

7171

I N   S E N A T E

April 5, 2016

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Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the not-for-profit corporation law, in relation to assignment of rights by a land bank

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

1     Section 1. Paragraph (i) of section 1616 of the not-for-profit corpo-  
2     ration law, as amended by chapter 372 of the laws of 2013, is amended to  
3     read as follows:  
4     (i) Notwithstanding any other provision of law to the contrary, in the  
5     event that no municipality elects to tender a bid at a public sale  
6     pursuant to the provisions of section eleven hundred sixty-six of the  
7     real property tax law or sale pursuant to the provisions of a county  
8     charter, city charter, administrative code, or special law when applica-  
9     ble under section eleven hundred four of the real property tax law, the  
10    land bank may tender a bid at such sale in an amount equal to the total  
11    amount of all municipal claims and liens which were the basis for the  
12    judgment. In the event of such tender by the land bank the property  
13    shall be deemed sold to the land bank regardless of any bids by any  
14    other third parties. The bid of the land bank shall be paid as to its  
15    form, substance, and timing according to such agreement as is mutually  
16    acceptable to the plaintiff and the land bank. The obligation of the  
17    land bank to perform in accordance with such agreement shall be deemed  
18    to be in full satisfaction of the municipal claim which was the basis  
19    for the judgment. The land bank, as purchaser at such public sale or  
20    sale pursuant to the provisions of a county charter, city charter,  
21    administrative code, or special law when applicable under section eleven  
22    hundred four of the real property tax law, shall take and forever there-  
23    after have, an absolute title to the property sold, free and discharged  
24    of all tax and municipal claims, liens, mortgages, charges and estates  
25    of whatsoever kind. The deed to the land bank shall be executed,  
26    acknowledged and delivered within thirty days of the sale. ALTERNATIVE-  
27    LY, THE LAND BANK CAN ASSIGN ALL RIGHTS RESULTING FROM THE LAND BANK'S

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

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1 SUCCESSFUL TENDER FOR THE PROPERTY TO THE FORECLOSING GOVERNMENTAL UNIT,  
2 WHICH WOULD ALLOW THE PROPERTY TO BE DEEDED DIRECTLY TO THE FORECLOSING  
3 GOVERNMENTAL UNIT. All land bank acquisitions pursuant to this paragraph  
4 shall comply with section sixteen hundred eight of this article and all  
5 dispositions of property acquired pursuant to this paragraph shall  
6 comply with section sixteen hundred nine of this article.

7 S 2. This act shall take effect immediately.