

STATE OF NEW YORK

11217

IN ASSEMBLY

June 15, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Lavine) --
read once and referred to the Committee on Ways and Means

AN ACT to amend the public authorities law, in relation to the Nassau
county interim finance authority

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivisions 1 and 2 of section 3656 of the public authori-
2 ties law, as amended by chapter 685 of the laws of 2003, are amended to
3 read as follows:

4 1. The authority shall have the power and is hereby authorized from
5 time to time to issue bonds in such principal amounts as it may deter-
6 mine to be necessary pursuant to section thirty-six hundred fifty-five
7 of this title to pay any financeable costs and to fund reserves to
8 secure such bonds, including incidental expenses in connection there-
9 with. Provided, however, the aggregate principal amounts of such bonds
10 issued to pay the financeable costs described in paragraph (a) of subdi-
11 vision twelve of section thirty-six hundred fifty-one of this title
12 shall not exceed four hundred fifteen million dollars, excluding bonds,
13 notes, or other obligations issued to refund or otherwise repay bonds,
14 notes, or other obligations theretofore issued for such purposes.
15 Notwithstanding the foregoing limit on the amount of bonds that the
16 authority may issue to pay the financeable costs described in paragraph
17 (a) of subdivision twelve of section thirty-six hundred fifty-one of
18 this title, the authority shall have the power to issue up to an addi-
19 tional seven hundred ninety million dollars of bonds, excluding bonds,
20 notes, or other obligations issued to refund or otherwise repay bonds,
21 notes, or other obligations theretofore issued for such purpose, to pay
22 such costs if the county's indebtedness to be refunded, repaid or
23 restructured with the payment of such bonds was originally incurred by
24 the county to pay tax certiorari settlements or assignments of any kind
25 to which the county is a party. Provided further, the aggregate princi-
26 pal amounts of such bonds issued to pay the financeable costs described
27 in paragraph (c) of subdivision twelve of section thirty-six hundred
28 fifty-one of this title, which resulted from certiorari proceedings

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

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1 commenced prior to June first, two thousand, shall not exceed four
2 hundred million dollars, excluding bonds, notes, or other obligations
3 issued to refund or otherwise repay bonds, notes, or other obligations
4 theretofore issued for such purposes. And, provided further, the aggregate
5 principal amounts of such bonds issued to pay the financeable county
6 costs described in paragraph (c) of subdivision twelve of section
7 thirty-six hundred fifty-one of this title, which resulted from certiorari
8 proceedings commenced on or after June first, two thousand, shall
9 not exceed ~~four~~ eight hundred million dollars in the aggregate ~~[for the fiscal years two thousand through two thousand seven, however, of said four hundred million dollars only fifteen million dollars may be issued in the fiscal year two thousand six and ten million dollars may be issued in the fiscal year two thousand seven]~~, excluding bonds,
10 notes, or other obligations issued to refund or otherwise repay bonds,
11 notes, or other obligations theretofore issued for such purposes. Effective
12 in the year two thousand six, upon request of the county, the
13 authority shall issue, in the amount requested, bonds to pay tax
14 certiorari settlements or judgments of any kind to which the county is a
15 party, not to exceed fifteen million dollars; and effective in the year
16 two thousand seven, upon request of the county, the authority shall
17 issue, in the amount requested, bonds to pay tax certiorari settlements
18 or judgments of any kind to which the county is a party, not to exceed
19 ten million dollars. Whenever this title establishes a limit on the
20 principal amount of bonds that the authority is authorized to issue,
21 there shall not be counted against such limit (i) amounts determined by
22 the authority as reasonable to be used to pay the cost of issuing such
23 bonds, (ii) the amount of bonds that would constitute interest under the
24 Internal Revenue Code of 1986, as amended, and (iii) amounts determined
25 by the authority as necessary to establish any reserves.

26 The authority shall have the power from time to time to refund any
27 bonds of the authority by the issuance of new bonds, whether the bonds
28 to be refunded have or have not matured, and may issue bonds partly to
29 refund bonds of the authority then outstanding and partly to pay the
30 financeable costs pursuant to section thirty-six hundred fifty-five of
31 this title. Bonds issued by the authority shall be payable solely out of
32 particular revenues or other moneys of the authority as may be designated
33 in the proceedings of the authority under which the bonds shall be
34 authorized to be issued, subject to any agreements entered into between
35 the authority and the county, and subject to any agreements with the
36 holders of outstanding bonds pledging any particular revenues or moneys;
37 but in no event shall transitional state aid be pledged as security for
38 or be made available for the payment of bonds.

39 2. The authority is authorized to issue its bonds for a period ending
40 not later than December thirty-first, two thousand ~~seven~~ twenty-one.
41 The authority may issue bonds to refund bonds previously issued without
42 regard to the limitation in the first sentence of this subdivision, but
43 in no event shall any bonds of the authority finally mature later than
44 January thirty-first, two thousand ~~thirty-six~~ forty-one. Notwithstanding
45 any other provision of law, no bond of the authority shall
46 mature more than thirty years from the date of its issue.

47 § 2. Severability. If any provision of this act or if any application
48 thereof to any person or circumstance is held invalid, the remainder of
49 this act and the application of the provision to other persons and
50 circumstances shall not be affected thereby.

51 § 3. This act shall take effect immediately.