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

4155

2009-2010 Regular Sessions

I N S E N A T E

April 15, 2009

Introduced by Sens. MONTGOMERY, KRUEGER, MONSERRATE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to eminent domain in cities with a population of one million or more

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

Section 1. The title heading of title 6 of article 9 of the public authorities law, as added by chapter 307 of the laws of 1964 and renumbered by chapter 838 of the laws of 1983, is amended and a new section 2901 is added to read as follows:

EMINENT DOMAIN TAKING; PROPERTY OF OR BY A PUBLIC BENEFIT CORPORATION

S 2901. EMINENT DOMAIN; CERTAIN CITIES. IN CITIES WITH A POPULATION OF ONE MILLION OR MORE IN WHICH ANY PART OF THE REAL PROPERTY TO BE ACQUIRED IS LOCATED, THE CITY COUNCIL SHALL HAVE THE AUTHORITY TO APPROVE OR DISAPPROVE ANY PUBLIC AUTHORITIES OR PUBLIC BENEFIT CORPORATION'S USE OF EMINENT DOMAIN. THE CITY COUNCIL SHALL APPROVE OR DISAPPROVE ANY PROPOSED USE OF THE POWER OF EMINENT DOMAIN BY MAJORITY VOTE. PRIOR TO SUCH VOTE, SUCH CITY COUNCIL SHALL HOLD AT LEAST ONE OFFICIAL PUBLIC HEARING ON SUCH MATTER AT A LOCATION REASONABLY PROXIMATE TO THE PROPERTY WHICH MAY BE ACQUIRED.

S 2. This act shall take effect on the ninetieth 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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