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

591

2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the eminent domain procedure law, in relation to the exercise of the power of eminent domain to develop blighted areas of the state

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

Section 1. Subdivision (G) of section 103 of the eminent domain procedure law is amended and a new subdivision (H) is added to read as follows:

(G) "Public project" means any program or project for which acquisition of property may be required for a public use, benefit or purpose, PROVIDED THAT WHERE THE PURPOSE OF SUCH PROGRAM OR PROJECT IS TO PROVIDE ECONOMIC DEVELOPMENT IN AN AREA OF THE STATE, THE TERM "PUBLIC PROJECT" SHALL BE LIMITED TO ANY PROGRAM OR PROJECT FOR WHICH ACQUISITION OF PROPERTY MAY BE REQUIRED TO PROVIDE ECONOMIC DEVELOPMENT IN A BLIGHTED AREA OF THE STATE.

(H) "BLIGHTED AREA" MEANS AN AREA IN WHICH ONE OR BOTH OF THE FOLLOWING CONDITIONS EXIST: (I) A PREDOMINANCE OF BUILDINGS AND STRUCTURES WHICH ARE DETERIORATED OR UNFIT OR UNSAFE FOR USE OR OCCUPANCY; OR (II) A PREDOMINANCE OF ECONOMICALLY UNPRODUCTIVE LANDS, BUILDINGS OR STRUCTURES, THE REDEVELOPMENT OF WHICH IS NEEDED TO PREVENT FURTHER DETERIORATION WHICH WOULD JEOPARDIZE THE ECONOMIC WELL-BEING OF THE PEOPLE.

S 2. This act shall take effect on the first of January 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.

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