

3544--A

2011-2012 Regular Sessions

I N   S E N A T E

February 25, 2011

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Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to land use compliance for public construction projects

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The general municipal law is amended by adding a new  
2     section 99-w to read as follows:  
3     S 99-W. LAND USE PLANNING; COMPLIANCE. 1. NOTWITHSTANDING ANY OTHER  
4     PROVISION OF LAW, ANY UNIT OF GOVERNMENT, OR SUBSIDIARY THEREOF, SHALL,  
5     WITH RESPECT TO THE CONSTRUCTION, DEVELOPMENT, PLANNING, SITING, LEAS-  
6     ING, OPERATING OR OWNERSHIP OF ANY FACILITY, BUILDING OR ANY OTHER  
7     CONSTRUCTION WHICH IS LOCATED OR PROPOSED TO BE LOCATED WITHIN THE  
8     STATE, COMPLY WITH ALL LOCAL, STATE AND FEDERAL LAWS, RULES, REGULATIONS  
9     AND ORDINANCES WITH RESPECT TO LAND USE PLANNING AND REVIEW OR ZONING  
10    APPLICABLE TO SUCH LOCATION OR PROPOSED LOCATION.  
11    2. FOR PURPOSES OF THIS SECTION, THE TERM "UNIT OF GOVERNMENT" SHALL  
12    MEAN THE STATE, A COUNTY, CITY, TOWN, VILLAGE OR ANY OTHER POLITICAL  
13    SUBDIVISION OR CIVIL DIVISION OF THE STATE, A SCHOOL DISTRICT OR ANY  
14    GOVERNMENTAL ENTITY OPERATING A PUBLIC SCHOOL, COLLEGE OR UNIVERSITY, A  
15    PUBLIC IMPROVEMENT OR SPECIAL DISTRICT, A PUBLIC AUTHORITY, COMMISSION,  
16    COMMITTEE OR PUBLIC BENEFIT CORPORATION, OR ANY OTHER PUBLIC CORPO-  
17    RATION, AGENCY OR INSTRUMENTALITY OR UNIT OF GOVERNMENT WHICH EXERCISES  
18    GOVERNMENTAL POWERS UNDER THE LAWS OF THE STATE.  
19    S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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