STATE OF NEW YORK

S. 5466 A. 7396

2019-2020 Regular Sessions

SENATE - ASSEMBLY

May 1, 2019

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

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments

AN ACT to amend chapter 399 of the laws of 2017, relating to authorizing the town of Southampton, Suffolk county, to establish an underground utility improvement district, in relation to the issuance of bonds and notes of the town of Southampton, in the county of Suffolk, for the construction or reconstruction of underground utilities and related facilities

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

Section 1. Section 1 of chapter 399 of the laws of 2017, relating to authorizing the town of Southampton, Suffolk county, to establish an underground utility improvement district, is amended to read as follows:

Section 1. **(a)** The town of Southampton, in the county of Suffolk, is hereby authorized to establish an underground utility improvement district pursuant to articles 12 and 12-A of the town law. Such underground utility improvement district shall be established, funded, operated and otherwise controlled by the provisions of articles 12 and 12-A of the town law and the provisions of this act. To the extent that the provisions of this act shall in any way be in conflict with articles 12 and 12-A of the town law, the provisions of this act shall be controlling.

(b) The costs and expenses of the town of Southampton underground utility improvement district shall be borne by local assessment upon the several lots and parcels of land which the town board shall determine and specify to be especially benefited by the improvement, and the town board shall apportion and assess upon and collect from the several lots

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

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and parcels of land so deemed benefited, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same.

(c) Notwithstanding any provision of section 11.00 of the local finance law to the contrary, the town of Southampton is hereby authorized to issue bonds and notes for the construction or reconstruction of underground conduits and related facilities for the protection of public or municipal utility transmission lines, including but not limited to electrical power distribution and communication lines, including furnishings, machinery, equipment, apparatus, appurtenances, land or rights-in-land, and the costs of and incidental to the transfer of such lines from above ground to such conduits and related facilities. Such issuance shall be authorized for a period of probable usefulness not to exceed 30 years, which shall apply to the object or purpose set forth in this subdivision.

§ 2. This act shall take effect immediately.