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

10242

I N A S S E M B L Y

May 16, 2012

Introduced by M. of A. FARRELL -- read once and referred to the Committee on Cities

AN ACT to amend the local finance law, in relation to the refunding of bonds

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

Section 1. Paragraph b-1 of section 90.00 of the local finance law, as added by chapter 201 of the laws of 1994, is amended to read as follows:

b-1. Refunding bonds need not comply with paragraph b of this section provided that no annual installment of each separate series of refunding bonds shall be more than fifty per centum in excess of the smallest prior installment or THE AMOUNTS AND STATED MATURITY DATES OF THE REFUNDING BONDS SHALL BE THE SAME AS THOSE OF THE BONDS TO BE REFUNDED OR the finance board of the municipality, school district or district corporation issuing the bonds shall have determined to use a substantially level or declining annual debt service schedule for the refunding bonds. The amount of annual installments of the refunding bonds may be determined without reference to the stated maturities of the bonds to be refunded.

S 2. Subdivision 3 of paragraph c of section 90.10 of the local finance law, as amended by chapter 201 of the laws of 1994, is amended to read as follows:

3. No annual installment of each separate series of refunding bonds shall be more than fifty per centum in excess of the smallest prior installment unless THE AMOUNTS AND STATED MATURITY DATES OF THE REFUNDING BONDS SHALL BE THE SAME AS THOSE OF THE BONDS TO BE REFUNDED OR the finance board of the municipality, school district or district corporation issuing the bonds has determined to use a substantially level or declining annual debt service schedule for the refunding bonds. The amounts of annual installments of the refunding bonds may be determined without reference to the stated maturities of the bonds to be refunded.

S 3. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the

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

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remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

S 4. This act shall take effect immediately.