

# STATE OF NEW YORK

3858

2021-2022 Regular Sessions

## IN SENATE

January 31, 2021

Introduced by Sens. KENNEDY, GALLIVAN -- read twice and ordered printed,  
and when printed to be committed to the Committee on Local Government

AN ACT to amend the Erie county tax act, in relation to decreasing the  
time a vacant property may sit in foreclosure in Erie county

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

1 Section 1. Section 9-1.0 of chapter 812 of the laws of 1942, consti-  
2 tuting the Erie county tax act, is amended to read as follows:

3 § 9-1.0 When foreclosure may be taken. (a) Whenever a tax sale certif-  
4 icate issued on any tax sale shall be outstanding, unredeemed and unpaid  
5 for a period of not less than two years nor more than twenty-five years  
6 after the issuance thereof and no conveyance has been taken thereunder,  
7 the holder of such tax sale certificate, including the county of Erie,  
8 may bring an action to recover the amount paid for such certificate with  
9 all interest, penalties, additions and expenses as in this act provided.  
10 For that purpose, such a holder may maintain an action in the supreme  
11 court or in the county court of Erie county for the sale of the lands  
12 affected by such certificate. Jurisdiction of such action is hereby  
13 expressly conferred upon such county court.

14 (b) For real property that has been certified vacant and abandoned  
15 pursuant to section thirteen hundred nine of the real property actions  
16 and proceedings law, whenever a tax sale certificate issued on any tax  
17 sale shall be outstanding, unredeemed and unpaid for a period of not  
18 less than one year nor more than twenty-five years after the issuance  
19 thereof and no conveyance has been taken thereunder, the holder of such  
20 tax sale certificate, including the county of Erie, may bring an action  
21 to recover the amount paid for such certificate with all interest,  
22 penalties, additions and expenses as in this act provided. For that  
23 purpose, such a holder may maintain an action in the supreme court or in  
24 the county court of Erie county for the sale of the lands affected by  
25 such certificate. Jurisdiction of such action is hereby expressly  
26 conferred upon such county court.

27 § 2. This act shall take effect immediately.

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

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