



Legislation Details (With Text)

**File #:** Int 0507-2003 **Version:** \* **Name:** Extending Executive Budget  
**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Finance

**On agenda:** 6/5/2003

**Enactment date:** 6/12/2003 **Enactment #:** 2003/040

**Title:** A Local Law in relation to the date by which if the expense budget has not been adopted, the expense budget adopted as modified for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted, the date by which if a capital budget and a capital program have not been adopted, the unutilized portion of all prior capital appropriations shall be deemed reappropriated, the dates of mayoral disapprovals of Council action and Council overrides thereof, the date of submission by the Mayor of an estimate of the probable amount of receipts, the date by which if the Council has not fixed the tax rates for the ensuing fiscal year, the commissioner of finance shall be authorized to complete the assessment rolls using estimated rates, and related matters, relating to the fiscal year two thousand four.

**Sponsors:** David I. Weprin, Maria Baez, Leroy G. Comrie, Jr., (by request of the Mayor)

**Indexes:**

**Attachments:** 1. Fiscal Impact Statement, 2. Committee Report, 3. Hearing Transcript, 4. Local Law, 5. Hearing Transcript - Stated Meeting 6/5

| Date      | Ver. | Action By            | Action                       | Result |
|-----------|------|----------------------|------------------------------|--------|
| 6/5/2003  | *    | Committee on Finance | Hearing on P-C Item by Comm  |        |
| 6/5/2003  | *    | Committee on Finance | P-C Item Approved by Comm    | Pass   |
| 6/5/2003  | *    | City Council         | Introduced by Council        |        |
| 6/5/2003  | *    | City Council         | Referred to Comm by Council  |        |
| 6/5/2003  | *    | City Council         | Approved by Council          | Pass   |
| 6/5/2003  | *    | City Council         | Sent to Mayor by Council     |        |
| 6/12/2003 | *    | Mayor                | Hearing Held by Mayor        |        |
| 6/12/2003 | *    | Mayor                | Signed Into Law by Mayor     |        |
| 6/12/2003 | *    | City Council         | Recved from Mayor by Council |        |

Int. No. 507

By Council Members Weprin, Baez and Comrie (by request of the Mayor)

A Local Law in relation to the date by which if the expense budget has not been adopted, the expense budget adopted as modified for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted, the date by which if a capital budget and a capital program have not been adopted, the unutilized portion of all prior capital appropriations shall be deemed reappropriated, the dates of mayoral disapprovals of Council action and Council overrides thereof, the date of submission by the Mayor of an estimate of the probable amount of receipts, the date by which if the Council has not fixed the tax rates for the ensuing fiscal year, the commissioner of finance shall be authorized to complete the assessment rolls using estimated rates, and related matters, relating to the fiscal year two thousand four.

Be it enacted by the Council as follows:

Section 1. During the calendar year 2003 and in relation to the 2004 fiscal year:

1. Notwithstanding any inconsistent provisions of subdivision d of section 254 of the New York city charter, as added by vote of the electors on November 7, 1989, if an expense budget has not been adopted by June 13, 2003 pursuant to subdivisions a and b of section 254, the expense budget shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted.

2. Notwithstanding any inconsistent provisions of subdivision e of section 254 of such charter, as added by vote of the electors on November 7, 1989, if a capital budget and a capital program have not been adopted by June 13, 2003 pursuant to subdivisions a and b of such section, the unutilized portion of all prior capital appropriations shall be deemed reappropriated.

3. Consistent with subdivision a of section 255 of such charter, the Mayor may pursuant to such subdivision make any disapproval provided for therein no later than five days following the adoption of an expense budget, capital budget and capital program and, consistent with subdivision b of such section, the Council may pursuant to such subdivision override any such disapproval provided for therein no later than ten days following any such disapproval.

4. Notwithstanding any inconsistent provisions of subdivision a of section 1515 of such charter, as amended by vote of the electors on November 7, 1989, the Mayor shall pursuant to such subdivision prepare and submit to the Council an estimate of the probable amount of receipts as therein described not later than June 13, 2003.

5. Notwithstanding any inconsistent provisions of this local law, if the Council has not fixed the tax rates for the ensuing fiscal year on or before June 5, 2003, the commissioner of finance shall, pursuant to subdivision a of section 1516-a of such charter and section 3 of local law number 40 for the year 2002, be authorized to complete the assessment rolls using estimated rates and to collect the sums therein mentioned according to law. The estimated rates shall equal the tax rates for the current fiscal year.

6. Notwithstanding any inconsistent provisions of this local law, if, subsequent to June 5, 2003, the Council shall, pursuant to section 1516 of such charter, fix the tax rates for the ensuing fiscal year at percentages differing from the estimated rates, real estate tax payments shall nevertheless be payable in accordance with subdivision a of section 1516-a of such charter and section 3 of local law number 40 for the year 2002, at the estimated rates, where the commissioner of finance has exercised the authority granted by such subdivision to complete the assessment rolls using estimated rates and to collect the sums therein mentioned according to law. However, in such event, the commissioner of finance shall comply with the provisions of subdivision b of section 1516-a of such charter.

§2. This local law shall take effect immediately, and shall be deemed to have been in force and effect on and after June 5, 2003.