

7181

2011-2012 Regular Sessions

I N A S S E M B L Y

April 15, 2011

Introduced by M. of A. COOK, ORTIZ, TITONE, SCHROEDER -- Multi-Sponsored
by -- M. of A. AUBRY, BOYLAND, BRENNAN, COLTON, GLICK, GOTTFRIED,
JACOBS, McENENY, PEOPLES-STOKES, PHEFFER, REILLY, J. RIVERA, SCARBOR-
OUGH, WRIGHT -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to provid-
ing assistance for community gardens

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

1 Section 1. The agriculture and markets law is amended by adding a new
2 section 31-j to read as follows:
3 S 31-J. SALE OF COMMUNITY GARDENS PROPERTY. WHENEVER A MUNICIPALITY
4 SELLS, TRANSFERS OR LEASES REAL PROPERTY WHICH WAS USED AS A COMMUNITY
5 GARDEN AT ANY TIME WITHIN FIVE YEARS PRIOR TO SUCH SALE, TRANSFER OR
6 LEASE, AND SUCH REAL PROPERTY BEING SOLD, TRANSFERRED OR LEASED WILL BE
7 USED FOR A PURPOSE OTHER THAN COMMUNITY GARDEN PURPOSES, SUCH MUNICI-
8 PALITY SHALL DEPOSIT TEN PERCENT OF THE PROCEEDS FROM SUCH SALE, TRANS-
9 FER OR LEASE INTO A SEPARATE ACCOUNT TO BE DESIGNATED THE "COMMUNITY
10 GARDENS ACCOUNT". FUNDS FROM SUCH ACCOUNT SHALL BE USED EXCLUSIVELY FOR
11 THE PURPOSES OF PURCHASING, ACQUIRING OR LEASING REAL PROPERTY TO BE
12 USED AS COMMUNITY GARDENS, OR COSTS FOR IMPROVING COMMUNITY GARDEN PROP-
13 ERTY. IN ADDITION, SUCH FUNDS MAY BE USED TO PROVIDE SUPPLIES AND MATE-
14 RIALS NEEDED BY COMMUNITY GARDENS AND PROVIDING TECHNICAL AND FINANCIAL
15 ASSISTANCE, IN CONSULTATION WITH THE OFFICE, TO NOT-FOR-PROFIT ORGANIZA-
16 TIONS, NEIGHBORHOOD ASSOCIATIONS, SCHOOLS AND OTHER GROUPS THAT SPONSOR
17 OR PROPOSE TO SPONSOR A COMMUNITY GARDEN.
18 S 2. This act shall take effect on the one hundred eightieth day after
19 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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