

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S7408

SPONSOR: YOUNG

TITLE OF BILL: An act to amend the county law, in relation to the payment of salaries for certain district attorneys

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of this legislation is to provide for state aid for salary increases for certain district attorneys.

SUMMARY OF SPECIFIC PROVISIONS:

Section 1 and section 2 amend subdivision 11 of section 700 of county law to provide that counties shall receive one hundred percent state aid for the increase in salary costs for district attorneys as enacted in the 2017 FY state budget.

Section 3 provides for an immediate effective date.

JUSTIFICATION:

This bill would provide 100 percent state aid to counties for increases in local District Attorneys' (DA) full-time salaries that were imposed by the New York State Commission of Legislative, Judicial, and Executive Compensation's recent actions on judicial pay, since they are statutorily tied together.

The pay raises for judges and full-time DAs are binding per the Commission, and this year's state budget did not provide funding to the counties to cover the cost of either of the increases that were mandated by the Commission.

The state's judicial system sets its own budget, which incorporated the pay raise for judges within its current budget. However, funding for the additional costs for DAs was not included in the governor's FY 2017 Executive Budget proposal, or in the final state budget.

In the past, the state has consistently funded the DA salary increases in the state budget. In 2015, New York state covered about 50 percent of local DA salaries, and each respective county's budget covered the remaining salary cost.

As a result of not providing for additional aid in the Executive Budget Proposal, or the final budget, counties must cover this additional cost

for full-time DAs, which approximately is a 15 percent increase, or about \$30,000 per county, without any additional assistance from New York State.

This unanticipated DA full-time salary increase disproportionately impacts county budgets in many parts of the state where median incomes are significantly lower, and in counties that do not have strong reserves or that do not otherwise have the ability to absorb this increased salary cost.

This bill provides needed relief to the counties from the Judicial Pay Commission's mandated salary increase for full-time DA salaries.

PRIOR LEGISLATIVE HISTORY:

New Bill.

FISCAL IMPLICATIONS:

\$1.57 million.

EFFECTIVE DATE:

This act shall take effect immediately.