

8139--D

2015-2016 Regular Sessions

I N A S S E M B L Y

June 10, 2015

Introduced by M. of A. SCHIMEL, RA -- read once and referred to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to method of collection of charges by the Water Authority of Great Neck North

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

1 Section 1. Sections 1197-r and 1197-s of the public authorities law
2 are renumbered sections 1197-y and 1197-z and a new section 1197-r is
3 added to read as follows:
4 S 1197-R. CHARGES BY AUTHORITY; METHOD OF COLLECTION. ALL RATES, FEES
5 AND OTHER CHARGES FOR THE USE OR AVAILABILITY OF THE FACILITIES OR
6 SERVICES OR COMMODITIES PROVIDED OR MADE AVAILABLE BY THE AUTHORITY AND
7 BILLED DIRECTLY BY THE AUTHORITY TO THE USER OR SERVICE RECIPIENT PURSU-
8 ANT TO THE RATE SCHEDULES ADOPTED BY THE AUTHORITY AS HEREIN PROVIDED
9 SHALL BE A LIEN UPON THE REAL PROPERTY UPON WHICH, OR IN CONNECTION WITH
10 WHICH, SERVICES ARE PROVIDED OR ARE MADE AVAILABLE, AS AND FROM THE
11 FIRST DATE FIXED FOR A PAYMENT OF SUCH RATES, FEES AND OTHER CHARGES.
12 ANY SUCH LIEN SHALL TAKE PRECEDENCE OVER ALL OTHER LIENS, OR ENCUMBRANC-
13 ES, EXCEPT TAXES OR ASSESSMENTS. THE CHIEF FINANCIAL OFFICER OF THE
14 AUTHORITY SHALL PREPARE AND TRANSMIT TO THE NASSAU COUNTY LEGISLATURE,
15 ON OR BEFORE THE FIRST DAY OF NOVEMBER IN EACH YEAR, A LIST OF THOSE

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

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1 PROPERTIES USING SUCH FACILITIES OR FOR WHICH SUCH FACILITIES, SERVICES
2 OR COMMODITIES WERE PROVIDED OR MADE AVAILABLE AND FROM WHICH THE
3 PAYMENT OF RATES, FEES AND OTHER CHARGES ARE IN ARREARS FOR A PERIOD OF
4 NINETY DAYS OR MORE AFTER THE LAST DAY FIXED FOR PAYMENT OF SUCH RATES,
5 FEES AND OTHER CHARGES WITHOUT PENALTY. THE LIST SHALL CONTAIN A BRIEF
6 DESCRIPTION OF SUCH PROPERTIES, THE NAMES OF THE PERSONS OR CORPORATIONS
7 LIABLE TO PAY FOR THE SAME, AND THE AMOUNT CHARGEABLE TO EACH, INCLUDING
8 PENALTIES AND INTEREST, AS APPLICABLE, COMPUTED TO DECEMBER THIRTY-FIRST
9 OF THAT YEAR. THE NASSAU COUNTY LEGISLATURE SHALL LEVY SUCH SUMS AGAINST
10 THE PROPERTIES LIABLE AND SHALL STATE THE AMOUNT THEREOF IN A SEPARATE
11 COLUMN IN THE ANNUAL TAX ROLLS OF THE COUNTY UNDER THE HEADING "WATER
12 CHARGE". SUCH AMOUNTS, EXCLUDING PENALTIES AND INTEREST IMPOSED BY THE
13 COUNTY WHEN COLLECTED BY THE COUNTY COLLECTOR OR RECEIVERS OF TAXES,
14 SHALL BE PAID OVER TO THE CHIEF FINANCIAL OFFICER OF THE AUTHORITY.
15 COUNTY IMPOSED PENALTIES AND INTEREST SHALL BE RETAINED BY THE COUNTY
16 COLLECTOR OR RECEIVER OF TAXES WHICH SHALL BECOME A PART OF THE GENERAL
17 FUNDS OF THE COUNTY. ALL OF THE PROVISIONS OF THE TAX LAW OF THE STATE
18 GOVERNING ENFORCEMENT AND COLLECTION OF UNPAID TAXES OR ASSESSMENTS FOR
19 SPECIAL IMPROVEMENTS NOT INCONSISTENT HERewith SHALL APPLY TO THE
20 COLLECTION OF SUCH UNPAID RATES, RENTALS, FEES AND OTHER CHARGES.

21 S 2. This act shall take effect immediately.