STATE OF NEW YORK

10823

IN ASSEMBLY

July 15, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Darling) -- read once and referred to the Committee on Governmental Operations

AN ACT directing the state comptroller to act as a fiscal monitor for the distribution and expenditure of federal funds received by any town through the CARES Act

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The state comptroller shall serve as a fiscal monitor to provide direct oversight of any monies allocated to any town by the United States department of treasury pursuant to the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 (P.L. 116-136). The state comptroller shall review any expenditures proposed and approved by any town pursuant to the CARES act; provided, however, that CARES Act monies received by any village, which were already subject to review by the state comptroller upon their allocation to a town, shall not be subject to additional review by the state comptroller upon their allocation to a village from a town. No funds pursuant to the CARES act may be expended by any town without the approval of the state comptroller, who shall determine the amount of monies a town shall distribute to each of its villages based upon such village's level of need, population, and other such factors as the state comptroller shall determine in his or her sole discretion; provided, however, that this approval requirement shall only apply to funds that have not already been distributed to their final recipient as of the effective date of this act. Funds received by such villages or towns pursuant to the CARES Act may only be used to cover costs that:

1. are necessary expenditures incurred due to the public health emergency related to coronavirus disease 2019 (COVID-19);

2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES act) for the state or local government; and

3. were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

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

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Any village or town receiving funds pursuant to the CARES act may allocate funds to a unit of local government within its jurisdiction, if approved by the state comptroller.

§ 2. This act shall take effect immediately.