

**STRICKEN AS OF 8/6/2018**

Intro. Res. No. 1140-2018

Laid on Table 2/6/2018

Introduced by Legislators Cilmi, Sunderman, Muratore, Flotteron, Kennedy, Trotta, and McCaffrey

**RESOLUTION NO. -2018, ADOPTING LOCAL LAW  
NO. -2018, A CHARTER LAW TO ADOPT TAX POLICY  
PRIOR TO ELECTION DAY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2018 a proposed local law entitled, " **A CHARTER LAW TO ADOPT TAX POLICY PRIOR TO ELECTION DAY**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. -2018, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO ADOPT TAX POLICY PRIOR TO ELECTION  
DAY**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that pursuant to the SUFFOLK COUNTY CHARTER, the County Legislature is required to adopt an operating budget by November 10th each year.

This Legislature further finds that the County Legislature traditionally votes on Budget Amending Resolutions the day after Election Day.

This Legislature determines that the County Legislature should adopt an operating budget prior to Election Day so that Suffolk residents know where their legislators stand on critical spending and taxing issues before they cast their votes.

Therefore, the purpose of this law is to change the County's budget timeline to ensure that the County Legislature adopts an operating budget prior to Election Day each year.

**Section 2. Amendment.**

Article IV of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

**Article IV, County Budget and Capital Program**

\* \* \* \*

**§ C4-10. Action by the County Legislature on proposed budget.**

- A. No later than seven (7) calendar days before before Election Day of each year. [Not less than 10 days after public hearings required by § C4-9 and not later than the 10th day of November or the 52nd day after the County Executive has actually submitted the proposed budget required by § 4-6 to the County Legislature, whichever is later,] the County Legislature shall adopt the proposed county budget consisting of an expense budget by voting to approve a separate mandated portion and a separate nonmandated portion, with or without amendment. If the County Legislature does not adopt a county budget [on or before] at least seven (7) calendar days before Election Day [the 10<sup>th</sup> day of November or the 52nd day after the County Executive has actually submitted the proposed budget required by § C4-6 to the County Legislature, whichever is later,] the proposed County budget shall be deemed adopted as submitted. The Suffolk County Legislature's Budget Review Office shall prepare budgetary and financial forecasts of cost to continue expenditures and revenues for major omnibus-type budget amending resolutions for the following year.

\* \* \* \*

### **Section 3. Applicability.**

This law shall apply to all operating budgets adopted on or after the effective date of this law.

### **Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### **Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

### **Section 6. Effective Date.**

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language.

\_\_\_ Underlining denotes addition of new language.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: