

NYS Legislative Structure & Process 2023

NYS Structure consists of executive branch, legislative branch, and judicial branch

Executive Branch:

Governor: Kathleen Hochul
Lieutenant Governor: Anthony Delgato
State Comptroller: Thomas DiNapoli
Attorney General: Letitia James

Legislative Branch:

Bicameral: 2 houses – senate (63) and assembly (150)

Judicial Branch

State and Municipal courts

Legislative Branch

Senate:

- 63 members elected by districts
- Lieutenant governor is president of the senate – currently Anthony Delgato
- Senate majority leader is 3rd in line for governor – currently Andrea Stewart Cousins (D)
- Senate minority leader – currently Robert Ortton[®]

Assembly

- “The People’s House”
- 150 members elected at district level
- Speaker of the assembly – currently Carl Heastie (D)
- Speaker makes committee assignment
- Majority leader of the assembly – Crystal Peoples-Stokes (D) – district 141
- Minority leader of the assembly – William Barkley[®] - district 120

Legislative Process

- Bills start as ideas
- Ideas can come from a variety of sources (i.e., professional association), but usually require legal expertise
- A bill must have a sponsor to be introduced
- Co-sponsors can then be added – the more co-sponsors, the more likely a bill will be passed
- Bills can only be introduced by legislators or by standing committees of the Senate and Assembly. The only exception is the Executive Budget, which is submitted directly by the Governor.

- Upon introduction in the Senate, a bill goes to the Introduction and Revision Office, where it is examined and may be modified, assigned a number, sent to the appropriate standing committee, entered into the Senate database, deemed to have had its first and second readings and printed.
- Bills then go to the appropriate committees
- Weekly committee agendas are issued, listing the bills and issues each committee will handle the following week. Committees often hold public hearings on bills to gather the widest possible range of opinion.
- Input on bills from the public can take place at the committee level – can go either directly to the committee chair, or citizens can send comments to their district leaders to be relayed to the committee members.
- Committees can amend the bill, reject the bill or send it to full senate for vote
- Once out of committee, a bill is placed on the daily calendar or agenda – in order that they are reported from committee.
- Bills must be in front of legislators for 3 days before vote takes place – the majority leader may halt process at this point and “star” the bill, preventing a vote on the bill until the star is removed
- When bills come up for a vote (“Third Reading”), it is subject to debate, discussion, or explanation.
- Bills can be amended by any legislator when it is on the floor
- The public can participate during this process by conveying views to their representatives
- Sometimes the Senate and Assembly pass similar bills but cannot easily reconcile the differences between them – in which case a conference committee, appointed by the senate majority leader and assembly speaker, can be used to resolve differences. After agreement is reached, a bill is printed and processed like any other bill.
- Once a bill is voted and passed, it will go to the other chamber – to the appropriate committee and the process plays out as described.
- If the bill passes in the other chamber, it goes to the governor to be signed (or vetoed)
- If the other chamber makes changes to the bill, it will return to the chamber where it was originally passed. Here, if the language in the bill is accepted, it can be passed again and will go to the governor.
- The governor has 10 days to sign a bill. If the Governor does not sign or veto the bill within the 10-day period, it becomes law automatically.
- Vetoed bills are returned to the house that first passed them, together with a statement of the reason for their disapproval.
- A vetoed bill can become law if two-thirds of the members of each house vote to override the Governor's veto.
- If the legislature is out of session, the governor has 30 days to sign the bill. If there is no signature, the bill is in effect vetoed.
- Public input can occur at any stage of the process prior to the Governor’s signature. Public comments are an important part of the process and can impact how the bill develops through the process.

