

# STATE OF NEW YORK

8873

2019-2020 Regular Sessions

## IN ASSEMBLY

December 18, 2019

Introduced by M. of A. O'DONNELL -- read once and referred to the  
Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in  
relation to establishing a historic business preservation registry

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

1 Section 1. The parks, recreation and historic preservation law is  
2 amended by adding a new section 14.11 to read as follows:

3 § 14.11 Historic business preservation registry. 1. Purpose. A regis-  
4 try of historic businesses in the state shall be established for the  
5 purpose of recognizing that historic community-serving businesses are  
6 valuable cultural assets that serve as examples of the rich and diverse  
7 history of the communities in the state. Such registry shall also serve  
8 as a tool for providing educational and promotional assistance to  
9 historic businesses to encourage their continued viability and success.

10 2. Establishment. The office shall establish and maintain a registry  
11 of historic businesses in the state and maintain an online registry  
12 which includes the name and address of each historic business that has  
13 been accepted into the registry.

14 3. Eligibility. A historic business must first be nominated by an  
15 elected official, including any assembly member, senator, the governor  
16 and the lieutenant governor. Nominations are limited to three per  
17 elected official per term. An elected official shall not nominate a  
18 business if they, or a close family member, including a spouse, chil-  
19 dren, siblings or parents, own or have a major investment stake in such  
20 business.

21 4. Application. (a) After a business is nominated pursuant to subdivi-  
22 sion three of this section, such business shall submit a completed  
23 application for final approval. Such application shall be created by  
24 the office and shall include the following requirements:

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

LBD14173-01-9

1 (i) The business shall have operated in the state for thirty or more  
2 years with no break in operations exceeding two years. The business may  
3 have operated in more than one location, but shall have operated in the  
4 same municipality for a minimum of thirty years.

5 (ii) The business has contributed to the municipality's history and/or  
6 identity of such municipality.

7 (iii) The business is committed to maintaining the physical features  
8 and/or traditions that define such business, including but not limited  
9 to, craft, culinary or art forms.

10 (b) The office, upon receipt of a nomination and accompanying applica-  
11 tion, shall make a determination of whether the applicant sufficiently  
12 meets the requirements necessary to be accepted into such registry. The  
13 nominating elected official and the applicant shall be notified by the  
14 office if such applicant is not accepted into the registry and shall  
15 explain the determination of ineligibility.

16 § 2. This act shall take effect six months after it shall have become  
17 a law.