STATE OF NEW YORK

2464

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. FAHY -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to eliminating the special taxing jurisdiction's option to apply agricultural assessments regardless of location or time of establishment

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

Section 1. Subdivision 6 of section 305 of the agriculture and markets law, as amended by chapter 590 of the laws of 1994, is amended to read as follows:

6. Use of assessment for certain purposes. The governing body of a fire, fire protection, or ambulance district for which a benefit assessment or a special ad valorem levy is made, [~~may~~] **shall** adopt a resolution to provide that the assessment determined pursuant to subdivision one of this section for such property shall be used for the benefit assessment or special ad valorem levy of such fire, fire protection, or ambulance district.

§ 2. Subdivision 5 of section 306 of the agriculture and markets law, as added by chapter 568 of the laws of 1996, is amended to read as follows:

5. Use of assessment for certain purposes. The governing body of a water, lighting, sewer, sanitation, fire, fire protection, or ambulance district for whose benefit a special assessment or a special ad valorem levy is imposed, [~~may~~] **shall** adopt a resolution to provide that the assessments determined pursuant to subdivision one of this section for property within the district shall be used for the special assessment or special ad valorem levy of such special district.

§ 3. This act shall take effect immediately.

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

LBD00998-01-9