

# STATE OF NEW YORK

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6638

2019-2020 Regular Sessions

## IN SENATE

July 29, 2019

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

AN ACT to amend chapter 696 of the laws of 1887 relating to providing  
hospitals, orphan asylums and other charitable institutions in the  
city of New York with water and remitting assessments therefor, in  
relation to exempting certain non-profit community gardens from  
payment for water usage and supply

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

1 Section 1. Section 1 of chapter 696 of the laws of 1887 relating to  
2 providing hospitals, orphan asylums and other charitable institutions in  
3 the city of New York with water and remitting assessments therefor, as  
4 amended by chapter 950 of the laws of 1983, is amended to read as  
5 follows:

6 ~~[§]~~ Section 1. Except as otherwise provided in section three of this  
7 act, the several hospitals, dispensaries, orphan asylums, registered  
8 volunteer ambulance corps, homes for the aged, non-profit community  
9 gardens located on property owned by the city of New York and registered  
10 with and licensed by such city's department of parks and recreation,  
11 houses or homes for the reformation, protection or shelter of females,  
12 day nurseries or corporations or societies for the care and instruction  
13 of poor babies and needy children, any corporation which was created by  
14 an act of congress of the United States to be non-profit and without  
15 capital stock and organized exclusively for the purpose of furnishing  
16 volunteer aid to the sick and wounded of armies in time of war and to  
17 continue and carry on a system of national international relief in time  
18 of peace and to mitigate the suffering caused by fire, floods and other  
19 great national calamities, and industrial homes, and any benevolent or  
20 charitable corporation owning or maintaining an institution for medical  
21 research, public baths, for free school societies or free circulating  
22 libraries or veteran firemen's associations, and any social settlement,  
23 whether incorporated or unincorporated, which shall own or lease for a  
24 term not less than three years a building or buildings devoted exclu-  
25 sively to the purposes of such social settlement work or any religious

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

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1 society owning or leasing for a period of not less than three years a  
2 building devoted exclusively to social settlement work, now existing or  
3 hereafter established in the city of New York, or the real estate owned  
4 by any religious corporation located in the city of New York as now  
5 constituted, actually dedicated and used by such corporation exclusively  
6 as a place of public worship, or the real estate used exclusively for  
7 education through and including the twelfth grade which is owned by any  
8 corporation or association entitled to exemption under the provisions of  
9 paragraph (a) of subdivision one of section four hundred twenty-a of the  
10 real property tax law, or the real estate owned by an association of  
11 honorably discharged soldiers, sailors, or marines, devoted exclusively  
12 to patriotic and charitable purposes, are hereby exempted from the  
13 payment of any sum of money whatever to said city, for the use of water  
14 taken by same from said city, and water shall be supplied to the same by  
15 said city, in sufficient quantity for all purposes for which it is now  
16 used by said corporations, societies and institutions, or which may be  
17 necessary to be used by the same, free of all charge whatsoever, and the  
18 real estate necessarily used for any hospital, dispensary, institution  
19 for medical research, orphan asylum, registered volunteer ambulance  
20 corps, home for the aged, free school or free circulating library,  
21 veteran firemen's association, house or home for reformation, protection  
22 or shelter of females, day nurseries or corporations or societies for  
23 the care and instruction of poor babies and needy children, or any  
24 corporation which was created by an act of the congress of the United  
25 States to be non-profit and without capital stock and organized exclu-  
26 sively for the purpose of furnishing volunteer aid to the sick and  
27 wounded of armies in time of war and to continue and carry on a system  
28 of national and international relief in time of peace and to mitigate  
29 the suffering caused by fire, floods and other great national calami-  
30 ties, or industrial homes, or social settlements maintained or conducted  
31 by any incorporated or unincorporated social settlement, church or reli-  
32 gious society, or occupied for such public bath, owned or leased for a  
33 term of not less than three years, or held under any renewal or exten-  
34 sion of such lease by any such corporation, societies and institutions  
35 aforesaid, or the real estate owned by any religious corporation located  
36 in the city of New York, as now constituted, actually dedicated and used  
37 by such corporation exclusively as a place of public worship, or the  
38 real estate used exclusively for education through and including the  
39 twelfth grade which is owned by any corporation or association entitled  
40 to exemption under the provisions of paragraph (a) of subdivision one of  
41 section four hundred twenty-a of the real property tax law, or the real  
42 estate used exclusively by non-profit community gardens located on prop-  
43 erty owned by the city of New York and registered with and licensed by  
44 such city's department of parks and recreation, is hereby released,  
45 discharged and exempted from all lien and charge for water heretofore  
46 used or which may hereafter be used by any such institution, society or  
47 corporation. Notwithstanding the foregoing provisions, the mayor of the  
48 city of New York, by executive order, may provide that such institution,  
49 society or corporation shall not be exempt from payment for the use and  
50 supply of water, except that such executive order shall apply only with  
51 respect to those institutions, societies or corporations who are eligi-  
52 ble to receive reimbursement from either the United States, the state of  
53 New York, or the city of New York, or any agency thereof, for payments  
54 for the use and supply of water.

55 § 2. This act shall take effect immediately.