STATE OF NEW YORK

5682

2023-2024 Regular Sessions

IN SENATE

March 13, 2023

Introduced by Sen. CANZONERI-FITZPATRICK -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the legislative law, in relation to requiring bills containing an unfunded mandate for a county or municipality to be referred to the state comptroller for opinion before being certified

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

Section 1. Section 40 of the legislative law, as amended by chapter 366 of the laws of 1949, is amended to read as follows:

§ 40. Certificate of presiding officer. Upon the passage by either house of the legislature of a bill, concurrent resolution proposing amendments to the state constitution, or concurrent resolution proposing or ratifying amendments to the constitution of the United States, the presiding or other officer designated by the rules of such house shall append to such bill or resolution a certificate, to be signed by him, which shall disclose the date of its passage in such house, and whether passed by the votes of a majority of all the members elected to such house or of two-thirds thereof, or of a majority of such members, three-fifths thereof being present. In addition, if any such bill has been passed on a message required by the constitution, that fact also shall be stated, and if the message so specifies, the applicable portion of the constitution shall be identified. Upon the passage of a bill as to which a part becomes law immediately and a part requires further action by the governor, two copies shall be certified as above provided, one of which, upon final passage by both houses, shall be transmitted to the governor and the other to the secretary of state. No bills shall be deemed to have so passed unless certified in the manner provided by this section, which certificate to such effect shall be conclusive evidence thereof. **No bill containing a mandate for any county or municipality in this state that does not include a provision of funding to such county**

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

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or municipality by the state shall be certified in the manner provided by this section until such bill has been delivered to the state comptroller for opinion, and such opinion is delivered to both houses of the legislature and to the governor.

§ 2. This act shall take effect immediately.