S T A T E O F N E W Y O R K

5167--A

Cal. No. 814

2013-2014 Regular Sessions

I N S E N A T E

May 13, 2013

Introduced by Sens. GRISANTI, KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- committee discharged and said bill committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the not-for-profit corporation law, in relation to the sale of property to land banks

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

Section 1. Subparagraph 2 of paragraph (a) of section 1603 of the not-for-profit corporation law, as added by chapter 257 of the laws of 2011, is amended to read as follows:

(2) the number of members of the board of directors, which shall consist of an odd number of members, and shall be not less than five members nor more than [eleven] FIFTEEN members;

S 2. Paragraph (i) of section 1616 of the not-for-profit corporation law, as added by chapter 257 of the laws of 2011, is amended to read as follows:

(i) Notwithstanding any other provision of law to the contrary, in the event that no municipality elects to tender a bid at a [judicially ordered] PUBLIC sale pursuant to the provisions of section eleven hundred [thirty-six] SIXTY-SIX of the real property tax law OR SALE PURSUANT TO THE PROVISIONS OF A COUNTY CHARTER, CITY CHARTER, ADMINISTRATIVE CODE, OR SPECIAL LAW WHEN APPLICABLE UNDER SECTION ELEVEN HUNDRED FOUR OF THE REAL PROPERTY TAX LAW, the land bank may tender a bid at such sale in an amount equal to the total amount of all municipal claims and liens which were the basis for the judgment. In the event of such tender by the land bank the property shall be deemed sold to the

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

LBD09821-05-3

land bank regardless of any bids by any other third parties. The bid of the land bank shall be paid as to its form, substance, and timing according to such agreement as is mutually acceptable to the plaintiff and the land bank. The obligation of the land bank to perform in accordance with such agreement shall be deemed to be in full satisfaction of the municipal claim which was the basis for the judgment. The land bank, as purchaser at such PUBLIC sale OR SALE PURSUANT TO THE PROVISIONS OF A COUNTY CHARTER, CITY CHARTER, ADMINISTRATIVE CODE, OR SPECIAL LAW WHEN APPLICABLE UNDER SECTION ELEVEN HUNDRED FOUR OF THE REAL PROPERTY TAX LAW, shall take and forever thereafter have, an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, charges and estates of whatsoever kind. The deed to the land bank shall be executed, acknowledged and delivered within thirty days of the sale. ALL LAND BANK ACQUISITIONS PURSUANT TO THIS PARAGRAPH SHALL COMPLY WITH SECTION SIXTEEN HUNDRED EIGHT OF THIS ARTICLE AND ALL DISPOSITIONS OF PROPERTY ACQUIRED PURSUANT TO THIS PARAGRAPH SHALL COMPLY WITH SECTION SIXTEEN HUNDRED NINE OF THIS ARTICLE.

S 3. This act shall take effect immediately.