

5660

2009-2010 Regular Sessions

I N   A S S E M B L Y

February 17, 2009

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

AN ACT to amend the general municipal law, in relation to requiring  
recipients of development assistance to fully disclose the prerequi-  
sites for such assistance and their compliance therewith

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

1     Section 1. The general municipal law is amended by adding a new arti-  
2     cle 18-D to read as follows:

3                                     ARTICLE 18-D

4                     DEVELOPMENT ASSISTANCE DISCLOSURE

5     SECTION 971. DEFINITIONS.

6             972. DISCLOSURE.

7     S 971. DEFINITIONS. AS USED IN THIS ARTICLE:

8         (A) "DEVELOPMENT ASSISTANCE" MEANS:

9             (1) TAX CREDITS AND TAX EXEMPTIONS GIVEN AS INCENTIVES TO A RECIPIENT  
10     PURSUANT TO A DEVELOPMENT ASSISTANCE AGREEMENT UNDER ARTICLE EIGHTEEN-A  
11     OR EIGHTEEN-B OF THIS CHAPTER; AND

12             (2) ANY OTHER PROGRAM OR INCENTIVE INTENDED TO PROMOTE AND ENSURE A  
13     BUSINESS RELOCATION OR EXPANSION.

14         (B) "DEVELOPMENT ASSISTANCE AGREEMENT" MEANS ANY AGREEMENT EXECUTED BY  
15     A STATE OR MUNICIPAL BODY AND A RECIPIENT SETTING FORTH ALL TERMS,  
16     CONDITIONS AND UNDERSTANDINGS THEREOF OF THE PROVISION OF DEVELOPMENT  
17     ASSISTANCE.

18         (C) "RECIPIENT" MEANS ANY BUSINESS ENTITY THAT RECEIVES DEVELOPMENT  
19     ASSISTANCE PURSUANT TO A DEVELOPMENT ASSISTANCE AGREEMENT.

20     S 972. DISCLOSURE. (A) EVERY RECIPIENT SHALL, UPON REQUEST OF ANY  
21     PERSON, PROVIDE A COPY OF EACH DEVELOPMENT ASSISTANCE AGREEMENT IT HAS  
22     ENTERED INTO, A SUMMARY OF ALL DEVELOPMENT ASSISTANCE PROVIDED PURSUANT  
23     TO SUCH AGREEMENT, A SUMMARY AND EXPLANATION OF ALL TERMS AND CONDITIONS  
24     OF SUCH AGREEMENT, THE EXTENT OF COMPLIANCE WITH SUCH TERMS AND CONDI-

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

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1 TIONS, AND THE PROJECT TO WHICH EACH SUCH AGREEMENT RELATES. EACH RECIP-  
2 IENT SHALL IN A TIMELY AND ACCURATE MANNER REGULARLY UPDATE ALL SUCH  
3 INFORMATION.

4 (B) ALL INFORMATION REQUIRED TO BE MADE AVAILABLE TO THE PUBLIC PURSU-  
5 ANT TO SUBDIVISION (A) OF THIS SECTION SHALL BE POSTED AND MADE AVAIL-  
6 ABLE TO THE PUBLIC ON THE INTERNET WEBSITE OF THE RECIPIENT.

7 (C) ON OR BEFORE THE FIRST OF JANUARY, APRIL, JULY AND OCTOBER, EACH  
8 RECIPIENT SHALL SUBMIT TO THE SECRETARY OF STATE, ALL INFORMATION  
9 REQUIRED TO BE MADE AVAILABLE TO THE PUBLIC PURSUANT TO SUBDIVISION (A)  
10 OF THIS SECTION.

11 S 2. This act shall take effect on the first of September next  
12 succeeding the date on which it shall have become a law.