STATE OF NEW YORK

10236

IN ASSEMBLY

May 15, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Brabenec) -- read once and referred to the Committee on Judiciary

AN ACT to amend the transportation corporations law and the lien law, in relation to permitting the town of Tuxedo to file liens on real property related to the towns sewage-works corporation

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

Section 1. The transportation corporations law is amended by adding a new section 125 to read as follows:

§ 125. Sewage-works corporation liens. 1. (a) If there shall be any payments which are due to a sewage-works corporation in the town of Tuxedo from a homeowner owning real property serviced by such sewage-works corporation, which shall remain due and unpaid, in whole or in part, for a period of one calendar year from the date of billing of the first missed payment, the same shall constitute a default and a lien may be placed on the property by the sewage-works corporation. Such lien shall be enforced under article three of the lien law. Such lien shall not have priority over any other security interest in the real property.

2. Liens under this section shall be filed and recorded with the appropriate county municipal office handling such matters where the real property is located.

3. The aggrieved party has one year from after the prescribed period of one calendar year to file a notice of lien for unpaid services. Within ten days after filing of such notice the lienor shall service a copy personally, or by mail, upon the person with whom the unpaid services were provided to.

§ 2. The lien law is amended by adding a new section 66 to read as follows:

§ 66. Enforcement of sewage-works corporation lien on real property. A sewage-works corporation lien by a sewage-works corporation located within the town of Tuxedo on real property may be enforced against such property, and against a person liable for the debt upon which the lien is founded, by an action, by the lienor, the lienor's assignee or legal representative, in the supreme court or in a county court otherwise

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

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having jurisdiction, regardless of the amount of such debt, so long as the provisions in section one hundred twenty-five of the transportation corporations law are met.

§ 3. This act shall take effect immediately.