

7571

2015-2016 Regular Sessions

I N A S S E M B L Y

May 19, 2015

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

AN ACT to amend the public authorities law, in relation to method of
collection of charges by the Suffolk county water authority

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

1 Section 1. The public authorities law is amended by adding a new
2 section 1078-f to read as follows:
3 S 1078-F. CHARGES BY AUTHORITY; METHOD OF COLLECTION. ALL RATES, FEES
4 AND OTHER CHARGES FOR THE USE OR AVAILABILITY OF THE FACILITIES OR
5 SERVICES OR COMMODITIES PROVIDED OR MADE AVAILABLE BY THE AUTHORITY AND
6 BILLED DIRECTLY BY THE AUTHORITY TO THE USER OR SERVICE RECIPIENT PURSU-
7 ANT TO A CLASSIFICATION OF PERSON ADOPTED BY THE AUTHORITY AS HEREIN
8 PROVIDED SHALL BE A LIEN UPON THE REAL PROPERTY UPON WHICH, OR IN
9 CONNECTION WITH WHICH, SERVICES ARE PROVIDED OR ARE MADE AVAILABLE, AS
10 AND FROM THE FIRST DATE FIXED FOR A PAYMENT OF SUCH RATES, FEES AND
11 OTHER CHARGES. ANY SUCH LIEN SHALL TAKE PRECEDENCE OVER ALL OTHER LIENS,
12 OR ENCUMBRANCES, EXCEPT TAXES OR ASSESSMENTS. THE CHIEF FINANCIAL OFFI-
13 CER OF THE AUTHORITY SHALL PREPARE AND TRANSMIT TO THE BOARD OF SUPERVI-
14 SORS OF THE COUNTY, ON OR BEFORE THE FIRST DAY OF NOVEMBER IN EACH YEAR,
15 A LIST OF THOSE PROPERTIES USING SUCH FACILITIES OR FOR WHICH SUCH
16 FACILITIES, SERVICES OR COMMODITIES WERE PROVIDED OR MADE AVAILABLE AND
17 FROM WHICH THE PAYMENT OF RATES, FEES AND OTHER CHARGES ARE IN ARREARS
18 FOR A PERIOD OF NINETY DAYS OR MORE AFTER THE LAST DAY FIXED FOR PAYMENT
19 OF SUCH RATES, FEES AND OTHER CHARGES WITHOUT PENALTY. THE LIST SHALL
20 CONTAIN A BRIEF DESCRIPTION OF SUCH PROPERTIES, THE NAMES OF THE PERSONS
21 OR CORPORATIONS LIABLE TO PAY FOR THE SAME, AND THE AMOUNT CHARGEABLE TO
22 EACH, INCLUDING PENALTIES AND INTEREST, AS APPLICABLE, COMPUTED TO
23 DECEMBER THIRTY-FIRST OF THAT YEAR. THE BOARD OF SUPERVISORS SHALL LEVY
24 SUCH SUMS AGAINST THE PROPERTIES LIABLE AND SHALL STATE THE AMOUNT THER-
25 EOF IN A SEPARATE COLUMN IN THE ANNUAL TAX ROLLS OF THE COUNTY UNDER THE

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

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1 HEADING "WATER CHARGE." SUCH AMOUNTS, EXCLUDING PENALTIES AND INTEREST
2 IMPOSED BY THE COUNTY WHEN COLLECTED BY THE COUNTY COLLECTOR OR RECEIV-
3 ERS OF TAXES, SHALL BE PAID OVER TO THE CHIEF FINANCIAL OFFICER OF THE
4 AUTHORITY. COUNTY IMPOSED PENALTIES AND INTEREST SHALL BE RETAINED BY
5 THE COUNTY COLLECTOR OR RECEIVER OF TAXES WHICH SHALL BECOME A PART OF
6 THE GENERAL FUNDS OF THE COUNTY. ALL OF THE PROVISIONS OF THE TAX LAW OF
7 THE STATE GOVERNING ENFORCEMENT AND COLLECTION OF UNPAID TAXES OR
8 ASSESSMENTS FOR SPECIAL IMPROVEMENTS NOT INCONSISTENT HERewith SHALL
9 APPLY TO THE COLLECTION OF SUCH UNPAID RATES, RENTALS, FEES AND OTHER
10 CHARGES.

11 S 2. This act shall take effect immediately.