STATE OF NEW YORK

4203

2025-2026 Regular Sessions

IN SENATE

February 3, 2025

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to adjusting value capture mechanisms for New York city and the metropolitan transportation authority, including transparency requirements; and to amend part PP of chapter 54 of the laws of 2016, amending the general municipal law relating to the New York transit authority and the metropolitan transportation authority, in relation to making such value capture mechanisms and transparency requirements permanent

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

Section 1. Paragraph f of subdivision 1 of section 119-r of the general municipal law, as added by section 2 of part PP of chapter 54 of the laws of 2016, is amended to read as follows:

f. The making of a contract with the metropolitan transportation authority, by itself or with one or more other municipal corporations to assist the authority in meeting its capital or operating expenses in providing mass transportation services of benefit to all or part of such municipal corporation, including undertaking a mass transportation capital project in or near the municipal corporation. Such a municipal corporation may, according to the terms of the contract with the authority, establish, levy and collect taxes, assessments, and/or charges and may conditionally or unconditionally grant or pledge a portion of its revenues allocated according to subdivision e of this section. Such municipal corporation may designate mass transportation capital project districts that a municipal corporation finds, after conducting a public hearing, will benefit from an identified mass transportation capital project.

(i) (1) At least two weeks prior to conducting such public hearing under this subdivision, the municipal corporation shall produce and publish on its website two separate analyses that include: (A) revenue

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

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projections for the district based on historic property tax data and analysis that the fair market value of properties within the subdistrict is expected to increase as a result of the improvement, by more than would have occurred in the absence of such improvement; and (B) transportation engineering analysis showing how the public would be served by the mass transportation capital project in such district or area.

(2) Such analyses under clause one of this subparagraph shall include accompanying data in a machine-readable, tabular format, and an explanation of the methodology and specific assumptions used in each analysis. The public shall have the opportunity to submit written comments on such analyses provided, and the municipal corporation and/or the metropolitan transportation authority shall respond to public comment received in writing and at such public hearing in a report that is posted in the municipal corporation's website no later than one month after such hearing.

(ii) Upon designating [~~such~~] a mass transportation capital project district, the municipal corporation may allocate a portion of its revenues from the district according to terms it designs or has agreed to by contract. The municipal corporation may, in allocating and collecting revenues from the district, make use of one or more methods to capture the value created by a mass transportation capital project, including, but not limited to:

[~~(i) tax increment financing, meaning the allocation of an increment of property tax revenues in excess of the amount levied at the time prior to planning of a mass transportation capital project;~~

~~(ii)~~] (1) a special transportation assessment imposed upon benefited real property in proportion to the benefit received by such property from a mass transportation capital project, which shall not constitute a tax;

[~~(iii)~~] (2) land value taxation, meaning the allocation of an increment of tax revenues gained from levying taxes on the assessed value of taxable land at a higher rate than the improvements, as defined in subdivision twelve of section one hundred two of the real property tax law; and

[~~(iv)~~] (3) some combination of the above or other methods of gaining revenues that the municipal corporation is empowered to use, provided that the total amount of all taxes, assessments, fees, charges, or rates levied on each parcel or lot under this section shall be limited to a proportionate amount as near as possible to the actual benefit which each lot or parcel will derive from the mass transportation capital project; and

[~~(v)~~] (4) for purposes of this paragraph the term municipal corporation shall include only those cities, towns, villages and counties described in section twelve hundred sixty-two of the public authorities law.

§ 2. Section 3 of part PP of chapter 54 of the laws of 2016, amending the general municipal law relating to the New York transit authority and the metropolitan transportation authority, as amended by section 1 of part A of chapter 58 of the laws of 2024, is amended to read as follows:

§ 3. This act shall take effect immediately[~~; provided that the amendments to subdivision 1 of section 119-r of the general municipal law made by section two of this act shall expire and be deemed repealed April 1, 2025, and provided further that such repeal shall not affect the validity or duration of any contract entered into before that date pursuant to paragraph f of such subdivision~~].

§ 3. This act shall take effect immediately.