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

S. 7770 A. 10143

S E N A T E - A S S E M B L Y

May 12, 2016

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

IN ASSEMBLY -- Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Local Governments

AN ACT to amend the Suffolk county tax act, in relation to sales of certain property made to the Suffolk County Landbank Corporation

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

Section 1. Section 45 of chapter 311 of the laws of 1920 constituting the Suffolk county tax act, as amended by chapter 847 of the laws of 1984, is amended to read as follows:

S 45. Sale of property for unpaid taxes. If the owner, mortgagee or occupant of or party in interest in such real estate does not pay such tax or assessment, with the costs, additions and charges, within the period stated in such advertisement, then the county treasurer shall, without further notice, commence the sale of lands specified in such notice of sale on the day set for that purpose and continue the sale from day to day until every such lot or parcel is sold. [Such] EXCEPT FOR SALES TO THE SUFFOLK COUNTY LANDBANK CORPORATION AS PROVIDED IN SUBDIVISION (F) OF SECTION SIXTEEN HUNDRED EIGHT AND/OR SUBDIVISION (A) OF SECTION SIXTEEN HUNDRED SIXTEEN OF THE NOT-FOR-PROFIT CORPORATION LAW, SUCH lands shall be sold for an amount sufficient to pay all the taxes and assessments due thereon for the years for the taxes of which said sale shall be made with interest thereon to the time of sale, and all costs, expenses and charges accrued thereon and, subject to reductions as herein provided, said amount paid for such property shall carry and bear the maximum interest and penalties as follows: six per centum on the purchase price, if redeemed within six months of date of sale. An additional six per centum on the purchase price if redeemed after the expiration of six months and within twelve months of the date of sale. An additional six per centum on the purchase price if redeemed after the expiration of twelve months and within a period of eighteen

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

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months of date of sale. An additional six per centum on the purchase price if redeemed after the expiration of eighteen months and within a period of twenty-four months of date of sale. An additional six per centum on the purchase price if redeemed after the expiration of twenty-four months and within a period of thirty months of date of sale. An additional six per centum on the purchase price if redeemed after the expiration of thirty months and within thirty-six months of date of sale. The rate of interest at which any person or persons shall offer to take the lot or parcel of land to be sold shall be established by his bid. The rate thus established shall be the rate of interest for every period of six months or fraction thereof up to the time of the redemption of the property purchased until the expiration of three years, plus all taxes paid by the purchaser with interest thereon at six per centum per annum to the date of payment. At such sale, rates of interest shall be bid in multiples of one per centum or a flat bid of no interest whatsoever and parcels shall be sold and bid upon separately. If more than one person bids the same rate of interest, the county treasurer or person conducting such sale shall sell the parcel to whichever of such bidders as he in his sole discretion shall determine. In any case, however, and as to any parcel, the county may reject any and all bids and bid in and purchase the same for the county at a rate of interest as shall be established by resolution of the county legislature, but not to exceed the maximum rate of interest as herein provided in which event the bid of the county shall be preferred over all other bids. The county shall likewise be deemed the purchaser at the rate of interest as herein provided for of all parcels which are not sold at sale. The county legislature may by resolution exclude from such sale such parcels as it determines where the county has entered into any agreement concerning the disposition of tax liens thereon with a tax district or other person pursuant to section one hundred sixty-six-a of the tax law or other provisions of law. The foregoing rates of interest shall be applied whenever those rates are greater than the rates of interest as established in section thirteen-c of this tax act.

S 2. Section 46 of chapter 311 of the laws of 1920 constituting the Suffolk county tax act, as amended by chapter 502 of the laws of 1977, is amended to read as follows:

S 46. The county of Suffolk may purchase property at tax sale. The county of Suffolk is empowered to purchase lots or parcels of land at such tax sale, and is further empowered to accept deeds and to foreclose the certificates of sale and perform all other acts to perfect the title of real estate thus acquired. The county treasurer shall annually furnish the county legislature with a report of real estate acquired by the county at such sales, which remains unredeemed and to which the county is entitled to a deed or upon which foreclosure proceedings may be commenced. The county attorney shall conduct all foreclosure proceedings and perform all legal work necessary on behalf of the county under the supervision of the county legislature. Land thus acquired by the county may be released or sold upon terms prescribed by resolution of the county legislature by the county treasurer in the name of the county, and with respect to the sale of surplus real property such terms may include purchase money mortgages, installment contract sales or any other means of selling and financing. The county legislature may set aside parcels of land thus acquired in various parts of the county and hold the same for county purposes.

The county may, by resolution of the county legislature, transfer and assign any certificates of sales held by the county upon payment to the

county of the amount of its bid with interest thereon to the date of such assignment or transfer OR LESS THAN SUCH AMOUNT IF SOLD TO THE SUFFOLK COUNTY LANDBANK CORPORATION PURSUANT TO SUBDIVISION (F) OF SECTION SIXTEEN HUNDRED EIGHT AND/OR SUBDIVISION (A) OF SECTION SIXTEEN HUNDRED SIXTEEN OF THE NOT-FOR-PROFIT CORPORATION LAW.

S 3. This act shall take effect immediately.