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I N   A S S E M B L Y

February 25, 2016

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Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the arts and cultural affairs law and the economic development law, in relation to the establishment of arts and cultural districts

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

1     Section 1. The arts and cultural affairs law is amended by adding a  
2     new section 3.19 to read as follows:

3     S 3.19. ARTS AND CULTURAL DISTRICTS. 1. THE COUNCIL SHALL DEVELOP  
4     CRITERIA AND GUIDELINES FOR STATE DESIGNATED ARTS AND CULTURAL DISTRICTS  
5     AND SHALL DEVELOP AN APPLICATION PROCESS FOR RECEIVING SUCH A DESIGN-  
6     NATION. A "DISTRICT" SHALL BE DEFINED AS A GEOGRAPHIC AREA OF A CITY,  
7     TOWN, OR VILLAGE WITH A CONCENTRATION OF ARTS OR CULTURAL FACILITIES  
8     LOCATED WITHIN ITS BOUNDARIES. CRITERIA DEVELOPED BY THE COUNCIL TO  
9     DESIGNATE A DISTRICT SHALL INCLUDE DETERMINATIONS THAT SUCH DISTRICT:  
10    (A) ATTRACTS ARTISTS OR CULTURAL ENTERPRISES TO THE COMMUNITY, (B)  
11    ENCOURAGES BUSINESS AND JOB DEVELOPMENT DUE TO THE PRE-EXISTING INSTI-  
12    TUTIONS, (C) ATTRACTS A SUFFICIENT AMOUNT OF TOURISM, (D) ENHANCES LOCAL  
13    PROPERTY VALUES AND FOSTERS LOCAL CULTURAL DEVELOPMENT, OR (E) HAS THE  
14    POTENTIAL TO MEET ANY OF THE CATEGORICAL DETERMINATIONS IF SUFFICIENT  
15    STATE SUPPORT AND ASSISTANCE IS PROVIDED TO THE PROPOSED DISTRICT. THE  
16    COUNCIL SHALL ALSO DEVELOP GUIDELINES THAT PROVIDE ASSISTANCE TO A CITY,  
17    TOWN, OR VILLAGE IN DEVELOPING AN APPLICATION FOR DISTRICT CERTIF-  
18    ICATION.

19    2. FOR ANY STATE DESIGNATED ARTS AND CULTURAL DISTRICT, THE COUNCIL  
20    AND THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION SHALL PROVIDE STATE  
21    SUPPORTED ASSISTANCE TO SUCH DISTRICT IN ITS ACTIVITIES, INCLUDING BUT  
22    NOT LIMITED TO TECHNICAL ASSISTANCE IN APPLYING FOR FEDERAL AND NON-PRO-  
23    FIT GRANTS, MARKETING EXPERTISE, IDENTIFICATION OF OTHER STATE RESOURCES  
24    THAT MAY ASSIST A DISTRICT'S ACTIVITIES OR PROGRAMS THAT COULD BE  
25    CREATED OR EXPANDED WITHIN STATE AGENCIES TO ASSIST DISTRICTS.

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

LBD13316-03-6

1 3. FOR ANY GRANTS OR FINANCIAL ASSISTANCE PROVIDED PURSUANT TO THIS  
2 ARTICLE, THE COUNCIL SHALL PROVIDE THE MOST FAVORABLE TREATMENT ALLOW-  
3 ABLE TO AN APPLICANT LOCATED WITHIN A DESIGNATED DISTRICT.

4 4. TWO OR MORE LOCAL GOVERNMENTS MAY JOINTLY APPLY FOR A DESIGNATED  
5 DISTRICT WHERE THE PROPOSED GEOGRAPHIC AREA OF SUCH DISTRICT SHALL  
6 EXTEND ACROSS COMMONLY HELD JURISDICTIONAL BOUNDARIES.

7 5. THE COUNCIL MAY ACCEPT OR REJECT AN APPLICATION UNDER THIS SECTION  
8 AND MAY PROPOSE AMENDMENTS TO THE APPLICATION IN LIEU OF ACCEPTANCE.  
9 APPLICANTS SHALL BE PROVIDED A RESPONSE WITHIN NINETY DAYS OF THE  
10 RECEIPT OF THE APPLICATION, AND ANY AMENDMENTS TO SUCH AN APPLICATION  
11 SHALL BE RESPONDED TO WITHIN THIRTY DAYS OF RECEIPT.

12 S 2. Paragraphs 4 and 5 of subdivision (e) of section 168 of the  
13 economic development law, are renumbered paragraphs 5 and 6 and a new  
14 paragraph 4 is added to read as follows:

15 (4) EVALUATE AND MAKE RECOMMENDATIONS TO SUPPORT SPECIFIC TOURISM  
16 PROMOTION FOR ANY STATE DESIGNATED ARTS AND CULTURAL DISTRICT ESTAB-  
17 LISHED PURSUANT TO SECTION 3.19 OF THE ARTS AND CULTURAL AFFAIRS LAW;

18 S 3. No later than three hundred sixty-five days after the effective  
19 date of this act, the council of the arts shall issue a report to the  
20 temporary president of the senate, the speaker of the assembly, and the  
21 chairs of the relevant legislative committees recommending any changes  
22 to any provisions of law that would effectuate the purposes of this act,  
23 including but not limited to providing additional state incentives and  
24 benefits, altering the application process, promoting additional tour-  
25 ism, and any other measures that would aid the operations of proposed  
26 and current arts and cultural districts.

27 S 4. This act shall take effect on the one hundred twentieth day after  
28 it shall have become a law.