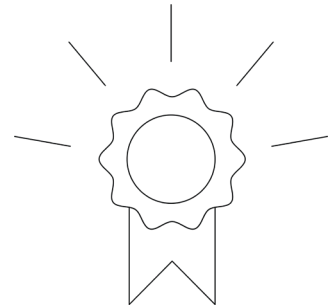
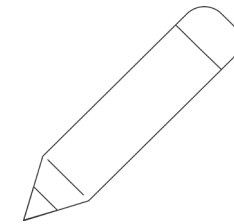
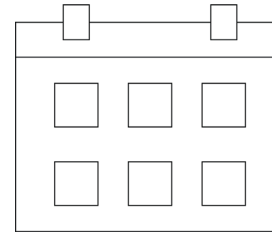
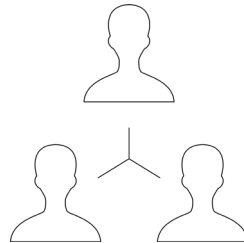
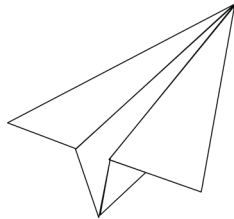
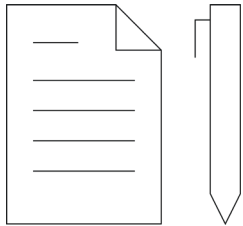
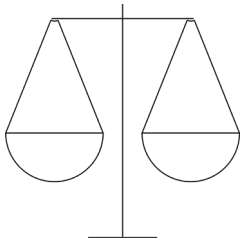


How a Bill Becomes a Law in New York State



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

540 Broadway

Albany, 12207

www.nysac.org

518-465-1473



Legislative Branch

The Legislature is the lawmaking branch of state government. It is a two-house body composed of the Senate and the Assembly.

The State Constitution authorizes a Senate of varying number, currently 63 members, and an Assembly of 150 members, who are elected from districts throughout the State for two-year terms.



Executive Branch

The Executive Branch is headed by the Governor, who is elected for a term of four years. The Governor is required by the Constitution to submit a yearly State Budget to the Legislature in which he makes recommendations for legislation and proposes funding appropriations for departments and programs.

The Governor also is empowered to:

- Veto legislative bills with which he disagrees;
- Convene the Legislature for special sessions;
- Appoint and, under certain conditions, remove non-elected state officers.

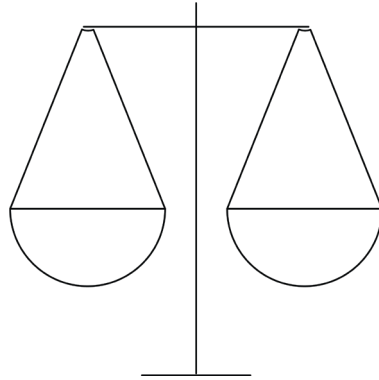


Tasks and Duties

The Legislative Branch and Executive Branch work together to enact, amend, or repeal statutes. This involves drafting, discussing, and approving bills and resolutions.

The Senate also has the authority to confirm appointments made by the Governor to statewide authorities, commissions, and the judiciary.

How a Bill Becomes a Law in New York State

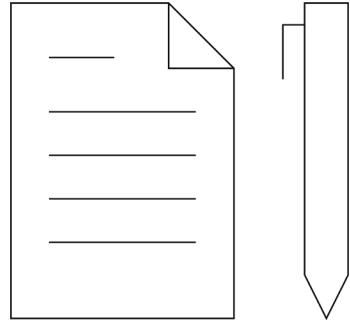


Step 1 The Idea

An idea for a bill may come from several sources: the legislators and their staffs, the Governor and his staff or departments, individuals, association, and interest groups.

The intent is to create more understanding, solve a problem, and/or provide new instructions to help accommodate all in the State.

How a Bill Becomes a Law in New York State

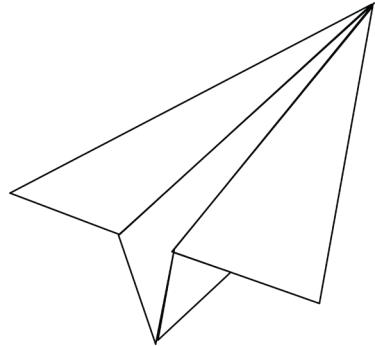


Step 2 Bill Drafting

The actual drafting of legislation requires a specialized type of legal training and is usually done by the staff of the Legislative Bill Drafting Commission.

