

STATE OF NEW YORK

7367

2025-2026 Regular Sessions

IN ASSEMBLY

March 25, 2025

Introduced by M. of A. KIM -- read once and referred to the Committee on
Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in
relation to requiring the office of parks, recreation and historic
preservation to acquire all mineral rights to real property acquired
by such office

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

1 Section 1. Subdivision 1 of section 3.17 of the parks, recreation and
2 historic preservation law, as amended by chapter 727 of the laws of
3 1978, is amended to read as follows:
4 1. Notwithstanding any other provision of law, the commissioner may
5 acquire such property as may be necessary for the purposes and functions
6 of the office, within the amounts appropriated or available therefore.
7 Such property may be acquired pursuant to the provisions of the eminent
8 domain procedure law, or by purchase, lease, exchange, grant, condemna-
9 tion, gift, devise, bequest, or by any other lawful means. No real prop-
10 erty shall be so acquired unless the title thereto is approved by the
11 attorney general. Provided, further, that no real property shall be
12 acquired, received, held or administered by the commissioner unless the
13 mineral rights on and under such land are also acquired by the commis-
14 sioner in the name of the people of the state of New York; provided,
15 however, that the commissioner may acquire, receive, hold or administer
16 real property to which the commissioner has not acquired the mineral
17 rights thereto in any case in which the commissioner finds that such
18 real property is of great significance and importance to the state.
19 Prior to the acquisition, receipt, holding or administration of real
20 property by the office to which the commissioner has not acquired the
21 mineral rights thereto, the commissioner shall issue an analytical
22 report that provides justification and the rationale for such property
23 acquisition, notwithstanding the lack of the mineral rights thereto,

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

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1 including but not limited to a description of the real property, the
2 significance and importance of the land to the state, and the economic
3 benefits and impacts and local impacts of acquiring such real property.
4 At least one month after the issuance of such report, the office shall
5 conduct one or more public hearings, with at least one such hearing in
6 the impacted area, and such actions shall be published in the environ-
7 mental notice bulletin at least one month prior to such hearing.

8 Notwithstanding the provisions of section eleven of the state finance
9 law, the commissioner may accept a conditional grant, gift, devise or
10 bequest with the approval of the director of the budget. Title to real
11 property which is acquired shall be taken in the name of and be vested
12 in the people of the state of New York.

13 § 2. This act shall take effect immediately and shall apply to real
14 property acquired or received on or after such date.