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

7850

I N S E N A T E

May 17, 2016

Introduced by Sen. LARKIN -- 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, in relation to referrals of certain annexation petitions

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

Section 1. The section heading of section 239-m of the general municipal law, as amended by chapter 459 of the laws of 1997, is amended, subparagraph (vi) of paragraph (a) of subdivision 3 is renumbered subparagraph (vii) and a new subparagraph (vi) is added to read as follows:

Referral of certain proposed city, town and village planning and zoning actions AND REFERRAL OF AND RECOMMENDATION ON CERTAIN ANNEXATION PETITIONS to the county planning agency or regional planning council; report thereon; final action.

(VI) ANNEXATION THAT WOULD POTENTIALLY REQUIRE COUNTY OR COUNTY AGENCY APPROVAL (I) TO PROVIDE WATER OR SEWER SERVICE IN THE AREA TO BE ANNEXED, OR (II) FOR THE ANNEXING MUNICIPALITY TO PROVIDE WATER OR SEWER SERVICE IN THE AREA TO BE ANNEXED;

S 2. Subdivision 1 of section 711 of the general municipal law is amended by adding a new closing paragraph to read as follows:

PROVIDED, HOWEVER, IN THE EVENT THAT THE PETITION TO INITIATE ANNEXATION IS SUBJECT TO REFERRAL TO AND RECOMMENDATION BY RELEVANT COUNTY PLANNING AGENCY OR REGIONAL PLANNING COUNCIL PURSUANT TO SECTION TWO HUNDRED THIRTY-NINE-M OF THIS CHAPTER, THE GOVERNING BOARDS OF THE MUNICIPALITIES AFFECTED BY SUCH ANNEXATION SHALL COMPLY WITH ALL REQUIREMENTS OF SUCH SECTION PRIOR TO MAKING A FINAL DETERMINATION.

S 3. This act shall take effect immediately, and shall apply to any annexation petition for which a final determination by the affected governing boards as required by section 711 of the general municipal law has not yet been determined.

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

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