

4823

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 6, 2015

---

Introduced by M. of A. McLAUGHLIN, COOK, TEDISCO, RA, FITZPATRICK --  
Multi-Sponsored by -- M. of A. ARROYO, BARCLAY, BLANKENBUSH, BORELLI,  
CERETTO, CORWIN, CURRAN, FINCH, GARBARINO, GRAF, HAWLEY, LALOR,  
MONTESANO, PALMESANO, RAIA, WALTER -- read once and referred to the  
Committee on Ways and Means

AN ACT to amend the state finance law, in relation to capping state  
spending

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

1     Section 1. The state finance law is amended by adding a new section 28  
2     to read as follows:  
3     S 28. ESTABLISHMENT OF ANNUAL SPENDING CAP. 1. NOTWITHSTANDING ANY  
4     OTHER PROVISION OF LAW TO THE CONTRARY, THERE IS HEREBY ESTABLISHED A  
5     STATE OPERATING FUNDS STATE SPENDING CAP. COMMENCING THE FIRST STATE  
6     FISCAL YEAR AFTER THIS SECTION SHALL HAVE BECOME A LAW STATE OPERATING  
7     FUNDS SPENDING SHALL BE CAPPED AT THE RATE OF INFLATION, AS AVERAGED  
8     OVER THE PRIOR THREE YEARS.  
9     2. THE GOVERNOR SHALL NOT SUBMIT, AND THE LEGISLATURE SHALL NOT ACT  
10    UPON, A BUDGET THAT CONTAINS ANY INCREASE NOT IN ACCORDANCE WITH THE  
11    PROVISIONS OF SUBDIVISION ONE OF THIS SECTION.  
12    3. THE GOVERNOR SHALL CERTIFY IN WRITING THAT STATE OPERATING FUNDS  
13    SPENDING IN THE EXECUTIVE BUDGET DOES NOT EXCEED THE PROVISIONS OF  
14    SUBDIVISION ONE OF THIS SECTION.  
15    4. THE COMPTROLLER SHALL PROVIDE, WITHIN FIVE DAYS OF ACTION BY THE  
16    LEGISLATURE UPON THE BUDGET, A DETERMINATION AS TO WHETHER THE STATE  
17    OPERATING FUNDS SPENDING AS SET FORTH IN THE STATE BUDGET AS ENACTED  
18    EXCEEDS THE SPENDING CAP.  
19    5. IF THE COMPTROLLER FINDS THAT STATE OPERATING FUNDS SPENDING AS SET  
20    FORTH IN THE STATE BUDGET AS ENACTED EXCEEDS THE SPENDING CAP, THE  
21    LEGISLATURE SHALL TAKE CORRECTIVE ACTION TO ENSURE THAT FUNDING IS  
22    LIMITED TO THE AMOUNT OF THE SPENDING CAP.  
23    S 2. This act shall take effect immediately.

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

LBD05693-01-5