

10387

I N A S S E M B L Y

May 24, 2012

Introduced by M. of A. V. LOPEZ -- read once and referred 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:

1 Section 1. Section 220 of the labor law is amended by adding a new
2 subdivision 10 to read as follows:
3 10. ANY PROJECT ON PRIVATELY OWNED PROPERTY WHICH, IN WHOLE OR PART,
4 (A) RECEIVES OR BENEFITS FROM PUBLIC FUNDS OR FINANCIAL ASSISTANCE,
5 INCLUDING BUT NOT LIMITED TO THE PROVISION OF PUBLIC MONIES, THE
6 PROVISION OF TAX EXEMPTIONS OR BENEFITS, THE PROCEEDS OR BENEFITS OF
7 BONDS, SURETIES OR OTHER CONTRACTS, OR THE PROVISION OF REAL PROPERTY AT
8 LESS THAN FAIR MARKET VALUE OR FOR REDUCED CONSIDERATION, (B) INVOLVES
9 MORE THAN EIGHTY DWELLING UNITS WHERE LESS THAN FIFTY PERCENT OF THE
10 UNITS ARE SUBJECT TO AN AGREEMENT WITH A MUNICIPALITY, THE STATE, THE
11 FEDERAL GOVERNMENT OR ANY INSTRUMENTALITY THEREOF WHICH RESTRICTS THE
12 OCCUPANCY OF SUCH UNITS TO INDIVIDUALS OR FAMILIES, AS TENANTS OR
13 PURCHASERS, WITH A GROSS HOUSEHOLD INCOME AT OR BELOW ONE HUNDRED TWEN-
14 TY-FIVE PERCENT OF THE AREA MEDIAN INCOME, AND (C) MAY INVOLVE THE
15 EMPLOYMENT OF LABORERS, WORKERS OR MECHANICS, SHALL BE CONSIDERED PUBLIC
16 WORK FOR THE PURPOSES OF THIS ARTICLE, AND ANY CONTRACTS OR SUBCONTRACTS
17 WHICH MAY INVOLVE THE EMPLOYMENT OF LABORERS, WORKERS OR MECHANICS SHALL
18 BE ENFORCEABLE UNDER THIS ARTICLE. FOR PURPOSES OF THIS SECTION,
19 "PRIVATELY OWNED PROPERTY" SHALL MEAN PROPERTY HELD PURSUANT TO OWNER-
20 SHIP OR LEASEHOLD INTEREST BY A NON-GOVERNMENTAL ENTITY.
21 S 2. This act shall take effect on the one hundred twentieth day after
22 it shall have become a law. Effective immediately, the addition, amend-
23 ment and/or repeal of any rule or regulation necessary for the implemen-
24 tation of this act on its effective date is authorized to be made on or
25 before such date.

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

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