

New York City Civic Engagement Commission

Notice of Adoption of Final Rules

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE CIVIC ENGAGEMENT COMMISSION by Sections 3202 and 1043 of the New York City Charter that the Commission has adopted rules pertaining to the minimum age requirement for participation in the Citywide participatory budgeting program.

Statement of Basis and Purpose of the Rule

In November 2018, New York City voters approved a ballot initiative proposed by the 2018 Charter Revision Commission that established the New York City Civic Engagement Commission. The proposal was codified as Chapter 76 of the New York City Charter. Chapter 76 directs the Civic Engagement Commission to implement the citywide participatory budgeting (“PB”) program established under section 225-a of the Charter.

The goal of the program is to promote the participation of residents in identifying and expressing preferences among recommendations for local projects to be considered for inclusion in the executive budget. Section 3202(a)(1)(e) provides that any New York City resident at least 16 years of age may participate in the citywide PB program and authorizes the Commission to establish by rule a minimum age requirement lower than 16 years of age.

The rule sets the minimum age for the citywide PB program at 11 years of age. Allowing New Yorkers ages 11 and up to participate in the citywide PB program is in line with the eligibility requirements for the City Council’s participatory budgeting program and the PB program that the Department of Education operates in middle schools throughout the city.

Section 3202(a)(1)(e) of the Charter also authorizes the Commission to impose restrictions for the protection of minors who participate in the citywide PB program. The rule requires children between the ages of 13 and 17 to obtain parental or guardian consent before registering an account on the Commission’s digital platform that enables city residents to submit, comment on, and vote for participatory budgeting proposals, currently hosted at <https://www.participate.nyc.gov/>. Children under the age of 13 are prohibited from registering an account on the digital platform. Nevertheless, children who are unable to register an account will be able to use other methods to participate in the citywide PB program, including through paper ballots.

The authority for this rule is found in section 3202(a)(1)(e) of the New York City Charter.

Section 1. Title 73 of the Rules of the City of New York is amended by adding a new chapter 2 to read as follows:

2-01 Definitions.

“Citywide participatory budgeting program.” The term “citywide participatory budgeting program” means the program established pursuant to section 225-a of the charter of the city of New York and implemented pursuant to paragraph 1 of subdivision a of section 3202 of such charter.

“Commission.” The term “commission” means the New York city civic engagement commission or the chair acting on behalf of the commission.

“Digital platform.” The term “digital platform” means an online platform used by the commission to enable city residents to submit, comment on and vote for participatory budgeting proposals.

2-02 Minimum age requirement. A resident of New York city at least 11 years of age is eligible for participation in the citywide participatory budgeting program.

2-03 Restrictions for the protection of children.

a. Children under the age of 13 may not register an account on the digital platform.

b. Children ages 13 through 17 may not register an account on the digital platform unless they receive parental or guardian consent to register such account. This subdivision does not apply to a child who is a legally emancipated adult.