STATE OF NEW YORK

10240

IN ASSEMBLY

May 15, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Otis) -- 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:

Section 1. The legislative law is amended by adding a new section 43-a to read as follows:

§ 43-a. Taking effect and sunset of legislation. 1. This subdivision applies where (a) an act of the legislature provides that the act shall take effect at a time after it becomes a law, and (b) a state or local government entity or official will have authority under that act to make rules or regulations and take other actions reasonably necessary to implement the act; unless the act specifically provides otherwise. Effective immediately when the act becomes a law, the entity or official may make those rules or regulations and take those actions reasonably necessary to implement the law on its effective date. This section does not authorize the making of rules or regulations on an emergency basis unless that action qualifies for emergency rule making under applicable law, and does not otherwise relieve the entity or official from applicable requirements of law.

2. Where an act of the legislature amends a provision of law that is to be repealed or of no force and effect on or after a certain date, the amendment shall not affect the repeal or loss of force and effect of the provision, and the amendment shall be deemed to be repealed or to be of no force and effect therewith, unless the act provides otherwise.

§ 2. This act shall take effect immediately.

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

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