

6471--A

I N S E N A T E

January 14, 2016

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to method of collection of charges by the Water Authority of Great Neck North and the Water Authority of Western Nassau County

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

1 Section 1. Sections 1197-r and 1197-s of the public authorities law
2 are renumbered sections 1197-y and 1197-z and a new section 1197-r is
3 added to read as follows:
4 S 1197-R. CHARGES BY AUTHORITY; METHOD OF COLLECTION. ALL RATES, FEES
5 AND OTHER CHARGES FOR THE USE OR AVAILABILITY OF THE FACILITIES OR
6 SERVICES OR COMMODITIES PROVIDED OR MADE AVAILABLE BY THE AUTHORITY AND
7 BILLED DIRECTLY BY THE AUTHORITY TO THE USER OR SERVICE RECIPIENT PURSU-
8 ANT TO THE RATE SCHEDULES ADOPTED BY THE AUTHORITY AS HEREIN PROVIDED
9 SHALL BE A LIEN UPON THE REAL PROPERTY UPON WHICH, OR IN CONNECTION WITH
10 WHICH, SERVICES ARE PROVIDED OR ARE MADE AVAILABLE, AS AND FROM THE
11 FIRST DATE FIXED FOR A PAYMENT OF SUCH RATES, FEES AND OTHER CHARGES.
12 ANY SUCH LIEN SHALL TAKE PRECEDENCE OVER ALL OTHER LIENS, OR ENCUMBRANC-
13 ES, EXCEPT TAXES OR ASSESSMENTS. THE CHIEF FINANCIAL OFFICER OF THE
14 AUTHORITY SHALL PREPARE AND TRANSMIT TO THE NASSAU COUNTY LEGISLATURE,
15 ON OR BEFORE THE FIRST DAY OF NOVEMBER IN EACH YEAR, A LIST OF THOSE
16 PROPERTIES USING SUCH FACILITIES OR FOR WHICH SUCH FACILITIES, SERVICES
17 OR COMMODITIES WERE PROVIDED OR MADE AVAILABLE AND FROM WHICH THE
18 PAYMENT OF RATES, FEES AND OTHER CHARGES ARE IN ARREARS FOR A PERIOD OF
19 NINETY DAYS OR MORE AFTER THE LAST DAY FIXED FOR PAYMENT OF SUCH RATES,
20 FEES AND OTHER CHARGES WITHOUT PENALTY. THE LIST SHALL CONTAIN A BRIEF
21 DESCRIPTION OF SUCH PROPERTIES, THE NAMES OF THE PERSONS OR CORPORATIONS
22 LIABLE TO PAY FOR THE SAME, AND THE AMOUNT CHARGEABLE TO EACH, INCLUDING
23 PENALTIES AND INTEREST, AS APPLICABLE, COMPUTED TO DECEMBER THIRTY-FIRST
24 OF THAT YEAR. THE NASSAU COUNTY LEGISLATURE SHALL LEVY SUCH SUMS AGAINST
25 THE PROPERTIES LIABLE AND SHALL STATE THE AMOUNT THEREOF IN A SEPARATE

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

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1 COLUMN IN THE ANNUAL TAX ROLLS OF THE COUNTY UNDER THE HEADING "WATER
2 CHARGE". SUCH AMOUNTS, EXCLUDING PENALTIES AND INTEREST IMPOSED BY THE
3 COUNTY WHEN COLLECTED BY THE COUNTY COLLECTOR OR RECEIVERS OF TAXES,
4 SHALL BE PAID OVER TO THE CHIEF FINANCIAL OFFICER OF THE AUTHORITY.
5 COUNTY IMPOSED PENALTIES AND INTEREST SHALL BE RETAINED BY THE COUNTY
6 COLLECTOR OR RECEIVER OF TAXES WHICH SHALL BECOME A PART OF THE GENERAL
7 FUNDS OF THE COUNTY. ALL OF THE PROVISIONS OF THE TAX LAW OF THE STATE
8 GOVERNING ENFORCEMENT AND COLLECTION OF UNPAID TAXES OR ASSESSMENTS FOR
9 SPECIAL IMPROVEMENTS NOT INCONSISTENT HEREWITH SHALL APPLY TO THE
10 COLLECTION OF SUCH UNPAID RATES, RENTALS, FEES AND OTHER CHARGES.

