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

4554--A

2013-2014 Regular Sessions

I N S E N A T E

April 10, 2013

Introduced by Sens. SKELOS, BOYLE, FUSCHILLO, HANNON, MARCELLINO, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize counties included in the Hurricane Sandy federal disaster area to grant exemptions for certain filing fees and provide for reimbursement of such fees

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

Section 1. Short title. This act shall be known and may be cited as the "Hurricane Sandy filing fee exemption and reimbursement act".

S 2. As used in this act, "eligible county" shall mean those counties which have been included in the federal disaster declarations for Hurricane Sandy, but shall not apply to a city with a population of one million or more.

S 3. The provisions of this act shall only apply to eligible counties, and only where the governing body of such a county, within 30 days of the effective date of this act, has enacted a resolution adopting the provisions of this act.

S 4. All filings with the county clerk's office between the period beginning October 28, 2012 and ending December 31, 2013 related to a U.S. Small Business Administration Disaster Loan as defined in 15 USCS S636(b)(1) within an eligible county that has enacted a resolution pursuant to this act shall be exempt from any filing fees required pursuant to sections 8019 and 8021 of the civil practice law and rules.

S 5. Any person or entity that paid filing fees required by sections 8019 and 8021 of the civil practice law and rules to the county clerk's office between the period beginning October 28, 2012 and ending December 31, 2013 due to any filings related to a U.S. Small Business Administration Disaster Loan as defined in 15 USCS S636(b)(1) within an eligi-

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

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ble county that has enacted a resolution pursuant to this act shall receive a reimbursement of all such fees paid from the county clerk or the county treasurer of the respective county where such filings occurred.

S 6. Before any reimbursement is paid, the county clerk shall notify the commissioner of education in writing of any amounts which have been collected on behalf of and remitted to the commissioner of education pursuant to section 8021 of the civil practice law and rules, which must be reimbursed pursuant to this act. Upon such notice, the commissioner of education shall remit such amounts to the respective county within fifteen days of notice. Upon receipt of such payment from the commissioner of education the county clerk or the county treasurer shall reimburse the full amount of fees paid to an eligible person or entity pursuant to this act.

S 7. This act shall take effect immediately.