

# Fiscal Impact Statement Prepared By New York City Mayor's Office of Management and Budget



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**Disclaimer:** This fiscal impact statement is a preliminary estimate and subject to change based upon further data analysis or changes in bill text. This legislation is summarized as understood by the administration as of the date this statement was prepared and does not include or consider subsequent text changes. This fiscal impact statement is not legally binding on the administration. "Total" columns represent the respective sum over a four-year period; note that fiscal impacts continue after year four. Unless otherwise stated, information used in the preparation of this Fiscal Impact Statement is sourced from the agencies impacted and the NYC Mayor's Office of Management and Budget.

**Proposed Intro No. / Title:** *Int. 47 / Repealing the misdemeanor criminal penalties for general vendors and mobile food vendors*

**Sponsors:** Krishnan, Sanchez, Fariás, De La Rosa, Hanif, Ayala, Ossé, Cabán, Nurse, Marte, Restler, Gutiérrez, Won, Avilés, Hudson, Louis, the Public Advocate (Mr. Williams), and Council Members Stevens, Brewer, Bottcher, Feliz, Rivera, Abreu, Brannan, Banks

**Committee:** Consumer and Worker Protection

**Summary of Legislation:** This legislation replaces the misdemeanor criminal penalties for mobile food vendors and general vendors with civil penalties. Additionally, the legislation updates the penalty schedule for civil violations for food vendors, including for continued unlicensed activity as defined by the Department of Health and Mental Hygiene (DOHMH). The Office of Administrative Trials and Hearings (OATH) would have the authority to impose civil penalties regarding the updated regulations for mobile food vendors and general vendors.

**Effective Date:** 180 days after enactment

**First Fiscal Year Legislation Takes Effect:** Fiscal Year 2026

**First Fiscal Year with Full Impact:** Fiscal Year 2026

**Agencies Impacted:** Office of Administrative Trials and Hearings

## **Fiscal Impact Analysis**

### **A. Total Impact (Expense and Revenue)**

	<b>Fiscal Year 1</b>	<b>Fiscal Year 2</b>	<b>Fiscal Year 3</b>	<b>Fiscal Year 4</b>	<b>Total</b>
Expense	(\$1,889,520)	(\$1,889,520)	(\$1,889,520)	(\$1,889,520)	(\$7,558,080)
Revenue	0	0	0	0	0
Total	(\$1,889,520)	(\$1,889,520)	(\$1,889,520)	(\$1,889,520)	(\$7,558,080)

### **B. Expense**

	<b>Fiscal Year 1</b>	<b>Fiscal Year 2</b>	<b>Fiscal Year 3</b>	<b>Fiscal Year 4</b>	<b>Total</b>
Expenditures	(\$1,889,520)	(\$1,889,520)	(\$1,889,520)	(\$1,889,520)	(\$7,558,080)

#### **Impact on Expenditures (Expense):**

It is anticipated that OATH will incur costs associated with an increased number of adjudications now under its purview. OATH anticipates Personal Services (PS) cost of \$1,764,520, including fringe, for 12 new staff:

- 7 new staff attorneys,
- 4 new Clerk's Office staff, and
- 1 new operation professional in information technology.

OATH anticipates annual Other Than Personal Service (OTPS) costs of \$125,000 to cover postage, computers, and Fedcap software costs to process adjudications.

### **C. Revenue**

	<b>Fiscal Year 1</b>	<b>Fiscal Year 2</b>	<b>Fiscal Year 3</b>	<b>Fiscal Year 4</b>	<b>Total</b>
Revenue	0	0	0	0	0

#### **Impact on Revenue:**

There could be an impact to revenues, but total impact varies based on the rate of noncompliance and issuance of violations.

### **D. Capital**

	<b>Fiscal Year 1</b>	<b>Fiscal Year 2</b>	<b>Fiscal Year 3</b>	<b>Fiscal Year 4</b>	<b>Total</b>
Expenditures	0	0	0	0	0

#### **Impact on Expenditures (Capital):**

There is no anticipated impact on capital expenditures.