

5643

2015-2016 Regular Sessions

I N S E N A T E

May 21, 2015

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 S 239-m. Referral of certain proposed city, town and village planning 7
8 and zoning actions AND REFERRAL OF CERTAIN ANNEXATION PETITIONS to the 9
9 county planning agency or regional planning council; report thereon; final action.

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

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

16 PROVIDED, HOWEVER, IN THE EVENT THAT THE PETITION TO INITIATE ANNEXA- 17
17 TION IS SUBJECT TO REFERRAL PURSUANT TO SECTION TWO HUNDRED 18
18 THIRTY-NINE-M OF THIS CHAPTER, THE GOVERNING BOARDS OF THE MUNICI- 19
19 PALITIES AFFECTED BY SUCH ANNEXATION SHALL COMPLY WITH ALL REQUIREMENTS 20
20 OF SUCH SECTION PRIOR TO MAKING A FINAL DETERMINATION.

21 S 3. This act shall take effect immediately, and shall apply to any 22
22 annexation petition for which a hearing required by section 705 of the 23
23 general municipal law has not been held as of May 30, 2015.

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

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