S T A T E O F N E W Y O R K

5295

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. MORELLE, KOLB, FINCH, OAKS -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general municipal law, in relation to the empire zones program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (i) of subdivision (d) of section 957 of the general municipal law, as amended by section 1 of part HH of chapter 59 of the laws of 2006, is amended to read as follows:

(i) all empire zones designated under paragraph (i) of subdivision (a) and subdivision (d) of section nine hundred fifty-eight of this article shall be referred to as "investment zones" and shall be wholly contained within up to three distinct and separate contiguous areas; provided, however, that empire zones designated prior to the enactment of this paragraph shall identify up to three distinct and separate contiguous areas, which shall equal up to their total allotted acreage at the time of designation by January first, two thousand six. Provided however, the existing zone must include as much designated acreage into the distinct and separate contiguous areas as possible. Provided, however, notwithstanding the provisions of paragraphs (i) and (ii) of subdivision (a) of section nine hundred fifty-eight and subdivision (d) of section nine hundred fifty-nine of this article a regionally significant project may be located outside of the investment zone's distinct and separate contiguous areas, provided such significant project is located within the zone applicant's municipal boundaries. Provided further however, if the investment zone is located in a county that does not have a development zone such significant project may be located within the county's boundaries. For the purpose of this article a "regionally significant project" shall mean: a manufacturer projecting the creation of fifty or more jobs; OR A MANUFACTURER MAKING A CAPITAL INVESTMENT OF TEN MILLION

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

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DOLLARS AND RETAINING TWO HUNDRED OR MORE JOBS; or an agri-business or high tech or biotech business making a capital investment of ten million dollars and creating twenty or more jobs; or a financial or insurance services or distribution center creating three hundred or more jobs; or a clean energy research and development enterprise shall be eligible as a regionally significant project as determined by the local zone administrative board and the commissioner. Other projects may be considered by the zone designation board;

S 2. This act shall take effect immediately.