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

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I N A S S E M B L Y

May 28, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Weinstein) -- (at request of the Office of Court Administration) -- read once and referred to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to the New York city county clerks' operations offset fund

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

Section 1. Paragraph (a-1) of subdivision 2 of section 39 of the judiciary law, as amended by section 6 of part Z of chapter 56 of the laws of 2010, is amended to read as follows:

(a-1) (i) Effective for each state fiscal year beginning April first, [nineteen hundred ninety-five] TWO THOUSAND FOURTEEN, the state comptroller shall, on or before the end of [that] SUCH fiscal year: (1) EITHER deduct from any moneys payable to the city of New York from the local assistance account as state aid for the support of local government the amount certified to him or her by the chief administrator of the courts [immediately following the close of] DURING such fiscal year pursuant to subparagraph (ii) of this paragraph OR BILL THE CITY FOR SUCH CERTIFIED AMOUNT, and (2) transfer [the] SUCH CERTIFIED amount [of such deduction] from the local assistance account to the New York city county clerks' operations offset fund OR, IF THE CITY HAS BEEN BILLED FOR SUCH CERTIFIED AMOUNT, DEPOSIT ANY RESULTING PAYMENT IN THE NEW YORK CITY COUNTY CLERKS' OPERATIONS OFFSET FUND.

(ii) On or before [March] OCTOBER first in each year commencing with [March] OCTOBER first, [nineteen hundred ninety-six] TWO THOUSAND FOURTEEN, the chief administrator shall determine and certify to the comptroller the difference between (1) the amount of the disbursements under the judiciary budget made during the fiscal year ending the previous March thirty-first for the payment of services and expenses incurred [in that fiscal year] by the offices of the county clerks of the city of New York, excluding services and expenses incurred by those offices in discharge of a county clerk's powers and duties as commissioner of jurors, and (2) the aggregate receipts derived by the state from the fees specified in paragraphs one and two of subdivision (f) of section

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

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eight thousand twenty and section eight thousand twenty-one of the civil practice law and rules during the fiscal year [commencing April first, nineteen hundred ninety] ENDING THE PREVIOUS MARCH THIRTY-FIRST.

[(iii) On or before March first, nineteen hundred ninety-seven, and each March first thereafter, the chief administrator shall determine the actual difference between (1) the amount of the disbursements under the judiciary budget made during the fiscal year ending the previous March thirty-first for the payment of services and expenses incurred in that fiscal year by the offices of the county clerks of the city of New York, excluding services and expenses incurred by those offices in discharge of a county clerk's powers and duties as commissioner of jurors and (2) the aggregate receipts derived from the state from the fees specified in paragraphs one and two of subdivision (f) of section eight thousand twenty and section eight thousand twenty-one of the civil practice law and rules during the preceding fiscal year. The chief administrator shall compare this actual amount of difference with the projected amount of difference calculated pursuant to subparagraph (ii) of this paragraph and certify the difference between the two amounts to the comptroller. Such amount shall be added to, or deleted from, as the case may be, the amount of the deduction made from state aid payments to the city of New York pursuant to subparagraph (i) of this paragraph.]

S 2. This act shall take effect April 1, 2014.