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

6147

2009-2010 Regular Sessions

I N A S S E M B L Y

February 26, 2009

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to the definition of "civic facility" for the purposes of industrial development agencies

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

Section 1. Section 854 of the general municipal law is amended by adding a new subdivision 13 to read as follows:

(13) "CIVIC FACILITY" - SHALL MEAN ANY FACILITY WHICH SHALL BE OWNED OR OCCUPIED BY A NOT-FOR-PROFIT CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THIS STATE OR AUTHORIZED TO CONDUCT ACTIVITIES IN THIS STATE. SUCH FACILITIES SHALL NOT INCLUDE CONVENTION CENTERS, HOUSING FACILITIES, DORMITORIES FOR EDUCATIONAL INSTITUTIONS OR ROADS, BUILDINGS, WATER SYSTEMS, SEWER SYSTEMS, OR ANY PUBLIC FACILITY FOR USE BY A MUNICIPALITY IN THE PERFORMANCE OF ITS GOVERNMENTAL FUNCTIONS OR MEDICAL FACILITIES WHICH ARE PREDOMINATELY USED FOR THE DELIVERY OF MEDICAL SERVICES, EXCEPT THAT SUCH FACILITIES SHALL INCLUDE HABILITATION CENTERS AND HOSPICES.

NOTWITHSTANDING THE LIMITATIONS CONTAINED IN THE PRECEDING SENTENCE, A CIVIC FACILITY PROJECT MAY INCLUDE: (A) DORMITORIES FOR EDUCATIONAL INSTITUTIONS; (B) FACILITIES AS DEFINED IN ARTICLE TWENTY-EIGHT OF THE PUBLIC HEALTH LAW; AND (C) HOUSING FACILITIES PRIMARILY DESIGNED TO BE OCCUPIED BY INDIVIDUALS SIXTY YEARS OF AGE OR OLDER. NOTHING IN THIS ARTICLE SHALL BE DEEMED TO WAIVE ANY APPLICABLE REQUIREMENT FOR AN OPERATING FACILITY CERTIFICATE, CONSENT OR ANY OTHER APPROVAL AS PROVIDED BY LAW.

S 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.

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

LBD09775-01-9