Sometimes, however, an interest group may have its own attorneys draft a bill. Lawyers working in various state agencies and the executive branch often submit their ideas for legislation in bill form.

How a Bill Becomes a Law in New York State

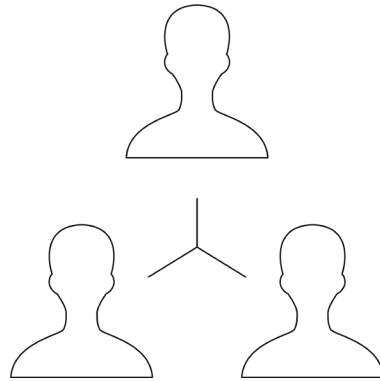


Step 3 Introduction

No law may be enacted in New York State unless it has been adopted by the Legislature in bill form. To be adopted, it must first be introduced by a member of the Assembly or Senate.

The bill must be sent to the Introduction and Revision Office, where it is examined, corrected, and given a number. For example, Senate Bill 1234 (S.1234) or Assembly Bill 1234 (A.1234).

How a Bill Becomes a Law in New York State

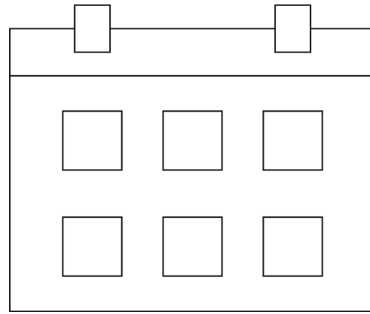


Step 4 Committee Action

Once a bill is introduced, house leadership refers it to the appropriate committees for review, discussion, and, ultimately, approval or disapproval. Once approved, the bill is moved to the Daily Calendar.

The lawmakers and their staff, serving on each of the standing committees in each house, evaluate the ramifications of a bill and decide whether it should be approved, tabled (held), or revised.

How a Bill Becomes a Law in New York State

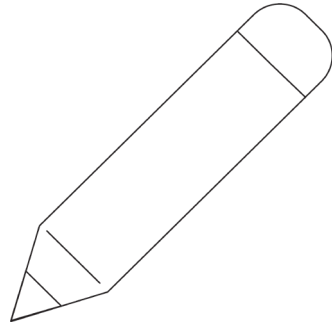


Step 5 Legislative Action

The Daily Calendar is the agenda for the Senate and Assembly sessions. Bills take their place on an agenda as they are reported from committee.

Once referred from committee to the calendar, each bill is read three times (once per day for three days) before it can come up for a vote.

When the bill comes up for consideration on the Order of Third Reading, it is subject to debate, discussion, or explanation. If a majority of the members approve, the bill is sent to the other house for passage.



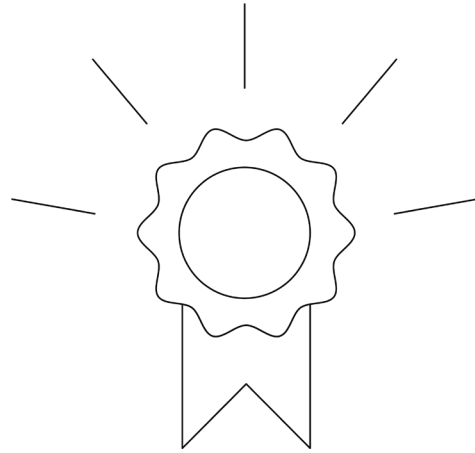
Step 6 The Governor

Once a bill is sent to the Executive, the Governor has 10 days (not counting Sundays) to sign or veto bills passed by both houses. Signed bills become law; vetoed bills do not.

The Governor's failure to sign or veto a bill within the 10-day period means that it becomes law automatically.

Vetoed bills are returned to the house that first passed them, together with a statement of the reason for their disapproval. A vetoed bill can become law if two-thirds of the members of each house vote to override the Governor's veto.

How a Bill Becomes a Law in New York State



Step 7 Bill Becomes a Law

A bill becomes a law when the Governor signs it. As bills become laws, they are assigned chapter numbers for the particular session in which they were enacted. For example, “Chapter 17 of the Laws of 1995.”

Most New York State laws are organized or consolidated into subject areas called chapters, such as Labor and Insurance.



How a Bill Becomes a Law in New York State

Example: Session Calendar



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New York State Legislative Session Calendar January — June 2019



The New York State legislative session calendar establishes a schedule for the 2019 legislative session and provides dates important to the legislative process. The session calendar is intended to afford Members flexibility in conducting legislative business in Albany and planning activities within their home districts. The session calendar will foster orderly and timely consideration of legislation. Unforeseen events may require modification of the session calendar.

