IN ASSEMBLY

(Prefiled)

January 6, 2021

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Introduced by M. of A. GOTTFRIED, ABINANTI, GALEF -- Multi-Sponsored by
   -- M. of A. CARROLL, PAULIN, SAYEGH -- read once and referred to the
   Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to the taking effect
   and sunset of a law

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

1   Section 1.   The legislative law is amended by adding a new section
2 43-a to read as follows:
3   **§ 43-a. Taking effect and sunset of legislation. 1. This subdivision**
4 **applies where an act of the legislature provides that a law shall take**
5 **effect at a time after it becomes a law, unless the act specifically**
6 **provides otherwise.   A state or local government entity or official,**
7 **which or who will have authority under such law to make regulations or**
8 **take other actions necessary to enforce or implement the law, may adopt,**
9 **amend, suspend or repeal any such regulations and take such other**
10 **actions prior to and in preparation for the taking effect of the law;**
11 **provided, however, such adoption, amendment, suspension or repeal of**
12 **regulations shall not have legal effect until the law takes effect.**
13 **Nothing in this section shall be construed as authorizing the adoption,**
14 **amendment, suspension or repeal of regulations on an emergency basis**
15 **unless such action qualifies for emergency rule making pursuant to**
16 **applicable statutes, or as otherwise relieving an entity or official**
17 **from applicable requirements of law.**
18   **2. Where an act of the legislature amends a provision of law that is**
19 **to be repealed or of no force and effect on or after a certain date, the**
20 **amendment shall not affect the repeal or loss of force and effect of the**
21 **provision, and the amendment shall be deemed to be repealed or to be of**
22 **no force and effect therewith, unless the act provides otherwise.**
23   § 2. This act shall take effect immediately.

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