STATE OF NEW YORK

6131

2021-2022 Regular Sessions

IN ASSEMBLY

March 10, 2021

Introduced by M. of A. FRIEND, GOODELL, MANKTELOW, SMULLEN, ASHBY, DeSTEFANO, BLANKENBUSH, NORRIS, MORINELLO, WALSH, BRABENEC, B. MILLER, TAGUE -- Multi-Sponsored by -- M. of A. BYRNES, HAWLEY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law and the public authorities law, in relation to prohibiting the imposition of certain fees, surcharges, or taxes

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

Section 1. The executive law is amended by adding a new section 170-e to read as follows:

§ 170-e. Fee increases prohibited; exception. 1. On and after the effective date of this section, no state department, office, agency, or authority may increase any fee, surcharge or tax that it imposes on any New York state resident or business unless such increase is specifically authorized and approved by the state legislature.

2. Any state department, office, agency, or authority that imposes a fee, surcharge or tax prior to the effective date of this section, where such imposition was implemented without specific statutory approval, shall be prohibited from further imposing and collecting such fee, surcharge or tax on and after January first next succeeding the effective date of this section.

3. On and after the effective date of this section, any state department, office, agency, or authority that wishes to impose a fee, surcharge or tax on any New York state resident or business must seek and obtain legislative authorization and approval of the specific fee, surcharge, or tax requested prior to its imposition.

§ 2. Article 1 of the public authorities law is amended by adding a new title 3 to read as follows:

TITLE 3

MISCELLANEOUS

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

LBD08792-01-1

Section 10. Fee increases prohibited; exception.

§ 10. Fee increases prohibited; exception. 1. On and after the effective date of this section, no state department, office, agency, or authority may increase any fee, surcharge or tax that it imposes on any New York state resident or business unless such increase is specifically authorized and approved by the state legislature.

2. Any state department, office, agency, or authority that imposes a fee, surcharge, or tax prior to the effective date of this section, where such imposition was implemented without specific statutory approval, shall be prohibited from further imposing and collecting such fee, surcharge or tax on and after January first next succeeding the effective date of this section.

3. On and after the effective date of this section, any state department, office, agency, or authority that wishes to impose a fee, surcharge or tax on any New York state resident or business must seek and obtain legislative authorization and approval of the specific fee, surcharge, or tax requested prior to its imposition.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.