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I N A S S E M B L Y

February 25, 2016

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the arts and cultural affairs law and the economic development law, in relation to creating the arts and cultural district

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 DISTRICT. 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 URBAN DEVELOPMENT CORPORATION SHALL PROVIDE STATE SUPPORTED
21 ASSISTANCE TO THE DISTRICT IN ITS ACTIVITIES, INCLUDING BUT NOT LIMITED
22 TO TECHNICAL ASSISTANCE IN APPLYING FOR FEDERAL AND NON-PROFIT GRANTS,
23 MARKETING EXPERTISE, IDENTIFICATION OF OTHER STATE RESOURCES THAT MAY
24 ASSIST A DISTRICT'S ACTIVITIES OR PROGRAMS THAT COULD BE CREATED OR
25 EXPANDED WITHIN STATE AGENCIES TO ASSIST DISTRICTS.

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

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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, AS
17 DEFINED IN 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 purpose 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.