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

7549

I N S E N A T E

June 1, 2012

Introduced by Sens. LANZA, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to applying the prevailing wage laws to certain projects on privately owned property

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

Section 1. Section 220 of the labor law is amended by adding a new subdivision 10 to read as follows:

10. ANY PROJECT ON PRIVATELY OWNED PROPERTY WHICH, IN WHOLE OR PART, (A) RECEIVES OR BENEFITS FROM PUBLIC FUNDS OR FINANCIAL ASSISTANCE, INCLUDING BUT NOT LIMITED TO THE PROVISION OF PUBLIC MONIES, THE PROVISION OF TAX EXEMPTIONS OR BENEFITS, THE PROCEEDS OR BENEFITS OF BONDS, SURETIES OR OTHER CONTRACTS, OR THE PROVISION OF REAL PROPERTY AT LESS THAN FAIR MARKET VALUE OR FOR REDUCED CONSIDERATION, (B) INVOLVES MORE THAN EIGHTY DWELLING UNITS WHERE LESS THAN FIFTY PERCENT OF THE UNITS ARE SUBJECT TO AN AGREEMENT WITH A MUNICIPALITY, THE STATE, THE FEDERAL GOVERNMENT OR ANY INSTRUMENTALITY THEREOF WHICH RESTRICTS THE OCCUPANCY OF SUCH UNITS TO INDIVIDUALS OR FAMILIES, AS TENANTS OR PURCHASERS, WITH A GROSS HOUSEHOLD INCOME AT OR BELOW ONE HUNDRED TWENTY-FIVE PERCENT OF THE AREA MEDIAN INCOME, AND (C) MAY INVOLVE THE EMPLOYMENT OF LABORERS, WORKERS OR MECHANICS, SHALL BE CONSIDERED PUBLIC WORK FOR THE PURPOSES OF THIS ARTICLE, AND ANY CONTRACTS OR SUBCONTRACTS WHICH MAY INVOLVE THE EMPLOYMENT OF LABORERS, WORKERS OR MECHANICS SHALL BE ENFORCEABLE UNDER THIS ARTICLE. FOR PURPOSES OF THIS SECTION, "PRIVATELY OWNED PROPERTY" SHALL MEAN PROPERTY HELD PURSUANT TO OWNERSHIP OR LEASEHOLD INTEREST BY A NON-GOVERNMENTAL ENTITY.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such date.

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

LBD15390-01-2