

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. ___ OF 2023**

**A LOCAL LAW CREATING ARTICLE XV OF CHAPTER 24 OF
THE TOWN CODE ENTITLED “FISCAL IMPACT STATEMENT.”**

BE IT ENACTED by the Town Board of the Town of North Hempstead as follows:

Section 1. Legislative Intent.

Findings; purpose. The actions of the Town Board in enacting local laws, ordinances, and resolutions without prior review of fiscal impacts has resulted in deviations from adopted budgets which have had adverse tax impacts. The purpose of this article is to require the preparation of fiscal impact statements before action by the Town Board so that the fiscal implications of proposed actions will be known in advance of decision making and better planning for budget preparation.

Section 2.

The Town Code of the Town of North Hempstead is hereby amended to include a new Article XV of Chapter 24 of the Town Code entitled “Fiscal Impact Statement” to read as follows:

Article XV. Fiscal Impact Statement

§ 24-113 Fiscal Impact Statement

A. No proposed local law, resolution or ordinance, which has or which may tend to have a fiscal impact upon Town of North Hempstead may be enacted or adopted unless it shall have appended thereto a written statement as to the estimated annual fiscal impact of such legislation.

B. Local laws, resolutions or ordinances which have or which may tend to have a fiscal impact shall include but are not limited to those which: (1) Mandate establishment of a new service or activity specifically provided by law. (2) Modify the terms or conditions of employment for existing or future employees. (3) Modify existing Town responsibility for any service or activity provided by the Town to any political subdivision, which could have a significant fiscal impact. (4) Modify or amend the adopted Town operating or capital budget. (5) Appropriate moneys for capital projects. (6) Enact home rule messages. (7) Precipitate any other direct or indirect fiscal impact.

C. Any Town Board member may request from the head of the Town Department that prepared or submitted any resolution, ordinance or local law which is subject to the provision of this subsection, a request for additional information regarding the fiscal impact statement.

(1) In cases in which the fiscal impact statement states that there would be no fiscal impact, a request may be made for a detailed justification for such conclusion.

(2) Requests made pursuant to the provisions of this Subsection C shall be in writing. Within seven (7) days of any request, the department head shall respond to the requesting party with such additional information or justification as may needed to fully satisfy the request.

D. The Comptroller or his/her designee shall review the fiscal impact statement for all legislation, resolutions and ordinances and verify or amend that fiscal impact statement, as applicable.

E. Such statement of fiscal impact shall contain the following information:

(1) The total estimated financial cost of impact over the five years on the Town.

(2) The proposed source(s) of funding with the appropriate budget code.

(3) Whether the impact is immediate or dependent on other legislation or budgetary matters.

§ 24-114 Effects of Inaccuracy

If the estimate or estimates in a financial impact statement are inaccurate, such inaccuracy shall not affect, impair or invalidate the underlying resolution, ordinance or local law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person 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, or part of this article or in its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective Date.

This Local Law shall be effective upon filing with the Secretary of State.