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

10165

I N A S S E M B L Y

June 18, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Hevesi) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law and the public authorities law, in relation to the enterprise fraud prevention and detection system; and to amend a chapter of the laws of 2014 amending the state finance law and the public authorities law, relating to authorizing an enterprise approach to the detection and prevention of fraud, waste and abuse in state government and the detection and prevention of improper payments of public moneys, as proposed in legislative bills numbers S.4815-A and A.6988-A, in relation to the effectiveness thereof

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

Section 1. Subparagraph (iii) of paragraph (b) of subdivision 4 of section 8-c of the state finance law, as added by a chapter of the laws of 2014, amending the state finance law and the public authorities law relating to authorizing an enterprise approach to the detection and prevention of fraud, waste and abuse in state government and the detection and prevention of improper payments of public moneys, as proposed in legislative bills numbers S. 4815-A and A. 6988-A, is amended to read as follows:

(iii) detection of non-transactional fraud such as program eligibility issues and [identify] IDENTITY theft; and

S 2. Subdivision 5 of section 8-c of the state finance law, as added by a chapter of the laws of 2014, amending the state finance law and the public authorities law relating to authorizing an enterprise approach to the detection and prevention of fraud, waste and abuse in state government and the detection and prevention of improper payments of public moneys, as proposed in legislative bills numbers S. 4815-A and A. 6988-A, is renumbered subdivision 6 and a new subdivision 5 is added to read as follows:

5. THE JUDICIARY AND THE LEGISLATURE SHALL PARTICIPATE IN THE ENTERPRISE FRAUD PREVENTION AND DETECTION SYSTEM AND PROVIDE ACCESS TO DATA TO THE STATE COMPTROLLER AS SET FORTH IN SUBDIVISION TWO OF THIS SECTION, PROVIDED THAT SUCH ACCESS SHALL ONLY BE PROVIDED TO DATA THAT

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

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WOULD OTHERWISE BE MADE AVAILABLE TO THE STATE COMPTROLLER PURSUANT TO ANY STATE LAW, RULE OR REGULATION.

S 3. Subdivision 2 of section 2803 of the public authorities law, as added by a chapter of the laws of 2014, amending the state finance law and the public authorities law relating to authorizing an enterprise approach to the detection and prevention of fraud, waste and abuse in state government and the detection and prevention of improper payments of public moneys, as proposed in legislative bills numbers S. 4815-A and A. 6988-A, is amended to read as follows:

2. The state comptroller may, in his or her sole discretion, apply to state authorities the electronic data analytical enterprise fraud prevention and detection system as provided for in section eight-c of the state finance law. To the extent the state comptroller applies such system to state authorities, such authorities, IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL LAW, shall fully support and cooperate by providing the state comptroller with access to data of the authority as requested by the state comptroller to allow such data to be integrated into such analytic efforts as the state comptroller may deem necessary. For purposes of this section, the term "state authority" shall have the same meaning as in section two of this chapter.

S 4. Section 4 of a chapter of the laws of 2014, amending the state finance law and the public authorities law relating to authorizing an enterprise approach to the detection and prevention of fraud, waste and abuse in state government and the detection and prevention of improper payments of public moneys, as proposed in legislative bills numbers S. 4815-A and A. 6988-A, is amended to read as follows:

S 4. This act shall take effect [immediately] ON THE ONE HUNDRED TWENTIETH DAY AFTER IT SHALL HAVE BECOME A LAW. EFFECTIVE IMMEDIATELY, THE ADDITION, AMENDMENT AND/OR REPEAL OF ANY RULE OR REGULATION NECESSARY FOR THE IMPLEMENTATION OF THIS ACT ON ITS EFFECTIVE DATE ARE AUTHORIZED TO BE MADE AND COMPLETED ON OR BEFORE SUCH EFFECTIVE DATE.

S 5. This act shall take effect immediately; provided however sections one, two and three of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2014, amending the state finance law and the public authorities law relating to authorizing an enterprise approach to the detection and prevention of fraud, waste and abuse in state government and the detection and prevention of improper payments of public moneys, as proposed in legislative bills numbers S. 4815-A and A. 6988-A, takes effect.