

# STATE OF NEW YORK

7761

## IN SENATE

February 14, 2020

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

AN ACT to amend the general municipal law and the tax law, in relation to expanding the authorization for the establishment of community preservation funds to include any town or city within a county but excluding cities with a population of one million or more

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

1 Section 1. Paragraph (d) of subdivision 1 and subdivision 4 of section  
2 6-s of the general municipal law, paragraph (d) of subdivision 1 as  
3 amended by chapter 608 of the laws of 2019 and subdivision 4 as added by  
4 chapter 596 of the laws of 2007, are amended to read as follows:

5 (d) "Designated community" means any town or city within [~~the Hudson~~  
6 ~~Valley counties of Putnam, Ulster, or Westchester~~] a county, but shall  
7 not include any city with a population of one million or more.

8 4. Preservation of community character shall involve one or more of  
9 the following: (a) establishment of parks, nature preserves, or recre-  
10 ation areas; (b) preservation of open space; (c) preservation of lands  
11 of exceptional scenic value; (d) preservation of fresh and saltwater  
12 marshes or other wetlands; (e) preservation of aquifer recharge areas;  
13 (f) preservation of undeveloped beachlands or shoreline; (g) establish-  
14 ment of wildlife refuges for the purpose of maintaining native animal  
15 species diversity, including the protection of habitat essential to the  
16 recovery of rare, threatened or endangered species; (h) preservation of  
17 unique or threatened ecological areas; (i) preservation of rivers and  
18 river areas in a natural, free-flowing condition; (j) preservation of  
19 forested land; (k) preservation of public access to lands for public use  
20 including stream rights and waterways; (l) preservation of historic  
21 places and properties listed on the New York state register of historic  
22 places and/or protected under a municipal historic preservation ordi-  
23 nance or law; (m) undertaking any of the paragraphs of this subdivision  
24 in furtherance of the establishment of a greenbelt; [~~and~~] (n) preserva-  
25 tion of land which is predominantly viable agricultural land, as defined  
26 in subdivision seven of section three hundred one of the agriculture and

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

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1 markets law, or unique and irreplaceable agricultural land, as defined  
2 in subdivision six of section three hundred one of the agriculture and  
3 markets law; (o) preservation of water infrastructure; and (p) preserva-  
4 tion and promotion of safe and affordable housing using the state smart  
5 growth public infrastructure criteria as provided in subdivision two of  
6 section 6-0107 of the environmental conservation law.

7 § 2. Subdivision 11 of section 1560 of the tax law, as amended by  
8 chapter 608 of the laws of 2019, is amended to read as follows:

9 11. "Designated community" means any town or city within [~~the Hudson~~  
10 ~~Valley counties of Putnam, Ulster, or Westchester~~] a county, but shall  
11 not include any city with a population of one million or more.

12 § 3. This act shall take effect immediately.