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

7292--C

Cal. No. 279

2015-2016 Regular Sessions

I N A S S E M B L Y

May 4, 2015

Introduced by M. of A. FARRELL -- (at request of the State Comptroller) -- read once and referred to the Committee on Ways and Means -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the state finance law, in relation to the tobacco revenue guarantee fund (Part A); and to amend the county law, in relation to filing an annual report regarding certain expenditures for indigent legal services (Part B)

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

Section 1. This act enacts into law components of legislation which are necessary to implement certain operational changes within the Department of Audit and Control and make technical corrections to various provisions of law. Each component is wholly contained within a Part identified as Parts A and B. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

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

LBD10429-07-6

Section 1. Subdivision 1 of section 97-cccc of the state finance law, as amended by section 1 of part J of chapter 686 of the laws of 2003, is amended to read as follows:

1. There is hereby established in the [sole] JOINT custody of the state comptroller AND THE COMMISSIONER OF TAXATION AND FINANCE a fund to be known as the tobacco revenue guarantee fund.

S 2. This act shall take effect immediately.

PART B

Section 1. Subdivision 2 of section 722-f of the county law, as added by section 4 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

2. (a) The county executive or chief executive officer of each county or, in the case of a county wholly contained within a city, such city shall file an annual report which specifies in detail and certifies to the [state comptroller] OFFICE OF INDIGENT LEGAL SERVICES the total expenditures of such county or city, identifying "local funds", as defined in PARAGRAPH (C) OF subdivision [four] TWO of section ninety-eight-b of the state finance law, state funds, federal funds and funds received from a "private source" as described in subdivision [four] TWO of section ninety-eight-b of the state finance law, for providing legal representation to persons who were financially unable to afford counsel, pursuant to this article. Such annual report shall be made on a form developed for such purpose by the [state comptroller] OFFICE OF INDIGENT LEGAL SERVICES.

(b) Such annual report, detailing expenditures for the period January first through December thirty-first of the previous calendar year, shall be filed on or before the first day of March of each year[, provided, however, that the first report required by this subdivision shall contain the required information, separately stated, for the two preceeding calendar years].

S 2. This act shall take effect immediately.

S 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

S 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A and B of this act shall be as specifically set forth in the last section of such Parts.