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

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I N A S S E M B L Y

February 14, 2014

Introduced by M. of A. SWEENEY -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the Suffolk county water authority's ability to assess a lien against users for non-payment

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

Section 1. The public authorities law is amended by adding a new section 1078-f to read as follows:

S 1078-F. LIENS AGAINST USERS FOR NON-PAYMENT. FEES, RATES, RENTS OR OTHER CHARGES, IF NOT PAID, WHEN DUE, SHALL CONSTITUTE A LIEN UPON THE PREMISES SERVED AND A CHARGE AGAINST THE OWNERS THEREOF, WHICH LIEN AND CHARGE SHALL BEAR INTEREST AT THE SAME RATE AS WOULD UNPAID TAXES OF THE COUNTY OF SUFFOLK. SUCH LIEN SHALL TAKE PRECEDENCE OVER ALL OTHER LIENS OR ENCUMBRANCES, EXCEPT TAXES, AND MAY BE FORECLOSED AGAINST THE LOT OR BUILDING SERVED IN THE SAME MANNER AS A LIEN FOR SUCH TAXES. THE AMOUNT WHICH REMAINS DUE AND UNPAID FOR SIXTY DAYS MAY, WITH INTEREST THEREON AT THE SAME RATE AS UNPAID COUNTY TAXES AND WITH REASONABLE ATTORNEYS' FEES, BE RECOVERED BY THE AUTHORITY IN A CIVIL ACTION IN THE NAME OF THE AUTHORITY AGAINST SUCH OWNERS. THE COUNTY OF SUFFOLK AND ANY STATE AGENCY SHALL BE SUBJECT TO THE SAME FEES, RATES, RENTS OR OTHER CHARGES UNDER THE SAME CONDITIONS AS OTHER USERS OF SUCH WATER SYSTEM, AS THE CASE MAY BE.

S 2. This act shall take effect immediately.

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

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