JANUARY						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

FEBRUARY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
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17	18	19	20	21	22	23
24	25	26	27	28		

MARCH						
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31						

APRIL						
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28	29	30				

MAY						
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19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE						
S	M	T	W	T	F	S
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2	3	4	5	6	7	8
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

January 9 2019 Legislative Session convenes
January 14 Start of sessions
January 21 Martin Luther King, Jr. Day
February 1 Final Day for Submission of Executive Budget

February 18 Presidents' Day
April 1 Beginning of new Fiscal Year
May 27 Memorial Day

 Indicates session day



How a Bill Becomes a Law in New York State

Example: Bill Text



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

STATE OF NEW YORK

1800

2019-2020 Regular Sessions

IN ASSEMBLY

January 17, 2019

Introduced by M. of A. MAGNARELLI, D'URSO, PEOPLES-STOKES, STECK, COOK,
GALEF, ZEBROWSKI -- Multi-Sponsored by -- M. of A. SCHIMMINGER, SIMON
-- read once and referred to the Committee on Judiciary

AN ACT to amend the real property actions and proceedings law, in
relation to inspecting, securing and maintaining vacant and abandoned
residential property

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

1 Section 1. Subdivision 4 of section 1308 of the real property actions
2 and proceedings law, as added by section 1 of part Q of chapter 73 of
3 the laws of 2016, is amended to read as follows:
4 4. If the posted notice is not responded to or persists for seven
5 consecutive calendar days without contact with the borrower, property
6 owner or occupant indicating that the property is not vacant or aban-
7 doned, or if an emergent property condition that could reasonably
8 damage, destroy or harm the property arises, the servicer shall:
9 (a) in cases where the property contains two or more points of ingress
10 or egress, replace no more than one door lock to provide subsequent
11 access to the property;
12 (b) secure, replace or board up broken doors and windows;
13 (c) secure any part of the property that may be deemed an attractive
14 nuisance including, but not limited to, a water feature that could
15 create a drowning risk, refrigerator or freezer units, outbuildings,
16 wells or septic tanks;
17 (d) take reasonable measures to ensure that pipes, ducts, conductors,
18 fans and blowers do not discharge harmful gases, steam, vapor, hot air,
19 grease, smoke, odors or other gaseous or particulate waste directly upon
20 abutting or adjacent public or private property or that of another
21 tenant;
22 (e) where appropriate, winterize the applicable plumbing and heating
23 systems;

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

LBD00195-01-9





How a Bill Becomes a Law in New York State

Example: Sponsor's Memo



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

NEW YORK STATE ASSEMBLY MEMORANDUM IN SUPPORT OF LEGISLATION submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A1800

SPONSOR: Magnarelli (MS)

TITLE OF BILL: An act to amend the real property actions and proceedings law, in relation to inspecting, securing and maintaining vacant and abandoned residential property

PURPOSE:

To require mortgage holders of vacant and abandoned residential properties that are part of a homeowners association (HOA) or co-op to continue paying HOA or cooperative fees when a property has been abandoned during the foreclosure process.

SUMMARY OF PROVISIONS:

Section 1: Amends § 1308(4) of the Real Property Actions and Proceedings Law by adding new subdivision (k) to require holders of mortgages on vacant and abandoned residential properties to continue paying HOA and cooperative fees during the pending foreclosure, if applicable.

Section 2: Establishes the effective date.

JUSTIFICATION:

Vacant and abandoned residential properties have become a significant issue in New York. Many times these properties are abandoned by their owner during a pending foreclosure. These properties then become "zombie properties" with no entity responsible for their upkeep during the pending foreclosure. Often these properties become dilapidated and blighted before the foreclosure is finalized.

In 2016, the Legislature passed Chapter 73 of the Laws of 2016 that required the holders of mortgages on "zombie properties" to take responsibility for the upkeep and securing of these properties. While the law is focused on single-family houses, condominiums and co-ops are also subject to becoming "zombie properties". Maintenance and upkeep are often handled through a homeowners association. When a condo or co-op is abandoned by an owner, they stop paying HOA fees. This places a financial burden on the HOA who must maintain the abandoned property to prevent damage or deterioration to other properties in the association.

