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

6442--A

2009-2010 Regular Sessions

I N A S S E M B L Y

March 4, 2009

Introduced by M. of A. COOK, ORTIZ, TITONE, SCHROEDER -- Multi-Sponsored by -- M. of A. AUBRY, BOYLAND, BRENNAN, COLTON, GLICK, GOTTFRIED, JACOBS, McENENY, PEOPLES-STOKES, PHEFFER, REILLY, J. RIVERA, SCARBOROUGH, WRIGHT -- read once and referred to the Committee on Agriculture -- recommitted to the Committee on Agriculture in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to providing assistance for community gardens

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

Section 1. The agriculture and markets law is amended by adding a new section 31-j to read as follows:

S 31-J. SALE OF COMMUNITY GARDENS PROPERTY. WHENEVER A MUNICIPALITY SELLS, TRANSFERS OR LEASES REAL PROPERTY WHICH WAS USED AS A COMMUNITY GARDEN AT ANY TIME WITHIN FIVE YEARS PRIOR TO SUCH SALE, TRANSFER OR LEASE, AND SUCH REAL PROPERTY BEING SOLD, TRANSFERRED OR LEASED WILL BE USED FOR A PURPOSE OTHER THAN COMMUNITY GARDEN PURPOSES, SUCH MUNICIPALITY SHALL DEPOSIT TEN PERCENT OF THE PROCEEDS FROM SUCH SALE, TRANSFER OR LEASE INTO A SEPARATE ACCOUNT TO BE DESIGNATED THE "COMMUNITY GARDENS ACCOUNT". FUNDS FROM SUCH ACCOUNT SHALL BE USED EXCLUSIVELY FOR THE PURPOSES OF PURCHASING, ACQUIRING OR LEASING REAL PROPERTY TO BE USED AS COMMUNITY GARDENS, OR COSTS FOR IMPROVING COMMUNITY GARDEN PROPERTY. IN ADDITION, SUCH FUNDS MAY BE USED TO PROVIDE SUPPLIES AND MATERIALS NEEDED BY COMMUNITY GARDENS AND PROVIDING TECHNICAL AND FINANCIAL ASSISTANCE, IN CONSULTATION WITH THE OFFICE, TO NOT-FOR-PROFIT ORGANIZATIONS, NEIGHBORHOOD ASSOCIATIONS, SCHOOLS AND OTHER GROUPS THAT SPONSOR OR PROPOSE TO SPONSOR A COMMUNITY GARDEN.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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