



THE EXECUTIVE BUDGET CITIZEN'S GUIDE

SUBMISSION OF THE EXECUTIVE BUDGET

New York State’s budget process uses an Executive Budget model, in which the Governor is responsible for developing and preparing a comprehensive and balanced budget proposal. The Governor is required by the State Constitution to seek and coordinate requests from agencies of State government, develop a “complete” plan of proposed expenditures and the revenues available to support them (a “balanced budget”), and submit a budget to the Legislature along with the appropriation bills and other legislation required to carry out budgetary recommendations.

What is a state agency? Any department, agency, or other instrumentality of the government of any State or of any political subdivision of any State.

What is a Budget bill? Defined by Section 3 of Article VII (7) of the NYS Constitution: At the time of submitting the budget to the legislature the governor shall submit a bill or bills containing all the proposed **appropriations** and reappropriations included in the budget and the proposed legislation, if any, recommended therein.

What is an appropriation? The authorization, through law, to allocate funds.

From Section 7 of Article VII of the NYS Constitution: No money shall ever be paid out of the state treasury or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law...

When is the Executive Budget due? The Executive Budget must be submitted on or before the second Tuesday following the first day of the annual meeting of the legislature or by February 1 in an election year.

EXECUTIVE AMENDMENTS

Following the submission of the Executive Budget, the Constitution authorizes the Governor to submit technical corrections and revisions based on the latest information within 30 days. However, to help achieve timely budgets, the 2007 Budget Reform Act requires the Executive, to the extent practicable,

submit any necessary amendments within 21 days. Any amendments are made available on the Budget Division’s website when submitted to the Legislature.

LEGISLATIVE REVIEW AND RECOMMENDATIONS

The legislative review process includes **public hearings** on the Governor’s Budget. These hearings are scheduled by the **Senate Finance and Assembly Ways and Means Committees**, which are responsible for coordinating each house’s action on the budget.

The Budget Reform Act mandates the use of conference committees as part of the legislative budget process. These committees, which have been used in various forms in the past, must now be called early in the process to facilitate agreement on a budget between the two houses. The two houses ultimately develop joint recommendations, amend the Governor’s proposed bills to reflect their decisions, and pass the amended bills. These final bills are available directly from the legislative document rooms and online.

BUDGET ENACTMENT

Except for appropriations for the Legislature and the Judiciary, appropriations proposed by the Governor become law immediately when passed by the Legislature. However, all items that have been added by the Legislature, and all appropriations for the Legislature and the Judiciary, must be sent to the Governor for approval or veto. The Constitution grants the Governor “line item veto” power, permitting the Governor to veto such items selectively, while approving the remainder of the bill.

Chapter numbers are assigned to bills that become law. For any bill or item of appropriation that is vetoed, the Governor provides a “veto message” to the Legislature stating the reasons for the veto. Vetoes may be overridden by a two-thirds vote of each house of the Legislature, in which case the vetoed item or bill becomes law despite the Governor’s objections.

When is the budget due? The budget must be enacted by the start of the April 1, the start of the fiscal year.

POST ENACTMENT

After enactment of the budget, the Legislature is required to summarize its changes to the Executive Budget. This summary is presented in the “Green Book,” which is available from the Senate and Assembly document rooms. The Governor is required to revise the Financial Plan to reflect the Enacted Budget. Like the original Executive Budget and any amendments, this revised plan and subsequent updates are also made available on the Budget Division’s website.

LEARN MORE

Readers are encouraged to visit the New York State Budget Division online, budget.ny.gov, and the Open Budget website, openbudget.ny.gov, to access the latest information and documents related to the Executive Budget proposal and the Enacted Budget. All materials are made available on the website within 24 hours.