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

3391

2013-2014 Regular Sessions

I N A S S E M B L Y

January 25, 2013

Introduced by M. of A. RA -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, CORWIN, CROUCH, DUPREY, FINCH, FITZPATRICK, GRAF, HAWLEY, LOSQUADRO, McDONOUGH, McKEVITT, MONTESANO, OAKS, PALMESANO, RAIA, TENNEY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to requiring detailed fiscal impact notes on certain legislation

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

Section 1. Section 51 of the legislative law, as added by chapter 985 of the laws of 1983, is amended to read as follows:

S 51. Fiscal impact notes on bills affecting political subdivisions. 1. For the purpose of this section, the term "political subdivision" means any county, city, town, village, special district or school district.

2. [The legislature shall by concurrent resolution of the senate and assembly prescribe rules requiring fiscal notes to accompany, on a separate form, bills and amendments to bills, except as otherwise prescribed by such rules, which] A BILL THAT would [substantially] affect the revenues or expenses, or both, of any political subdivision SHALL CONTAIN A DETAILED FISCAL IMPACT NOTE STATING THE ESTIMATED ANNUAL COST TO THE POLITICAL SUBDIVISION AFFECTED AND THE SOURCE OF SUCH ESTIMATE. THE FISCAL IMPACT NOTE MUST CLEARLY IDENTIFY THE FUNDING SOURCE OF SUCH ANNUAL COST TO THE POLITICAL SUBDIVISION. AN OMISSION OF SUCH FUNDING SOURCE IN THE FISCAL IMPACT NOTE, SHALL INVALIDATE SUCH BILL.

3. Fiscal notes shall not, however, be required for bills: (a) subject to the provisions of section fifty of this chapter, or (b) accompanied by special home rule requests submitted by political subdivisions, or (c) which provide discretionary authority to political subdivisions, or (d) submitted pursuant to section twenty-four of the state finance law.

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

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4. If the estimate or estimates contained in a fiscal IMPACT note are inaccurate AND RESULT IN AN ANNUAL NET ADDITIONAL COST TO ANY POLITICAL SUBDIVISION IN EXCESS OF TEN THOUSAND DOLLARS OR AN AGGREGATE ANNUAL NET ADDITIONAL COST TO ALL POLITICAL SUBDIVISIONS WITHIN THE STATE IN EXCESS OF ONE MILLION DOLLARS, such inaccuracies shall [not affect, impair or] invalidate such bill.

S 2. This act shall take effect immediately.