

# STATE OF NEW YORK

8621

## IN ASSEMBLY

January 10, 2022

Introduced by M. of A. GALEF, WOERNER, FAHY, GUNTHER, WALSH, J. M. GIGLIO, MONTESANO, RA, BRABENEC -- Multi-Sponsored by -- M. of A. BARCLAY, HAWLEY, McDONOUGH, M. MILLER, THIELE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to fiscal impact notes on bills and to repeal certain provisions of such law relating thereto

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

1 Section 1. Section 51 of the legislative law is REPEALED and a new  
2 section 51 is added to read as follows:

3 § 51. Fiscal impact notes on bills affecting the state or political  
4 subdivisions. 1. As used in this section:

5 (a) the term "political subdivision" means any county, city, town,  
6 village, special district or school district, or any agency, authority,  
7 commission, department or instrumentality thereof.

8 (b) the term "qualifying bill" means any bill or amendment to a bill  
9 filed on or after the effective date of this section which establishes  
10 or eliminates a state program, significantly changes services required  
11 to be provided by such program, or results in a change in revenues or  
12 expenses of the state or any political subdivision.

13 2. Before discharging qualifying bills from consideration, the senate  
14 finance committee or the assembly ways and means committee shall prepare  
15 for each such bill a fiscal impact statement clearly detailing the esti-  
16 mated cost or savings entailed by such bill to the state and affected  
17 political subdivision for the three fiscal years following adoption of  
18 such bill. Such fiscal impact statement shall also provide the source or  
19 sources of such estimates.

20 3. A fiscal impact statement required to be prepared under this  
21 section shall be made and shall remain a part of the bill it describes,  
22 and shall be affixed to the bill before it is laid upon the members'  
23 desks for consideration.

24 4. In determining the fiscal impacts of a bill, the senate finance  
25 committee and assembly ways and means committee shall estimate such  
26 impacts on the basis of any or all of the following:

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

LBD04280-01-1

- 1 (a) individual political subdivisions;
- 2 (b) aggregates of political subdivisions either statewide or by a
- 3 lesser geographic area;
- 4 (c) representative political subdivisions with relevant character-
- 5 istics such as population, area, average income, weighted average daily
- 6 attendance of pupils, or any other relevant characteristics appropriate
- 7 to the estimate; or
- 8 (d) any other appropriate, convenient or accessible grouping of char-
- 9 acteristics or political subdivisions.

10 5. Estimated or actual fiscal impacts disclosed under this section  
11 shall be reported in units of money, services, personnel, equipment, or  
12 any other appropriate, convenient or accessible unit or units of meas-  
13 urement.

14 6. If the estimates contained in a fiscal impact statement are inaccu-  
15 rate, such inaccuracies shall not affect, impair or invalidate such  
16 bill.

17 7. Fiscal impact statements shall not be required for bills: (a)  
18 subject to the provisions of section fifty of this article, or (b)  
19 accompanied by special home rule requests submitted by each affected  
20 political subdivision, or (c) which provide only discretionary authority  
21 to political subdivisions, or (d) submitted pursuant to section twenty-  
22 four of the state finance law.

23 § 2. This act shall take effect on the first of January next succeed-  
24 ing the date on which it shall have become a law.