Legislation Details (With Text)

File #:	Int 1878-2020 **Version:** A	**Name:**	City administrative procedure act.	
Type:	Introduction	**Status:**	Enacted	
		In control:	Committee on Governmental Operations	
On agenda:	2/11/2020			
Enactment date:	10/17/2020	**Enactment #:**	2020/104	
Title:	A Local Law to amend the New York city charter, in relation to the city administrative procedure act			
Sponsors:	Keith Powers, Ben Kallos, Daniel Dromm			
Indexes:				
Attachments:	1. Summary of Int. No. 1878-A, 2. Summary of Int. No. 1878, 3. Int. No. 1878, 4. February 11, 2020 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 2-11-20, 6. Minutes of the Stated Meeting - February 11, 2020, 7. Committee Report 2/12/20, 8. Hearing Testimony 2/12/20, 9. Hearing Transcript 2/12/20, 10. Proposed Int. No. 1878-A - 8/19/20, 11. Committee Report 9/16/20, 12. Hearing Transcript 9/16/20, 13. Committee Report - Stated Meeting, 14. September 16, 2020 - Stated Meeting Agenda with Links to Files, 15. Hearing Transcript - Stated Meeting 9-16-20, 16. Minutes of the Stated Meeting - September 16, 2020, 17. Int. No. 1878-A (FINAL), 18. Fiscal Impact Statement, 19. Legislative Documents - Letter to the Mayor, 20. Local Law 104			

Date	Ver.	Action By	Action	Result
2/11/2020	*	City Council	Introduced by Council	
2/11/2020	*	City Council	Referred to Comm by Council	
2/12/2020	*	Committee on Governmental Operations	Laid Over by Committee	
2/12/2020	*	Committee on Governmental Operations	Hearing Held by Committee	
9/16/2020	*	Committee on Governmental Operations	Hearing Held by Committee	
9/16/2020	*	Committee on Governmental Operations	Amendment Proposed by Comm	
9/16/2020	*	Committee on Governmental Operations	Amended by Committee	
9/16/2020	A	Committee on Governmental Operations	Approved by Committee	Pass
9/16/2020	A	City Council	Approved by Council	Pass
9/16/2020	A	City Council	Sent to Mayor by Council	
10/16/2020	A	City Council	Returned Unsigned by Mayor	
10/17/2020	A	Administration	City Charter Rule Adopted	

Int. No. 1878-A

By Council Members Powers, Kallos and Dromm

A Local Law to amend the New York city charter, in relation to the city administrative procedure act

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 1043 of the New York city charter, as amended by local law number 42 for the year 1989, is amended to read as follows:

a. Authority. <u>1.</u> Each agency is empowered to adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law. No agency shall adopt a rule except pursuant to this section. Each such rule shall be simply written, using ordinary language where possible.

<u>2. Subject to paragraph 1 of subdivision f, each agency may adopt rules necessary to carry out the power and duties delegated to it by a local law that has not yet gone into effect, except as otherwise provided by law.</u>

§ 2. Paragraph 1 of subdivision f of section 1043 of the New York city charter, as amended by local law number 42 for the year 1989, subdivision f as relettered by local law number 46 for the year 2010, is amended to read as follows:

1. No rule shall be effective until

(a) the rule is filed by the agency with the corporation counsel for publication in the Compilation,

(b) the rule and a statement of basis and purpose is transmitted to the council for its information,

<u>(c) in the case of a rule adopted pursuant to one or more provisions of a local law, the effective date of the section or sections of the local law that added such provision or provisions,</u> and

[(c)] <u>(d)</u> the rule and a statement of basis and purpose have been published in the City Record and thirty days have elapsed after such publication. The requirement that thirty days shall first elapse after such publication shall not apply where a finding that a substantial need for the earlier implementation of a program or policy has been made by the agency in writing and has been approved by the mayor prior to the effective date of the rule and such finding and approval is contained in the notice.

§ 3. This local law takes effect immediately.

LS #3343

GZ/JJD/dfc/cjm
08/13/2020