

5768

2015-2016 Regular Sessions

I N S E N A T E

June 2, 2015

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to applying the prevailing wage laws to certain projects on privately owned property; and to amend the real property tax law, in relation to extending certain exemptions for new multiple dwellings

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

1 Section 1. Section 220 of the labor law is amended by adding a new  
2 subdivision 10 to read as follows:

3 10. NOTWITHSTANDING ANY LAW TO THE CONTRARY, ANY PROJECT ON PRIVATELY  
4 OWNED PROPERTY WHICH, IN WHOLE OR PART, (A) RECEIVES OR BENEFITS FROM AN  
5 EXEMPTION FROM REAL PROPERTY TAXATION PURSUANT TO SECTION FOUR HUNDRED  
6 TWENTY-ONE-A OF THE REAL PROPERTY TAX LAW, (B) INVOLVES MORE THAN FIFTY  
7 DWELLING UNITS WHERE LESS THAN FIFTY PERCENT OF THE UNITS ARE SUBJECT TO  
8 AN AGREEMENT WITH A MUNICIPALITY, THE STATE, THE FEDERAL GOVERNMENT OR  
9 ANY INSTRUMENTALITY THEREOF WHICH RESTRICTS THE OCCUPANCY OF SUCH UNITS  
10 TO INDIVIDUALS OR FAMILIES, AS TENANTS OR PURCHASERS, WITH A GROSS  
11 HOUSEHOLD INCOME AT OR BELOW ONE HUNDRED TWENTY-FIVE PERCENT OF THE AREA  
12 MEDIAN INCOME, AND (C) MAY INVOLVE THE EMPLOYMENT OF LABORERS, WORKERS  
13 OR MECHANICS, SHALL BE CONSIDERED PUBLIC WORK FOR THE PURPOSES OF THIS  
14 ARTICLE, AND ANY CONTRACTS OR SUBCONTRACTS WHICH MAY INVOLVE THE EMPLOY-  
15 MENT OF LABORERS, WORKERS OR MECHANICS SHALL BE ENFORCEABLE UNDER THIS  
16 ARTICLE. FOR PURPOSES OF THIS SECTION, "PRIVATELY OWNED PROPERTY" SHALL  
17 MEAN PROPERTY HELD PURSUANT TO OWNERSHIP OR LEASEHOLD INTEREST BY A  
18 NON-GOVERNMENTAL ENTITY.

19 S 2. The opening paragraph of clause (A) of subparagraph (iv) of para-  
20 graph (a) of subdivision 2 of section 421-a of the real property tax  
21 law, as amended by section 41 of part B of chapter 97 of the laws of  
22 2011, is amended to read as follows:

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

LBD11392-01-5

1 Unless excluded by local law, in the city of New York, the benefits of  
2 this subparagraph shall be available in the borough of Manhattan for new  
3 multiple dwellings on tax lots now existing or hereafter created south  
4 of or adjacent to either side of one hundred tenth street that commence  
5 construction after July first, nineteen hundred ninety-two and before  
6 June fifteenth, two thousand [fifteen] EIGHTEEN only if:

7 S 3. Subparagraph (ii) of paragraph (c) of subdivision 2 of section  
8 421-a of the real property tax law, as amended by section 42 of part B  
9 of chapter 97 of the laws of 2011, is amended to read as follows:

10 (ii) construction is commenced after January first, nineteen hundred  
11 seventy-five and before June fifteenth, two thousand [fifteen] EIGHTEEN  
12 provided, however, that such commencement period shall not apply to  
13 multiple dwellings eligible for benefits under subparagraph (iv) of  
14 paragraph (a) of this subdivision;

15 S 4. This act shall take effect immediately.