

STATE OF NEW YORK

1875

2019-2020 Regular Sessions

IN SENATE

January 17, 2019

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the New York state urban development corporation act, in relation to extending the amount of time between notice of a project and a public hearing

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

1 Section 1. Subdivision (c) of section 6 of section 1 of chapter 174 of
2 the laws of 1968 constituting the New York state urban development
3 corporation act is amended to read as follows:

4 (c) to any other person, firm, partnership or corporation, without
5 public bidding or public sale, provided there is published in at least
6 one newspaper of general circulation in the municipality in which the
7 project is located a notice which shall include a statement of the iden-
8 tity of the proposed purchaser or lessee and of his proposed use or
9 reuse of the land use improvement project area or applicable portion
10 thereof, the price or rental to be paid by such purchaser or lessee, all
11 other essential conditions of such sale or lease, and a statement that a
12 public hearing upon such sale or lease will be held before the corpo-
13 ration at a specified time and place on a date not less than [~~ten~~ twen-
14 ty days after such publication, and provided further that such public
15 hearing is held in accordance with such notice.

16 § 2. Subdivision 2 of section 8 of section 1 of chapter 174 of the
17 laws of 1968 constituting the New York state urban development corpo-
18 ration act is amended to read as follows:

19 (2) Before any sale or lease of all or a substantial part of a project
20 as authorized by subdivision one of this section is consummated, there
21 shall be published in at least one newspaper of general circulation in
22 the municipality in which the project is located a notice which shall
23 include a statement of the identity of the proposed purchaser or lessee,

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

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1 the price or rental to be paid, all other essential conditions of such
2 sale or lease, and a statement that a public hearing upon such sale or
3 lease will be held before the corporation at a specified time and place
4 on a date not less than [~~ten~~] twenty days after such publication, and
5 such hearing shall be held in accordance with such notice; provided,
6 however, that if the corporation determines that trade secrets or other
7 confidential information about the prospective purchaser's or lessee's
8 business operations, products, processes or designs would otherwise be
9 revealed by such public notice and public hearing, the requirements of
10 this subdivision may be waived by unanimous vote of the directors of the
11 corporation.

12 § 3. Subdivision 2 of section 14 of section 1 of chapter 174 of the
13 laws of 1968 constituting the New York state urban development corpo-
14 ration act, as amended by chapter 576 of the laws of 1969, is amended to
15 read as follows:

16 (2) Notwithstanding the provisions of any general, special or local
17 law or charter, any municipality, by resolution of its local governing
18 body, is hereby empowered without referendum, public auction, sealed
19 bids or public notice, to sell, lease for a term not exceeding ninety-
20 nine years, grant or convey to the corporation any real property owned
21 by it which the corporation shall certify to be necessary or convenient
22 for its corporate purposes. Any such sale, lease, grant or conveyance
23 shall be made with or without consideration and upon such terms and
24 conditions as may be agreed upon by such municipality and the corpo-
25 ration. Certification shall be evidenced by a formal request from the
26 president of the corporation. Before any such sale, lease, grant or
27 conveyance may be made to the corporation, a public hearing shall be
28 held by the local governing body to consider the same. Notice of such
29 hearing shall be published at least [~~ten~~] twenty days before the date
30 set for the hearing in such publication and in such manner as may be
31 designated by the local governing body.

32 § 4. Subparagraph (iii) of paragraph (b) of subdivision 2 of section
33 16 of section 1 of chapter 174 of the laws of 1968 constituting the New
34 York state urban development corporation act, as amended by chapter 732
35 of the laws of 1990, is amended to read as follows:

36 (iii) in any city having a population of one million or more, provide
37 to any community board in which the project will be located, a notice
38 that such plan will be filed upon its adoption by the corporation and
39 that digests thereof will be available, which notice shall also state
40 that a public hearing will be held to consider the plan at a specified
41 time and place on a date not less than [~~ten~~] twenty days after such
42 publication;

43 § 5. This act shall take effect immediately.