

STATE OF NEW YORK

9403--A

IN ASSEMBLY

March 6, 2024

Introduced by M. of A. SANTABARBARA, GUNTHER, DAVILA, MANKTELOW, TAGUE
-- read once and referred to the Committee on Local Governments --
committee discharged, bill amended, ordered reprinted as amended and
recommitted to said committee

AN ACT to amend the not-for-profit corporation law, in relation to the
use of property in a land bank for the creation of a community garden

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

1 Section 1. Paragraph (e) of section 1609 of the not-for-profit corpo-
2 ration law, as added by chapter 257 of the laws of 2011, is amended to
3 read as follows:

4 (e) A foreclosing governmental unit may, in its local law, resolution
5 or ordinance creating a land bank, or, in the case of multiple foreclos-
6 ing governmental units creating a single land bank in the applicable
7 intergovernmental cooperation agreement, establish a hierarchical rank-
8 ing of priorities for the use of real property conveyed by a land bank
9 including but not limited to:

10 (1) use for purely public spaces and places, including community
11 gardens;

12 (2) use for affordable housing;

13 (3) use for retail, commercial and industrial activities;

14 (4) use as wildlife conservation areas; and

15 (5) such other uses and in such hierarchical order as determined by
16 the foreclosing governmental unit or units.

17 § 2. This act shall take effect immediately.

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

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