N A T E

December 2, 2011

Introduced by Sens. GRISANTI, GALLIVAN, BALL, MAZIARZ, YOUNG, RITCHIE,
O'MARA -- read twice and ordered printed, and when printed to be
committed to the Committee on Finance

AN ACT to amend part BB of chapter 58 of the laws of 2011 providing for
the administration of certain funds and accounts related to the 2011-
2012 budget, in relation to making technical corrections thereto

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

1 Section 1. Sections 12, 12-a, and 13 of part BB of chapter 58 of the
2 laws of 2011, providing for the administration of certain funds and
3 accounts related to the 2011-2012 budget are amended to read as follows:
4 S 12. Notwithstanding any law to the contrary, and in accordance with
5 section 4 of the state finance law, the comptroller is hereby authorized
6 and directed to transfer, at the request of the director of the budget,
7 up to \$500 million from the unencumbered balance of any special revenue
8 fund or account, or combination of funds and accounts, to the general
9 fund. The amounts transferred pursuant to this authorization shall be in
10 addition to any other transfers expressly authorized in the 2011-12
11 budget. Transfers from federal funds, FUNDS CONTINGENT UPON ANY MATCHING
12 REQUIREMENT OR OTHER REQUIREMENT FOR THE RECEIPT OF FEDERAL FUNDS, debt
13 service funds, capital projects funds, or the community projects fund
14 are not permitted pursuant to this authorization. The director of the
15 budget shall notify both houses of the legislature in writing prior to
16 initiating transfers pursuant to this authorization.
17 S 12-a. Notwithstanding any law to the contrary, and in accordance
18 with section 4 of the state finance law, the comptroller is hereby
19 authorized and directed to transfer, at the request of the director of
20 the budget, up to \$38 million from the unencumbered balance of any
21 special revenue fund or account, or combination of funds and accounts,
22 to the community projects fund. The amounts transferred pursuant to this
23 authorization shall be in addition to any other transfers expressly

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

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1 authorized in the 2011-12 budget. Transfers from federal funds, FUNDS
2 CONTINGENT UPON ANY MATCHING REQUIREMENT OR OTHER REQUIREMENT FOR THE
3 RECEIPT OF FEDERAL FUNDS, debt service funds, or capital projects funds
4 are not permitted pursuant to this authorization. The director of the
5 budget shall (a) have [recieved] RECEIVED a request in [writting] WRIT-
6 ING from one or both houses of the legislature, and (b) notify both
7 houses of the legislature in writing prior to initiating transfers
8 pursuant to this authorization. The comptroller shall provide the
9 director of the budget, the chair of the senate finance committee, and
10 the chair of the assembly ways and means committee with an accurate
11 accounting and report of any transfers that occur pursuant to this
12 section on or before the fifteenth day of the following month in which
13 such transfers occur.

14 S 13. Notwithstanding any law to the contrary, and in accordance with
15 section 4 of the state finance law, the comptroller is hereby authorized
16 and directed to transfer, at the request of the director of the budget,
17 up to \$75 million from the unencumbered balance of any non-general fund
18 or account, or combination of funds and accounts, to the general fund.
19 The amounts transferred pursuant to this authorization shall be equal to
20 those savings achieved in such non-general funds as a result of work-
21 force savings actions and are in addition to any other transfers
22 expressly authorized. Transfers from federal funds, OR FUNDS CONTINGENT
23 UPON ANY MATCHING REQUIREMENT OR OTHER REQUIREMENT FOR THE RECEIPT OF
24 FEDERAL FUNDS, are not permitted pursuant to this authorization. The
25 director of the budget shall notify both houses of the legislature in
26 writing prior to initiating transfers pursuant to this authorization.

27 S 2. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on the same date and in the same
29 manner as part BB of chapter 58 of the laws of 2011, took effect; and
30 provided, however, that the amendments to sections 12, 12-a, and 13 of
31 part BB of chapter 58 of the laws of 2011 made by section one of this
32 act shall not affect the repeal of such sections and shall expire and be
33 deemed repealed therewith.