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

7367

I N S E N A T E

May 14, 2014

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

AN ACT to amend the local finance law, in relation to the refunding and advance refunding of bonds

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

Section 1. Paragraph b-1 of section 90.00 of the local finance law, as added by chapter 201 of the laws of 1994, is amended to read as follows:

b-1. Refunding bonds need not comply with paragraph b of this section provided that no annual installment of each separate series of refunding bonds shall be more than fifty per centum in excess of the smallest prior installment, or THE AMOUNTS OF THE REFUNDING BONDS ARE THE SAME AS OR LESS THAN AND THE STATED MATURITY DATES ARE THE SAME AS OR EARLIER THAN THOSE OF THE BONDS TO BE REFUNDED, OR the finance board of the municipality, school district or district corporation issuing the bonds shall have determined to use a substantially level or declining annual debt service schedule for the refunding bonds. The amount of annual installments of the refunding bonds may be determined without reference to the stated maturities of the bonds to be refunded.

S 2. Subdivision 3 of paragraph c of section 90.10 of the local finance law, as amended by chapter 201 of the laws of 1994, is amended to read as follows:

3. No annual installment of each separate series of refunding bonds shall be more than fifty per centum in excess of the smallest prior installment unless THE AMOUNTS OF THE REFUNDING BONDS ARE THE SAME AS OR LESS THAN AND THE STATED MATURITY DATES ARE THE SAME AS OR EARLIER THAN THOSE OF THE BONDS TO BE REFUNDED, OR the finance board of the municipality, school district or district corporation issuing the bonds has determined to use a substantially level or declining annual debt service schedule for the refunding bonds. The amounts of annual installments of the refunding bonds may be determined without reference to the stated maturities of the bonds to be refunded.

S 3. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to

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

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be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

S 4. This act shall take effect immediately.