

# STATE OF NEW YORK

S. 6580

A. 8265

2017-2018 Regular Sessions

## SENATE - ASSEMBLY

June 5, 2017

IN SENATE -- Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

IN ASSEMBLY -- Introduced by M. of A. KEARNS -- read once and referred to the Committee on Judiciary

AN ACT to amend the Erie county tax act, in relation to decreasing the time a vacant property may sit in foreclosure in Erie county

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 9-1.0 of chapter 812 of the laws of 1942, constituting the Erie county tax act, is amended to read as follows:

2 § 9-1.0 When foreclosure may be taken. (a) Whenever a tax sale certificate issued on any tax sale shall be outstanding, unredeemed and unpaid for a period of not less than two years nor more than twenty-five years after the issuance thereof and no conveyance has been taken thereunder, the holder of such tax sale certificate, including the county of Erie, may bring an action to recover the amount paid for such certificate with all interest, penalties, additions and expenses as in this act provided. For that purpose, such a holder may maintain an action in the supreme court or in the county court of Erie county for the sale of the lands affected by such certificate. Jurisdiction of such action is hereby expressly conferred upon such county court.

14 (b) For real property that has been certified vacant and abandoned pursuant to section thirteen hundred nine of the real property actions and proceedings law, whenever a tax sale certificate issued on any tax sale shall be outstanding, unredeemed and unpaid for a period of not less than one year nor more than twenty-five years after the issuance thereof and no conveyance has been taken thereunder, the holder of such tax sale certificate, including the county of Erie, may bring an action to recover the amount paid for such certificate with all interest, penalties, additions and expenses as in this act provided. For that

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

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1 purpose, such a holder may maintain an action in the supreme court or in  
2 the county court of Erie county for the sale of the lands affected by  
3 such certificate. Jurisdiction of such action is hereby expressly  
4 conferred upon such county court.

5 § 2. This act shall take effect immediately.