STATE OF NEW YORK

3571

2021-2022 Regular Sessions

IN ASSEMBLY

January 27, 2021

Introduced by M. of A. ASHBY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to eliminating the ability of legislators to earn certain perks

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

Section 1. Subdivision 2 of section 5 of the legislative law, as added by section 7 of part CC of chapter 56 of the laws of 2015, is amended to read as follows:

2. [~~(a)~~] Each member of the legislature[~~, upon verification of attendance, which shall be by electronic verification when practicable, in compliance with the policies set forth by the speaker of the assembly and the temporary president of the senate for their respective bodies,~~] shall [~~be eligible to~~] receive payment of actual and necessary [~~travel expenses~~] **transportation expenses** and a per diem equivalent to the most recent federal per diem rates published by the general services administration as set forth in 41 CFR (Code of Federal Regulations) Part 301, App. A, [~~for the time in which the member was~~] **while** in travel status in the performance of his or her duties [~~during the months in which the legislature is scheduled to be in regular session. During the months when the legislature is not scheduled to be in regular session, members shall receive such actual and necessary travel expenses and per diems, in compliance with verification policies and in accord with standards and limits for reimbursable events set forth by~~]**; and such other reasonable expenses as may be necessary for the performance of the member's responsibilities as determined by** the speaker of the assembly and the temporary president of the senate for their respective [~~bodies~~] **houses; provided, however, that any perks associated with such transportation, including, but not limited to frequent-flier miles, or reward points for hotel stays, shall be either donated to the state to lower travel costs or donated to charity**. The per diem allowances including partial per

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

LBD06256-01-1

diem allowances shall be made **pursuant to regulations promulgated by the temporary president of the senate and the speaker of the assembly for their respective houses,** on audit and warrant of the comptroller on vouchers approved by the temporary president of the senate or his or her designee and speaker of the assembly or his or her designee for their respective houses**. The temporary president of the senate or his or her designee and the speaker of the assembly or his or her designee shall promulgate any rules necessary for the elimination and control of any perks associated with transportation expenses**.

[~~**(b) Each house shall make available on its website all documentation otherwise available to the public pursuant to section eighty-eight of the public officers law related to the payment of travel expenses and per diems.**~~]

§ 2. This act shall take effect immediately.