

(Pub. L. 104-4, § 5, Mar. 22, 1995, 109 Stat. 50.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 104-4, Mar. 22, 1995, 109 Stat. 48, known as the Unfunded Mandates Reform Act of 1995. For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

SUBCHAPTER I—LEGISLATIVE ACCOUNTABILITY AND REFORM

§ 1511. Cost of regulations

(a) Sense of Congress

It is the sense of the Congress that Federal agencies should review and evaluate planned regulations to ensure that the cost estimates provided by the Congressional Budget Office will be carefully considered as regulations are promulgated.

(b) Statement of cost

At the request of a committee chairman or ranking minority member, the Director shall, to the extent practicable, prepare a comparison between—

- (1) an estimate by the relevant agency, prepared under section 1532 of this title, of the costs of regulations implementing an Act containing a Federal mandate; and
- (2) the cost estimate prepared by the Congressional Budget Office for such Act when it was enacted by the Congress.

(c) Cooperation of Office of Management and Budget

At the request of the Director of the Congressional Budget Office, the Director of the Office of Management and Budget shall provide data and cost estimates for regulations implementing an Act containing a Federal mandate covered by part B of title IV of the Congressional Budget and Impoundment Control Act of 1974 [2 U.S.C. 658 et seq.].

(Pub. L. 104-4, title I, § 103, Mar. 22, 1995, 109 Stat. 62.)

Editorial Notes

REFERENCES IN TEXT

The Congressional Budget and Impoundment Control Act of 1974, referred to in subsec. (c), is Pub. L. 93-344, July 12, 1974, 88 Stat. 297. Part B of title IV of the Act is classified generally to part B (§ 658 et seq.) of subchapter II of chapter 17A of this title. For complete classification of this Act to the Code, see Short Title note set out under section 621 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 104-4, title I, § 110, Mar. 22, 1995, 109 Stat. 64, provided that: “This title [enacting this subchapter and sections 658 to 658g of this title and amending sections 602, 632, and 653 of this title] shall take effect on January 1, 1996 or on the date 90 days after appropriations are made available as authorized under section 109 [2 U.S.C. 1516], whichever is earlier and shall apply to legislation considered on and after such date.”

§ 1512. Consideration for Federal funding

Nothing in this chapter shall preclude a State, local, or tribal government that already com-

plies with all or part of the Federal intergovernmental mandates included in the bill, joint resolution, amendment, motion, or conference report from consideration for Federal funding under section 658d(a)(2) of this title for the cost of the mandate, including the costs the State, local, or tribal government is currently paying and any additional costs necessary to meet the mandate.

(Pub. L. 104-4, title I, § 105, Mar. 22, 1995, 109 Stat. 62.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 104-4, Mar. 22, 1995, 109 Stat. 48, known as the Unfunded Mandates Reform Act of 1995. For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1996, or on the date 90 days after appropriations are made available as authorized under section 1516 of this title, whichever is earlier, and applicable to legislation considered on and after such date, see section 110 of Pub. L. 104-4, set out as a note under section 1511 of this title.

§ 1513. Impact on local governments

(a) Findings

The Senate finds that—

- (1) the Congress should be concerned about shifting costs from Federal to State and local authorities and should be equally concerned about the growing tendency of States to shift costs to local governments;
- (2) cost shifting from States to local governments has, in many instances, forced local governments to raise property taxes or curtail sometimes essential services; and
- (3) increases in local property taxes and cuts in essential services threaten the ability of many citizens to attain and maintain the American dream of owning a home in a safe, secure community.

(b) Sense of Senate

It is the sense of the Senate that—

- (1) the Federal Government should not shift certain costs to the State, and States should end the practice of shifting costs to local governments, which forces many local governments to increase property taxes;
- (2) States should end the imposition, in the absence of full consideration by their legislatures, of State issued mandates on local governments without adequate State funding, in a manner that may displace other essential government priorities; and
- (3) one primary objective of this chapter and other efforts to change the relationship among Federal, State, and local governments should be to reduce taxes and spending at all levels and to end the practice of shifting costs from one level of government to another with little or no benefit to taxpayers.

(Pub. L. 104-4, title I, § 106, Mar. 22, 1995, 109 Stat. 63.)