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

3630

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

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

AN ACT to amend the general municipal law, in relation to land use compliance for public construction projects

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

Section 1. The general municipal law is amended by adding a new section 99-v to read as follows:

S 99-V. LAND USE PLANNING; COMPLIANCE. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY UNIT OF GOVERNMENT, AS DEFINED IN SUBDIVISION TWO OF THIS SECTION, OR SUBSIDIARY THEREOF, SHALL, WITH RESPECT TO THE CONSTRUCTION, DEVELOPMENT, PLANNING, SITING, LEASING, OPERATING OR OWNERSHIP OF ANY FACILITY, BUILDING OR ANY OTHER CONSTRUCTION WHICH IS LOCATED OR PROPOSED TO BE LOCATED WITHIN THE STATE, COMPLY WITH ALL LOCAL, STATE AND FEDERAL LAWS, RULES, REGULATIONS AND ORDINANCES WITH RESPECT TO LAND USE PLANNING AND REVIEW OR ZONING APPLICABLE TO SUCH LOCATION OR PROPOSED LOCATION.

2. FOR PURPOSES OF THIS SECTION, THE TERM "UNIT OF GOVERNMENT" SHALL MEAN THE STATE OF NEW YORK, A COUNTY, CITY, TOWN, VILLAGE OR ANY OTHER POLITICAL SUBDIVISION OR CIVIL DIVISION OF THE STATE, A SCHOOL DISTRICT OR ANY GOVERNMENTAL ENTITY OPERATING A PUBLIC SCHOOL, COLLEGE OR UNIVERSITY, A PUBLIC IMPROVEMENT OR SPECIAL DISTRICT, A PUBLIC AUTHORITY, COMMISSION, COMMITTEE OR PUBLIC BENEFIT CORPORATION, OR ANY OTHER PUBLIC CORPORATION, AGENCY OR INSTRUMENTALITY OR UNIT OF GOVERNMENT WHICH EXERCISES GOVERNMENTAL POWERS UNDER THE LAWS OF THE STATE.

S 2. This act shall take effect immediately.

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

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