This legislation would amend Chapter 73 of 2016 to require mortgage holders to pay HOA or co-op fees as part of their duty to maintain abandoned properties they still hold mortgages on. This will ensure that HOAs and coop associations are able to maintain these properties during the pending foreclosure, preventing physical or economic damage to the



How a Bill Becomes a Law in New York State

Example: Memo in Support or Opposition



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NYSAC
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New York State Association of Counties
540 Broadway
Albany, NY 12207

www.nysac.org

Stephen J. Acquario, Esq., Executive Director

Memorandum in Opposition

S.722 (Montgomery) / A.1867 (Simon)

AN ACT to amend the social services law, in relation to training and education for sustainable wage jobs and traditional and nontraditional employment in public assistance employment programs

The New York State Association of Counties (NYSAC) has reviewed the above referenced legislation and opposes the passage of this bill into law as drafted.

This bill would amend the social service law to require social service districts to consider education and training for sustainable wage jobs at 185% of poverty and non-traditional employment opportunities in their public assistance employment programs.

This legislation mandates that a local district must strongly consider training for a recipient in order to secure that recipient a job that pays a "sustainable wage." The legislation defines "sustainable wage" as a wage that is at least 185% of the poverty line that is adjusted for regional factors. To mandate that a local department of social services "strongly consider" placing a high school graduate into training for a job that pays a minimum of \$35,000 a year is most certainly laudable, but unfortunately seems extraordinarily mismatched with the current economy. County Department of Social Services workers try to find the best possible employment for a person, and take into account numerous factors, including the person's ability and experience, as well as the current job market.

During a time of very high competitiveness within the labor market, and counties operating under a 2% property tax cap, it does not seem prudent to pass legislation that directly impacts the local property taxpayer. This legislation also threatens the state's ability to comply with federal work participation rates. Under this bill, local districts would become subject to a requirement to emphasize training for sustainable wage jobs, but federal work requirements are not as stringent.

Again, the bill is well-intended. However, the bill in an almost identical form has been vetoed in the past. NYSAC continues to be open to discussions regarding amendments that could make the legislation more viable.

It is for the above stated reasons that NYSAC opposes the enactment of this bill.

The New York State Association of Counties is a bipartisan municipal association serving all the counties of New York. Organized in 1925, NYSAC's mission is to represent, educate, advocate for and serve our member counties and the thousands of elected and appointed county officials who serve the public. For more information, visit www.nysac.org.

To: Senate Sponsor; Assembly Sponsor; Senate Committee on Social Services; Assembly Committee on Social Services

540 Broadway 5th Floor • Albany, New York 12207 • (518) 465-1473 phone • (518) 465-0506 fax



How a Bill Becomes a Law in New York State

Example: Letter to the Governor

June 17, 2019

Alphonso David, Esq.
Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224
legislative.secretary@exec.ny.gov
Re: Legislation before the Governor

Bill Number: **S.3672 (Bailey)/A.748 (Cook)**

Dear Mr. David,

The New York State Association of Counties (NYSAC) has reviewed the above referenced legislation and opposes its enactment into law.

This legislation provides for appointed counsel to prepare post-conviction motions, addressed at the trial court.

This legislation will place an unfunded mandate on county government as there will be an additional cost for assigned counsel's preparation of post-conviction motions. This bill should be amended to either include funding for this new county service cost or, in the alternative, explicitly authorize Indigent Legal Services to cover this increase cost through grant reimbursement. Additionally, while this bill has no direct State costs, this legislation should only be passed during the State Budget process because it has a significant local government cost.

It is for the above-mentioned reasons that NYSAC asks the Governor to veto this legislation and address this issue within the 2020/21 Executive Budget proposal.

Respectfully submitted,



Stephen J. Acquario
Executive Director



How a Bill Becomes a Law in New York State

Example: A Veto Message



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

VETO #263

APR 18 2018

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 700-B, entitled:

“AN ACT to amend the education law, in relation to full day kindergarten”

NOT APPROVED

This bill would amend the New York State Education Law to provide five years of transitional aid to school districts transitioning from offering half-day or no kindergarten programs to offering full day kindergarten.

The legislature passed this bill in March, one month before I reached agreement to include in the fiscal year 2019 State budget three-years of transition aid to school districts that begin offering full day kindergarten in 2018-19 and 2019-20. Because this issue has been addressed in the recently enacted State budget, this bill is effectively moot.

I fully agree with the purpose of this bill and have worked persistently to expand both pre-kindergarten and full day kindergarten in New York State. Only five school districts in New York State currently do not offer full day kindergarten. The agreement reached in the 2019 State budget will further incentivize the expansion of full day kindergarten in these districts.

Given the agreement that was reached with the Legislature to address this issue in the recently passed state budget, and the increase in aid that will now be provided to districts to transition to full day kindergarten, this legislation is unnecessary. Therefore, I am compelled to veto this bill.

The bill is disapproved.