



SAPA § 204-a Appeal Request

In addition to reviewing and advancing proposals to reduce the statutory and regulatory burden on local governments and school districts, the Mandate Relief Council may also hear appeals from local governments and school districts that object to a state agency's determination pursuant to the State Administrative Procedure Act (SAPA) § 204-a.

SAPA § 204-a allows local governments to petition state agencies for an alternative method for implementing regulatory mandates. After reviewing the petition, the state agency makes a determination on whether to allow the alternative method and under what conditions. If the local government objects to the state agency's determination, the local government may appeal to the Council.

If a local government wishes for the Council to hear an appeal, the appropriate local government official should send a letter to the Council that outlines the specific objections to the determination and the relief that the local government is seeking. Along with the letter, the local government official should also provide all information provided to and received from the state agency, contact information for the local government representative who will coordinate requests for any additional information, and any other information that the Council should consider.

Upon receipt of a request for an appeal, the Council will review the state agency's determination and may affirm, modify, or reject such determination.

Appeals requests and supporting information should be sent to mandate.council@exec.ny.gov.
