STATE OF NEW YORK

6638

2019-2020 Regular Sessions

IN SENATE

July 29, 2019

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 Assembly, do enact as follows:

Section 1. Section 1 of 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, as amended by chapter 950 of the laws of 1983, is amended to read as follows:

[~~§~~] **Section** 1. Except as otherwise provided in section three of this act, the several hospitals, dispensaries, orphan asylums, registered volunteer ambulance corps, homes for the aged, **non-profit community gardens located on property owned by the city of New York and registered with and licensed by such city's department of parks and recreation,** houses or homes for the reformation, protection or shelter of females, day nurseries or corporations or societies for the care and instruction of poor babies and needy children, any corporation which was created by an act of congress of the United States to be non-profit and without capital stock and organized exclusively for the purpose of furnishing volunteer aid to the sick and wounded of armies in time of war and to continue and carry on a system of national international relief in time of peace and to mitigate the suffering caused by fire, floods and other great national calamities, and industrial homes, and any benevolent or charitable corporation owning or maintaining an institution for medical research, public baths, for free school societies or free circulating libraries or veteran firemen's associations, and any social settlement, whether incorporated or unincorporated, which shall own or lease for a term not less than three years a building or buildings devoted exclusively 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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society owning or leasing for a period of not less than three years a building devoted exclusively to social settlement work, now existing or hereafter established in the city of New York, or the real estate owned by any religious corporation located in the city of New York as now constituted, actually dedicated and used by such corporation exclusively as a place of public worship, or the real estate used exclusively for education through and including the twelfth grade which is owned by any corporation or association entitled to exemption under the provisions of paragraph (a) of subdivision one of section four hundred twenty-a of the real property tax law, or the real estate owned by an association of honorably discharged soldiers, sailors, or marines, devoted exclusively to patriotic and charitable purposes, are hereby exempted from the payment of any sum of money whatever to said city, for the use of water taken by same from said city, and water shall be supplied to the same by said city, in sufficient quantity for all purposes for which it is now used by said corporations, societies and institutions, or which may be necessary to be used by the same, free of all charge whatsoever, and the real estate necessarily used for any hospital, dispensary, institution for medical research, orphan asylum, registered volunteer ambulance corps, home for the aged, free school or free circulating library, veteran firemen's association, house or home for reformation, protection or shelter of females, day nurseries or corporations or societies for the care and instruction of poor babies and needy children, or any corporation which was created by an act of the congress of the United States to be non-profit and without capital stock and organized exclusively for the purpose of furnishing volunteer aid to the sick and wounded of armies in time of war and to continue and carry on a system of national and international relief in time of peace and to mitigate the suffering caused by fire, floods and other great national calamities, or industrial homes, or social settlements maintained or conducted by any incorporated or unincorporated social settlement, church or religious society, or occupied for such public bath, owned or leased for a term of not less than three years, or held under any renewal or extension of such lease by any such corporation, societies and institutions aforesaid, or the real estate owned by any religious corporation located in the city of New York, as now constituted, actually dedicated and used by such corporation exclusively as a place of public worship, or the real estate used exclusively for education through and including the twelfth grade which is owned by any corporation or association entitled to exemption under the provisions of paragraph (a) of subdivision one of section four hundred twenty-a of the real property tax law, **or the real estate used exclusively by non-profit community gardens located on property owned by the city of New York and registered with and licensed by such city's department of parks and recreation,** is hereby released, discharged and exempted from all lien and charge for water heretofore used or which may hereafter be used by any such institution, society or corporation. Notwithstanding the foregoing provisions, the mayor of the city of New York, by executive order, may provide that such institution, society or corporation shall not be exempt from payment for the use and supply of water, except that such executive order shall apply only with respect to those institutions, societies or corporations who are eligible to receive reimbursement from either the United States, the state of New York, or the city of New York, or any agency thereof, for payments for the use and supply of water.

§ 2. This act shall take effect immediately.