

4554

2013-2014 Regular Sessions

I N S E N A T E

April 10, 2013

Introduced by Sen. SKelos -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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:

- 1 Section 1. Short title. This act shall be known and may be cited as
2 the "Hurricane Sandy filing fee exemption and reimbursement act".
3 S 2. As used in this act, "eligible county" shall mean those counties
4 which have been included in the federal disaster declarations for Hurri-
5 cane Sandy, but shall not apply to a city with a population of one
6 million or more.
7 S 3. An eligible county may exercise the provisions of this act if its
8 governing body shall, by the thirtieth day following the effective date
9 of this act, enact a resolution adopting the provisions of this act.
10 S 4. All filings with the county clerk's office between the period
11 beginning October 28, 2012 and ending December 31, 2013 related to a
12 U.S. Small Business Administration Disaster Loan as defined in 15 USCS
13 S636(b)(1) shall be exempt from any filing fees required pursuant to
14 sections 8019 and 8021 of the civil practice law and rules.
15 S 5. Any person or entity that paid filing fees required by sections
16 8019 and 8021 of the civil practice law and rules to the county clerk's
17 office between the period beginning October 28, 2012 and ending December
18 31, 2013 due to any filings related to a U.S. Small Business Adminis-
19 tration Disaster Loan as defined in 15 USCS S636(b)(1) shall receive a
20 reimbursement of all such fees paid from the county clerk or the county
21 treasurer of the respective county where such filings occurred.
22 S 6. Before any reimbursement is paid, the county clerk shall notify
23 the commissioner of education in writing of any amounts which have been
24 collected on behalf of and remitted to the commissioner of education

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

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1 pursuant to section 8021 of the civil practice law and rules, which must
2 be reimbursed pursuant to this act. Upon such notice, the commissioner
3 of education shall remit such amounts to the respective county within
4 fifteen days of notice. Upon receipt of such payment from the commis-
5 sioner of education the county clerk or the county treasurer shall reim-
6 burse the full amount of fees paid to an eligible person or entity
7 pursuant to this act.

8 S 7. This act shall take effect immediately.