

STATE OF NEW YORK

6471--A

2017-2018 Regular Sessions

IN SENATE

May 23, 2017

Introduced by Sen. FELDER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, the public housing law, the state finance law, chapter 585 of the laws of 1939, relating to the rate of interest to be paid by certain public corporations upon judgments and accrued claims and the New York city health and hospitals corporation act, in relation to rates of interest paid by certain governmental entities on judgments and accrued claims

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

1 Section 1. Subdivision 1 of section 3-a of the general municipal law,
2 as amended by chapter 4 of the laws of 1991, is amended to read as
3 follows:

4 1. Except as provided in subdivisions two, four and five of this
5 section, the rate of interest to be paid by a municipal corporation upon
6 any judgment or accrued claim against the municipal corporation shall
7 not exceed the lower of nine per centum per annum or a rate equal to the
8 weekly average one-year constant maturity treasury yield, as published
9 by the board of governors of the federal reserve system, for the calen-
10 dar week preceding the date of the entry of the judgment.

11 § 2. Subdivision 2 of section 3-a of the general municipal law, as
12 amended by chapter 777 of the laws of 1978, is amended to read as
13 follows:

14 2. The rate of interest to be paid upon any judgment or accrued claim
15 against the municipal corporation arising out of condemnation
16 proceedings or action to recover damages for wrongful death shall not
17 exceed the lower of six per centum per annum or a rate equal to the
18 weekly average one-year constant maturity treasury yield, as published

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

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1 by the board of governors of the federal reserve system, for the calen-
2 dar week preceding the date of the entry of the judgment.

3 § 3. Subdivision 5 of section 157 of the public housing law, as
4 amended by chapter 681 of the laws of 1982, is amended to read as
5 follows:

6 5. The rate of interest to be paid by an authority upon any judgment
7 or accrued claim against the authority shall not exceed the lower of
8 nine per centum per annum or a rate equal to the weekly average one-year
9 constant maturity treasury yield, as published by the board of governors
10 of the federal reserve system, for the calendar week preceding the date
11 of the entry of the judgment.

12 § 4. Section 16 of the state finance law, as amended by chapter 681 of
13 the laws of 1982, is amended to read as follows:

14 § 16. Rate of interest on judgments and accrued claims against the
15 state. The rate of interest to be paid by the state upon any judgment
16 or accrued claim against the state shall not exceed the lower of nine
17 per centum per annum or a rate equal to the weekly average one-year
18 constant maturity treasury yield, as published by the board of governors
19 of the federal reserve system, for the calendar week preceding the date
20 of the entry of the judgment.

21 § 5. Section 1 of chapter 585 of the laws of 1939, relating to the
22 rate of interest to be paid by certain public corporations upon judg-
23 ments and accrued claims, as amended by chapter 681 of the laws of 1982,
24 is amended to read as follows:

25 Section 1. The rate of interest to be paid by a public corporation
26 upon any judgment or accrued claim against the public corporation shall
27 not exceed the lower of nine per centum per annum or a rate equal to the
28 weekly average one-year constant maturity treasury yield, as published
29 by the board of governors of the federal reserve system, for the calen-
30 dar week preceding the date of the entry of the judgment. The term
31 "public corporation" as used in this act shall mean and include every
32 corporation created for the construction of public improvements, other
33 than a county, city, town, village, school district or fire district or
34 an improvement district established in a town or towns, and possessing
35 both the power to contract indebtedness and the power to collect
36 rentals, charges, rates or fees for services or facilities furnished or
37 supplied.

38 § 6. Subdivision 5 of section 20 of section 1 of chapter 1016 of the
39 laws of 1969, constituting the New York city health and hospitals corpo-
40 ration act, as amended by chapter 877 of the laws of 1973, is amended to
41 read as follows:

42 5. Except as hereinafter provided in this subdivision, the rate of
43 interest to be paid by the corporation upon any judgment or accrued
44 claim against the corporation shall not exceed the lower of three per
45 centum per annum or a rate equal to the weekly average one-year constant
46 maturity treasury yield, as published by the board of governors of the
47 federal reserve system, for the calendar week preceding the date of the
48 entry of the judgment. The rate of interest to be paid upon any judg-
49 ment or accrued claim against the corporation arising out of an action
50 to recover damages for wrongful death shall not exceed the lower of six
51 per centum per annum or a rate equal to the weekly average one-year
52 constant maturity treasury yield, as published by the board of governors
53 of the federal reserve system, for the calendar week preceding the date
54 of the entry of the judgment.

55 § 7. This act shall take effect immediately and shall apply to all
56 judgments entered and all accrued claims paid on or after such date.