11 S 2. Sections 1198-s and 1198-t of the public authorities law, as
12 renumbered by chapter 678 of the laws of 1992, are renumbered sections
13 1198-y and 1198-z and a new section 1198-s is added to read as follows:

14 S 1198-S. CHARGES BY AUTHORITY; METHOD OF COLLECTION. ALL RATES, FEES
15 AND OTHER CHARGES FOR THE USE OR AVAILABILITY OF THE FACILITIES OR
16 SERVICES OR COMMODITIES PROVIDED OR MADE AVAILABLE BY THE AUTHORITY AND
17 BILLED DIRECTLY BY THE AUTHORITY TO THE USER OR SERVICE RECIPIENT PURSU-
18 ANT TO THE RATE SCHEDULE ADOPTED BY THE AUTHORITY AS HEREIN PROVIDED
19 SHALL BE A LIEN UPON THE REAL PROPERTY UPON WHICH, OR IN CONNECTION WITH
20 WHICH, SERVICES ARE PROVIDED OR ARE MADE AVAILABLE, AS AND FROM THE
21 FIRST DATE FIXED FOR A PAYMENT OF SUCH RATES, FEES AND OTHER CHARGES.
22 ANY SUCH LIEN SHALL TAKE PRECEDENCE OVER ALL OTHER LIENS, OR ENCUMBRANC-
23 ES, EXCEPT TAXES OR ASSESSMENTS. THE CHIEF FINANCIAL OFFICER OF THE
24 AUTHORITY SHALL PREPARE AND TRANSMIT TO THE NASSAU COUNTY LEGISLATURE,
25 ON OR BEFORE THE FIRST DAY OF NOVEMBER IN EACH YEAR, A LIST OF THOSE
26 PROPERTIES USING SUCH FACILITIES OR FOR WHICH SUCH FACILITIES, SERVICES
27 OR COMMODITIES WERE PROVIDED OR MADE AVAILABLE AND FROM WHICH THE
28 PAYMENT OF RATES, FEES AND OTHER CHARGES ARE IN ARREARS FOR A PERIOD OF
29 NINETY DAYS OR MORE AFTER THE LAST DAY FIXED FOR PAYMENT OF SUCH RATES,
30 FEES AND OTHER CHARGES WITHOUT PENALTY. THE LIST SHALL CONTAIN A BRIEF
31 DESCRIPTION OF SUCH PROPERTIES, THE NAMES OF THE PERSONS OR CORPORATIONS
32 LIABLE TO PAY FOR THE SAME, AND THE AMOUNT CHARGEABLE TO EACH, INCLUDING
33 PENALTIES AND INTEREST, AS APPLICABLE, COMPUTED TO DECEMBER THIRTY-FIRST
34 OF THAT YEAR. THE NASSAU COUNTY LEGISLATURE SHALL LEVY SUCH SUMS AGAINST
35 THE PROPERTIES LIABLE AND SHALL STATE THE AMOUNT THEREOF IN A SEPARATE
36 COLUMN IN THE ANNUAL TAX ROLLS OF THE COUNTY UNDER THE HEADING "WATER
37 CHARGE". SUCH AMOUNTS, EXCLUDING PENALTIES AND INTEREST IMPOSED BY THE
38 COUNTY WHEN COLLECTED BY THE COUNTY COLLECTOR OR RECEIVERS OF TAXES,
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42 FUNDS OF THE COUNTY. ALL OF THE PROVISIONS OF THE TAX LAW OF THE STATE
43 GOVERNING ENFORCEMENT AND COLLECTION OF UNPAID TAXES OR ASSESSMENTS FOR
44 SPECIAL IMPROVEMENTS NOT INCONSISTENT HEREWITH SHALL APPLY TO THE
45 COLLECTION OF SUCH UNPAID RATES, RENTALS, FEES AND OTHER CHARGES.

46 S 3. This act shall take effect immediately.