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

7430

2009-2010 Regular Sessions

I N A S S E M B L Y

April 6, 2009

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

AN ACT to amend the general municipal law, in relation to voter approval of annexation

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

Section 1. Subdivision 2 of section 713 of the general municipal law, as added by chapter 844 of the laws of 1963, is amended to read as follows:

2. If such proposition is approved by a majority of the qualified persons voting thereon, the petition, together with a certificate of election which shall set forth or have annexed thereto a description of the territory to be annexed, shall, within twenty days after such election be filed by the governing board or boards of the city, town or village, as the case may be, in the office of the clerk of such local government or governments and in the office of the clerk or clerks of the local government or governments to which such territory is to be annexed. IN THE EVENT THAT THE TOTAL ASSESSED VALUE OF ALL PARCELS OF REAL PROPERTY INCLUDED WITHIN THE TERRITORY TO BE ANNEXED EXCEEDS FIVE PERCENT OF THE TOTAL ASSESSED VALUE OF ALL PARCELS OF REAL PROPERTY LOCATED WITHIN ANY MUNICIPALITY IN WHICH THE TERRITORY IS LOCATED, THE PETITION, TOGETHER WITH THE CERTIFICATE OF ELECTION REFERRED TO IN THIS SECTION, SHALL NOT BE FILED IN THE OFFICE OF THE CLERK OF SUCH LOCAL GOVERNMENT OR GOVERNMENTS UNTIL THE PROPOSITION SHALL BE APPROVED BY A MAJORITY OF THE VOTERS OF SUCH MUNICIPALITY OR MUNICIPALITIES VOTING AT A GENERAL ELECTION TO BE HELD NOT LESS THAN SIXTY DAYS AFTER THE APPROVAL OF THE QUALIFIED VOTERS WITHIN THE TERRITORY PROPOSED TO BE ANNEXED.

S 2. This act shall take effect immediately.

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

LBD10803-01-9