5601--A

2015-2016 Regular Sessions

IN SENATE

May 18, 2015

Introduced by Sen. GOLDEN -- (at request of the State Comptroller) -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to the form of a membership application (Part A); to amend the state finance law, in relation to the tobacco revenue guarantee fund (Part B); to amend the state finance law, in relation to The New York state teen health education fund (Part C); and to amend the county law, in relation to filing an annual report regarding certain expenditures for indigent legal services (Part D)

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 1 are necessary to implement certain operational changes within the Department of Audit and Control and the NYS Retirement System and make technical corrections to various provisions of law. Each component is wholly contained within a Part identified as Parts A through D. The effective date for each particular provision contained within such Part 6 7 set forth in the last section of such Part. Any provision in any 8 section contained within a Part, including the effective date of 9 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 10 refer to the corresponding section of the Part in which it is found. 11 Section three of this act sets forth the general effective date of this 12 13 act.

14 PART A

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

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S. 5601--A 2

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Section 1. The opening paragraph of subdivision a of section 40 of the retirement and social security law is amended to read as follows:

Each person who becomes a member of the retirement system shall file a duly executed [and acknowledged] application with the comptroller. Such application shall contain:

S 2. The opening paragraph of subdivision a of section 340 of the retirement and social security law, as added by chapter 1000 of the laws of 1966, is amended to read as follows:

After the effective date of this article, each person who becomes a member of the [policemen's and firemen's] NEW YORK STATE AND LOCAL POLICE AND FIRE retirement system shall file a duly executed [and acknowledged] application with the comptroller. Such application shall contain:

S 3. This act shall take effect immediately.

15 PART B

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:

- 19 1. There is hereby established in the [sole] JOINT custody of the 20 state comptroller AND THE COMMISSIONER OF TAXATION AND FINANCE a fund to 21 be known as the tobacco revenue guarantee fund.
- 22 S 2. This act shall take effect immediately.

23 PART C

24 Section 1. Subdivision 1 of section 99-u of the state finance law, as 25 added by section 2 of part GG of chapter 59 of the laws of 2013, is 26 amended to read as follows:

1. There is hereby established in the JOINT custody of THE STATE COMP-TROLLER AND the commissioner of taxation and finance a special account to be known as the "New York state teen health education fund".

S 2. This act shall take effect immediately.

31 PART D

32 Section 1. Subdivision 2 of section 722-f of the county law, as added 33 by section 4 of part J of chapter 62 of the laws of 2003, is amended to 34 read as follows:

- 35 2. (a) The county executive or chief executive officer of each county or, in the case of a county wholly contained within a city, 36 37 shall file an annual report which specifies in detail and certifies to 38 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-39 40 41 eight-b of the state finance law, state funds, federal funds and funds received from a "private source" as described in subdivision [four] 42 section ninety-eight-b of the state finance law, for providing legal 43 44 representation to persons who were financially unable to afford counsel, pursuant to this article. Such annual report shall be made on a 45 developed for such purpose by the [state comptroller] OFFICE OF INDIGENT 46 LEGAL SERVICES. 47
- 48 (b) Such annual report, detailing expenditures for the period January 49 first through December thirty-first of the previous calendar year, shall 50 be filed on or before the first day of March of each year[, provided,

S. 5601--A 3

1 however, that the first report required by this subdivision shall 2 contain the required information, separately stated, for the two 3 preceeding calendar years].

- S 2. This act shall take effect immediately.
- 5 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-6 section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, 7 8 impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section 9 10 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 11 12 legislature that this act would have been enacted even if such invalid provisions had not been included herein. 13
- 14 S 3. This act shall take effect immediately provided, however, that 15 the applicable effective date of Parts A through D of this act shall be 16 as specifically set forth in the last section of such Parts.