

931

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Judiciary

AN ACT to amend the eminent domain procedure law, in relation to the
exercise of the power of eminent domain to develop blighted areas of
the state

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

1 Section 1. Subdivision (G) of section 103 of the eminent domain proce-
2 dure law is amended and a new subdivision (H) is added to read as
3 follows:
4 (G) "Public project" means any program or project for which acquisi-
5 tion of property may be required for a public use, benefit or purpose,
6 PROVIDED THAT WHERE THE PURPOSE OF SUCH PROGRAM OR PROJECT IS TO PROVIDE
7 ECONOMIC DEVELOPMENT IN AN AREA OF THE STATE, THE TERM "PUBLIC PROJECT"
8 SHALL BE LIMITED TO ANY PROGRAM OR PROJECT FOR WHICH ACQUISITION OF
9 PROPERTY MAY BE REQUIRED TO PROVIDE ECONOMIC DEVELOPMENT IN A BLIGHTED
10 AREA OF THE STATE.
11 (H) "BLIGHTED AREA" MEANS AN AREA IN WHICH ONE OR BOTH OF THE FOLLOW-
12 ING CONDITIONS EXIST: (I) A PREDOMINANCE OF BUILDINGS AND STRUCTURES
13 WHICH ARE DETERIORATED OR UNFIT OR UNSAFE FOR USE OR OCCUPANCY; OR (II)
14 A PREDOMINANCE OF ECONOMICALLY UNPRODUCTIVE LANDS, BUILDINGS OR STRUC-
15 TURES, THE REDEVELOPMENT OF WHICH IS NEEDED TO PREVENT FURTHER DETERI-
16 ORATION WHICH WOULD JEOPARDIZE THE ECONOMIC WELL-BEING OF THE PEOPLE.
17 S 2. This act shall take effect on the first of January next succeed-
18 ing the date on which it shall have become a law.

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

LBD04401-01-1