A BUDGET BILL submitted by the Governor
in accordance with Article VII of the Constitution

AN ACT to amend part E of chapter 60 of the laws of 2015, estab-
lishing a commission on legislative, judicial and execu-
tive compensation, and providing for the powers and duties of the commission and for the dissolution of the commis-
sion, in relation to the powers of the members of the commission (Part );

The People of the State of New York, represented in Senate and Assem-
ably, do enact as follows:

PART __

Section 1. Section 2 and subdivision 7 of section 3 of part E of chap-
ter 60 of the laws of 2015, establishing a commission on legislative, judi-
cial, and executive compensation, and providing for the powers and
duties of the commission and for the dissolution of the commission,
subdivision 7 of section 3 as amended by section 1 of part VVV of chap-
ter 59 of the laws of 2019, are amended to read as follows:

§ 2. 1. (a) On the first of June of every fourth year, commencing June
1, 2015, there shall be established a commission on legislative, judi-
cial and executive compensation to examine, evaluate and make recommen-
dations with respect to adequate levels of compensation and non-salary
benefits for members of the legislature, judges and justices of the
state-paid courts of the unified court system, statewide elected offi-
cials, and those state officers referred to in section 169 of the execu-
tive law.

(b) Notwithstanding any provision of this act to the contrary, the
commission established in the year 2019 may examine, evaluate and make
recommendations with respect to adequate levels of compensation and non-salary benefits for judges and justices of the state-paid courts of the unified court system during its examination of and making recommendations for legislative and executive compensation in the year 2020.

2. (a) In accordance with the provisions of this section, the commission shall examine: (1) the prevailing adequacy of pay levels and other non-salary benefits received by members of the legislature, statewide elected officials, and those state officers referred to in section 169 of the executive law; and

(2) the prevailing adequacy of pay levels and non-salary benefits received by the judges and justices of the state-paid courts of the unified court system and housing judges of the civil court of the city of New York and determine whether any of such pay levels warrant adjustment; and

(b) The commission shall determine whether: (1) for any of the four years commencing on the first of April of such years, following the year in which the commission is established or authorized by this act to evaluate and make recommendations on such salaries, the annual salaries for the judges and justices of the state-paid courts of the unified court system and housing judges of the civil court of the city of New York warrant an increase; and

(2) on the first of January after the November general election at which members of the state legislature are elected following the year in which the commission is established, and on the first of January following the next such election, the like annual salaries and allowances of members of the legislature, and salaries of statewide elected officials and state officers referred to in section 169 of the executive law warrant an increase.
3. In discharging its responsibilities under subdivision two of this section, the commission shall take into account all appropriate factors including, but not limited to: the overall economic climate; rates of inflation; changes in public-sector spending; the levels of compensation and non-salary benefits received by executive branch officials and legislators of other states and of the federal government; the levels of compensation and non-salary benefits received by professionals in government, academia and private and nonprofit enterprise; and the state's ability to fund increases in compensation and non-salary benefits.

7. The commission shall make a report to the governor, the legislature and the chief judge of the state of its findings, conclusions, determinations and recommendations, if any, not later than the thirty-first of December of the year in which the commission is established for judicial compensation and the fifteenth of November the following year for legislative and executive compensation; provided, however, the report made by the commission in the year two thousand twenty regarding judicial, legislative and executive compensation shall be issued not later than November 15, 2020. Any findings, conclusions, determinations and recommendations in the report must be adopted by a majority vote of the commission and shall also be supported by at least one member appointed by each appointing authority. Each recommendation made to implement a determination pursuant to section two of this act shall have the force of law, and shall supersede, where appropriate, inconsistent provisions of article 7-B of the judiciary law, section 169 of the executive law, and sections 5 and 5-a of the legislative law, unless modified or abrogated by statute prior to April first of the year as to which such determination applies to judicial compensation and January first of the
1 year as to which such determination applies to legislative and executive
2 compensation.
3 § 2. This act shall take effect immediately.