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I N   S E N A T E

May 17, 2016

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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:

1     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, 2  
3     subparagraph (vi) of paragraph (a) of subdivision 3 is renumbered 4  
5     subparagraph (vii) and a new subparagraph (vi) is added to read as follows:

6     Referral of certain proposed city, town and village planning and 7  
8     zoning actions AND REFERRAL OF AND RECOMMENDATION ON CERTAIN ANNEXATION 8  
9     PETITIONS to the county planning agency or regional planning council; 9  
10    report thereon; final action.

11    (VI) ANNEXATION THAT WOULD POTENTIALLY REQUIRE COUNTY OR COUNTY AGENCY 10  
12    APPROVAL (I) TO PROVIDE WATER OR SEWER SERVICE IN THE AREA TO BE 11  
13    ANNEXED, OR (II) FOR THE ANNEXING MUNICIPALITY TO PROVIDE WATER OR SEWER 12  
14    SERVICE IN THE AREA TO BE ANNEXED; 13

15    S 2. Subdivision 1 of section 711 of the general municipal law is 14  
16    amended by adding a new closing paragraph to read as follows:

17    PROVIDED, HOWEVER, IN THE EVENT THAT THE PETITION TO INITIATE ANNEXA- 15  
18    TION IS SUBJECT TO REFERRAL TO AND RECOMMENDATION BY RELEVANT COUNTY 16  
19    PLANNING AGENCY OR REGIONAL PLANNING COUNCIL PURSUANT TO SECTION TWO 17  
20    HUNDRED THIRTY-NINE-M OF THIS CHAPTER, THE GOVERNING BOARDS OF THE MUNI- 18  
21    CIPALITIES AFFECTED BY SUCH ANNEXATION SHALL COMPLY WITH ALL REQUIRE- 19  
22    MENTS OF SUCH SECTION PRIOR TO MAKING A FINAL DETERMINATION. 20

23    S 3. This act shall take effect immediately, and shall apply to any 21  
24    annexation petition for which a final determination by the affected 22  
25    governing boards as required by section 711 of the general municipal law 23  
26    has not yet been determined. 24

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

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