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

2415

2015-2016 Regular Sessions

I N S E N A T E

January 23, 2015

Introduced by Sens. PERKINS, AVELLA, HOYLMAN, KRUEGER, MONTGOMERY, PARKER, SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the New York state urban development corporation act, in relation to extending the amount of time between notice of a project and a public hearing

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

Section 1. Subdivision (c) of section 6 of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, is amended to read as follows:

(c) to any other person, firm, partnership or corporation, without public bidding or public sale, provided there is published in at least one newspaper of general circulation in the municipality in which the project is located a notice which shall include a statement of the identity of the proposed purchaser or lessee and of his proposed use or reuse of the land use improvement project area or applicable portion thereof, the price or rental to be paid by such purchaser or lessee, all other essential conditions of such sale or lease, and a statement that a public hearing upon such sale or lease will be held before the corporation at a specified time and place on a date not less than [ten] THIRTY days after such publication, and provided further that such public hearing is held in accordance with such notice.

S 2. Subdivision 2 of section 8 of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act is amended to read as follows:

(2) Before any sale or lease of all or a substantial part of a project as authorized by subdivision one of this section is consummated, there shall be published in at least one newspaper of general circulation in the municipality in which the project is located a notice which shall

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

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include a statement of the identity of the proposed purchaser or lessee, the price or rental to be paid, all other essential conditions of such sale or lease, and a statement that a public hearing upon such sale or lease will be held before the corporation at a specified time and place on a date not less than [ten] THIRTY days after such publication, and such hearing shall be held in accordance with such notice; provided, however, that if the corporation determines that trade secrets or other confidential information about the prospective purchaser's or lessee's business operations, products, processes or designs would otherwise be revealed by such public notice and public hearing, the requirements of this subdivision may be waived by unanimous vote of the directors of the corporation.

S 3. Subdivision 2 of section 14 of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, as amended by chapter 576 of the laws of 1969, is amended to read as follows:

(2) Notwithstanding the provisions of any general, special or local law or charter, any municipality, by resolution of its local governing body, is hereby empowered without referendum, public auction, sealed bids or public notice, to sell, lease for a term not exceeding ninety-nine years, grant or convey to the corporation any real property owned by it which the corporation shall certify to be necessary or convenient for its corporate purposes. Any such sale, lease, grant or conveyance shall be made with or without consideration and upon such terms and conditions as may be agreed upon by such municipality and the corporation. Certification shall be evidenced by a formal request from the president of the corporation. Before any such sale, lease, grant or conveyance may be made to the corporation, a public hearing shall be held by the local governing body to consider the same. Notice of such hearing shall be published at least [ten] THIRTY days before the date set for the hearing in such publication and in such manner as may be designated by the local governing body.

S 4. Subparagraph (iii) of paragraph (b) of subdivision 2 of section 16 of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, as amended by chapter 732 of the laws of 1990, is amended to read as follows:

(iii) in any city having a population of one million or more, provide to any community board in which the project will be located, a notice that such plan will be filed upon its adoption by the corporation and that digests thereof will be available, which notice shall also state that a public hearing will be held to consider the plan at a specified time and place on a date not less than [ten] THIRTY days after such publication;

S 5. This act shall take effect immediately.