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I N A S S E M B L Y

March 22, 2016

Introduced by M. of A. ZEBROWSKI, THIELE, McDONALD, GOTTFRIED, SIMON, CAHILL, BUCHWALD, SKOUFIS, GALEF, MONTESANO, CORWIN, McKEVITT -- Multi-Sponsored by -- M. of A. COOK, ENGLEBRIGHT, MAGEE, McDONOUGH, NOLAN, ROBINSON, SANTABARBARA -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state administrative procedure act, in relation to making the text of emergency rules available online

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

1 Section 1. Subparagraph (vii) of paragraph (d) of subdivision 6 of
2 section 202 of the state administrative procedure act, as added by chap-
3 ter 17 of the laws of 1984 and renumbered by chapter 850 of the laws of
4 1990, is amended to read as follows:
5 (vii) contain the complete text of the rule as adopted, provided,
6 however, if such text exceeds two thousand words, the notice shall
7 contain only a description of the subject, purpose and substance of such
8 rule in less than two thousand words AND SHALL IDENTIFY THE ADDRESS OF
9 THE WEBSITE, IF ANY, ON WHICH THE FULL TEXT HAS BEEN POSTED;
10 S 2. Subdivision 6 of section 202 of the state administrative proce-
11 dure act is amended by adding a new paragraph (f) to read as follows:
12 (F) WHEN THE NOTICE OF EMERGENCY ADOPTION CONTAINS ONLY A DESCRIPTION
13 OF THE SUBJECT, PURPOSE AND SUBSTANCE OF THE RULE AS PROVIDED IN SUBPAR-
14 AGRAPH (VII) OF PARAGRAPH (D) OF THIS SUBDIVISION, THE FULL TEXT OF THE
15 RULE SHALL BE POSTED ON A WEBSITE MAINTAINED BY THE AGENCY OR ANOTHER
16 STATE ENTITY AS SOON AS PRACTICABLE, BUT NOT LATER THAN THE DATE THE
17 NOTICE OF EMERGENCY ADOPTION IS PUBLISHED IN THE STATE REGISTER.
18 S 3. This act shall take effect on the first of January next succeed-
19 ing the date upon which it shall have become a law, and shall apply to
20 any emergency rule filed with the secretary of state on or after such
21 date.

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

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