

**STRICKEN END OF YEAR 2019**  
**AMENDED COPY AS OF 6/25/2019**

Intro. Res. No. 1213-2019

Laid on Table 3/5/2019

Introduced by Legislators Cilmi and Flotteron

**RESOLUTION NO.                   -2019, ADOPTING LOCAL LAW**  
**NO.       -2019, A CHARTER LAW TO IMPROVE THE PROCESS**  
**FOR AMENDING THE COUNTY OPERATING BUDGET**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on March 5, 2019 a proposed local law entitled, "**A CHARTER LAW TO IMPROVE THE PROCESS FOR AMENDING THE COUNTY OPERATING BUDGET**"; now, therefore be it

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

**LOCAL LAW NO.       -2019, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO IMPROVE THE PROCESS FOR AMENDING**  
**THE COUNTY OPERATING BUDGET**

**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 Article IV of the Suffolk County Charter requires the County Executive to submit an operating budget for approval by the County Legislature annually.

This Legislature also finds and determines that generally, the County Legislature proposes and ratifies amendments to the County Executive's proposed budget, through omnibus and/or stand-alone budget amendments.

This Legislature further finds and determines that decisions on supporting budget amendments can be contentious, as legislators may hold differing views on the best way forward fiscally for the County.

This Legislature finds that the County receives tax revenue from a supplemental tax on hotel and motel rooms occupied within the County.

This Legislature determines that State law sets forth a specific formulation for the distribution of hotel and motel tax which must be followed by the County, benefiting tourism and cultural programming.

This Legislature also finds that amendments involving individual disbursements of hotel motel tax monies should be separate from the broader budget amendment process.

Therefore, the purpose of this law is to amend Section C4-10 of the SUFFOLK COUNTY CHARTER to require that all amendments proposed to the County budget be

structured such that individual disbursement of hotel and motel tax monies allotted generally in the operating budget are independent resolutions separate from any omnibus amendments.

**Section 2. Amendment.**

Section C4-10 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

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

\* \* \* \*

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

\* \* \* \*

- B. The County Legislature may amend the proposed County budget by submitting a budget amendment resolution which will add or increase an item of appropriation or strike or reduce an item of appropriation except for appropriations for debt service and any other appropriations required by law. The general appropriation of hotel and motel tax funding shall remain eligible for modification via an omnibus budget amendment resolution. Notwithstanding C4-31(G), allocations for disbursement of funds made pursuant to § 523-15(B), (C), (D), or (F) of the SUFFOLK COUNTY CODE may be made by a single omnibus resolution amending the operating budget introduced for this sole purpose and sponsored by a minimum of five (5) Legislators during the period commencing upon legislative approval of the operating budget and ending at the end of the calendar year.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to all County operating budget amendment resolutions prepared 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)(26) 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 routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. 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.

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

DATED: September 4, 2019

APPROVED BY:

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

Date: