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

6275

I N S E N A T E

(PREFILED)

January 6, 2016

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

AN ACT to amend the general municipal law, the town law, the state technology law and the executive law, in relation to provision of geographic information system mapping for strategic planning and municipal study assistance

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

Section 1. Section 237 of the general municipal law, as added by chapter 699 of the laws of 1913, is amended to read as follows:

S 237. Maps and recommendations. Such planning commission may cause to be made a map or maps of said city or village or any portion thereof, or of any land outside the limits of said city or village so near or so related thereto that in the opinion of said planning commission it should be so mapped. Such plans may show not only such matters as by law have been or may be referred to the planning commission, but also any and all matters and things with relation to the plan of said city or village which to said planning commission seem necessary and proper, including recommendations and changes suggested by it; and any report at any time made, may include any of the above. Such planning commission may obtain expert assistance in the making of any such maps or reports, or in the investigations necessary and proper with relation thereto. SUCH PLANNING COMMISSION MAY ALSO REQUEST ASSISTANCE FROM THE OFFICE OF INFORMATION TECHNOLOGY SERVICES, WHICH SHALL ASSIST WITH ANY MAPPING OF SAID CITY OR VILLAGE OR ANY PORTION THEREOF, WHERE SUCH A REQUEST IS MADE IN ORDER FOR SAID CITY OR VILLAGE TO MAKE ANY STRATEGIC DEVELOPMENT OR POLICY DECISIONS, UPON A SHOWING OF NEED BY THE CITY OR VILLAGE UPON REQUEST BY THE OFFICE AS DEFINED BY SECTION ONE HUNDRED THREE OF THE STATE TECHNOLOGY LAW.

S 2. Paragraph (d) of subdivision 3 of section 239-c of the general municipal law, as added by chapter 451 of the laws of 1997, is amended to read as follows:

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

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(d) County studies. The county planning board may undertake studies relevant to the future growth, development, and protection of the county and municipalities therein, including studies in support of a county comprehensive plan. FOR ANY SUCH STUDIES THAT REQUIRE STRATEGIC PLANNING AND CONSULTATION OF OFFICIAL OR UNOFFICIAL MAPS OF THE COUNTY, THE COUNTY PLANNING BOARD MAY REQUEST ASSISTANCE FROM THE OFFICE OF INFORMATION TECHNOLOGY SERVICES, WHICH SHALL ASSIST WITH ANY MAPPING, UPON A SHOWING OF NEED BY THE COUNTY PLANNING BOARD UPON REQUEST BY THE OFFICE AS DEFINED BY SECTION ONE HUNDRED THREE OF THE STATE TECHNOLOGY LAW.

S 3. Section 273 of the town law, as amended by chapter 486 of the laws of 1956, is amended to read as follows:

S 273. Official map, changes. Such town board is authorized and empowered, whenever and as often as it may deem it for the public interest, to change or add to the official map of the town so as to lay out new streets, highways, drainage systems or parks, or to widen or close existing streets, highways, drainage systems or parks within that part of the town outside the limits of any incorporated city or village. At least ten days' notice of a public hearing on any proposed action with reference to any such change in the official map shall be published in a newspaper of general circulation in such town. Before making any such addition or change, the town board shall refer the matter to the planning board for report thereon, but if the planning board shall not make its report within thirty days of such reference, it shall forfeit the right further to suspend action. Such additions and changes, when adopted, shall become a part of the official map of the town, and shall be deemed to be final and conclusive with respect to the location of the streets, highways, drainage systems and parks shown thereon. The layout, widening or closing, or the approval of the layout, widening or closing, of streets, highways, drainage systems or parks, by the town board, or the town superintendent of highways, under provisions of law other than those contained in this article, shall be deemed to be an addition or change of the official map, and shall be subject to all the provisions of this article with regard to such additions or changes. FOR ANY SUCH ADDITION OR CHANGE THAT IS MADE AS PART OF A STRATEGIC DEVELOPMENT OR POLICY, THE PLANNING BOARD MAY REQUEST ASSISTANCE FROM THE OFFICE OF INFORMATION TECHNOLOGY SERVICES, WHICH SHALL ASSIST WITH ANY MAPPING, UPON A SHOWING OF NEED BY THE PLANNING BOARD UPON REQUEST BY THE OFFICE AS DEFINED BY SECTION ONE HUNDRED THREE OF THE STATE TECHNOLOGY LAW.

S 4. Section 103 of the state technology law is amended by adding a new subdivision 7-b to read as follows:

7-B. TO PROVIDE TECHNOLOGY SERVICES INCLUDING GEOGRAPHIC INFORMATION SYSTEM MAPPING UPON REQUEST BY ANY MUNICIPALITY, PROVIDED THAT THE OFFICE MAY REQUEST A SHOWING OF NEED FROM ANY MUNICIPALITY. FOR PURPOSES OF THIS SECTION, A SHOWING OF NEED SHALL BE APPROVED IF THE MUNICIPALITY DEMONSTRATES THAT TECHNICAL ASSISTANCE IN PROVIDING GEOGRAPHIC INFORMATION SYSTEM MAPPING BY THE OFFICE WILL ASSIST THE MUNICIPALITY IN MAKING STRATEGIC DEVELOPMENT OR POLICY DETERMINATIONS INVOLVING A REVIEW OF FLOOR SPACE USAGE WITHIN ITS GEOGRAPHIC BORDERS AND BUSINESS, EMPLOYMENT, AND OTHER CAPACITY USAGE INFORMATION.

S 5. The executive law is amended by adding a new section 105-a to read as follows:

S 105-A. MUNICIPAL STUDY ASSISTANCE. THE COMMISSIONER SHALL CAUSE THE DEPARTMENT TO OFFER, IN CONJUNCTION WITH THE OFFICE OF INFORMATION TECHNOLOGY SERVICES, A PROGRAM OR SYSTEM THAT SHALL ASSIST COUNTIES OR MUNICIPALITIES IN THE CONDUCTING OF A STUDY OF THE TOTAL USAGE OF FLOOR SPACE WITHIN THE GIVEN COUNTY OR MUNICIPAL BORDERS. SUCH PROGRAM OR

SYSTEM SHALL INCLUDE BUT NOT BE LIMITED TO TECHNICAL ASSISTANCE, METHODOLOGICAL SUPPORT, AND ANY TECHNOLOGY SERVICES THAT ARE DEEMED TO BE USEFUL TO A COUNTY OR MUNICIPALITY CAUSING SUCH A STUDY TO BE TAKEN. THE USE OF SUCH PROGRAM OR SYSTEM SHALL ONLY BE USED WHERE THE PURPOSE OF SUCH STUDY SHALL BE TO DETERMINE THE TOTAL FLOOR SPACE AVAILABLE WITHIN A GIVEN SUBDIVISION, THE PERCENTAGE OF FLOOR SPACE USED FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL PURPOSES, AND THE CREATION OF ANY STRATEGIC PLAN RELATED TO RESPONSES ON SUCH FLOOR SPACE STUDY.

S 6. This act shall take effect on the ninetieth day after it shall have become a law.