

6448

I N S E N A T E

January 24, 2014

Introduced by Sen. DILAN -- 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 an expedited process for certain buildings

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

1 Section 1. Section 201 of the eminent domain procedure law, as amended
2 by chapter 356 of the laws of 1982, is amended to read as follows:
3 S 201. Public hearings. Except as provided herein, prior to acquisition,
4 the condemnor, in order to inform the public and to review the
5 public use to be served by a proposed public project and the impact on
6 the environment and residents of the locality where such project will be
7 constructed, shall conduct a public hearing in accordance with the
8 provisions of this article at a location reasonably proximate to the
9 property which may be acquired for such project. NO HEARING SHALL BE
10 REQUIRED FOR THE ACQUISITION OF A BUILDING THAT HAS BEEN BUILT WITH
11 PUBLIC FUNDS OR THAT HAS BEEN SOLELY OCCUPIED BY A PUBLIC ENTITY OR
12 PUBLIC BENEFIT ORGANIZATION FOR THE PAST TWENTY-FIVE YEARS.
13 S 2. Subdivision (A) of section 204 of the eminent domain procedure
14 law, as amended by chapter 356 of the laws of 1982, is amended to read
15 as follows:
16 (A) The condemnor, within ninety days after the conclusion of the
17 public hearings held pursuant to this article, OR IMMEDIATELY FOR ANY
18 BUILDING BUILT OR OCCUPIED BY A PUBLIC ENTITY OR PUBLIC BENEFIT ORGAN-
19 IZATION AS STATED IN SECTION TWO HUNDRED ONE OF THIS ARTICLE, shall make
20 its determination and findings concerning the proposed public project
21 and shall publish a brief synopsis of such determination and findings in
22 at least two successive issues of an official newspaper if there is one
23 designated in the locality where the project will be situated and in at
24 least two successive issues of a newspaper of general circulation in
25 such locality. If the official newspaper is one of general circulation
26 in such locality, publication therein as specified shall be deemed
27 sufficient compliance. The synopsis shall include those factors set
28 forth in subdivision (B) herein, and shall also state that copies of the

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

LBD13472-02-4

1 determination and findings will be forwarded upon written request with-
2 out cost.

3 S 3. Section 206 of the eminent domain procedure law is amended by
4 adding a new subdivision (F) to read as follows:

5 (F) WHEN THE BUILDING SOUGHT TO BE ACQUIRED HAS BEEN BUILT WITH PUBLIC
6 FUNDS OR HAS BEEN SOLELY OCCUPIED BY A PUBLIC ENTITY OR PUBLIC BENEFIT
7 ORGANIZATION FOR THE PAST TWENTY-FIVE YEARS.

8 S 4. This act shall take effect immediately.