STATE OF NEW YORK

10380

IN ASSEMBLY

May 21, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Bichotte Hermelyn) -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requirements for explanatory statements regarding disposal of property

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

Section 1. Paragraph d of subdivision 6 of section 2897 of the public authorities law is amended by adding a new subparagraph (iii) to read as follows:

(iii) Each such statement shall include the names of all beneficial owners of the entity to which the property is being transferred. For the purposes of this subparagraph, "beneficial owner" shall mean an individual who, directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise, owns any equity interest of an entity, and/or has a level of control over the funds or assets of the entity that, as a practical matter, enables the individual, directly or indirectly, to control, manage or direct the entity and the use of its funds and assets or any part thereof.

§ 2. Subparagraphs (v) and (vi) of paragraph b of subdivision 7 of section 2897 of the public authorities law, as added by chapter 506 of the laws of 2009, are amended and a new subparagraph (vii) is added to read as follows:

(v) the names of any private parties participating in the transfer, and if different than the statement required by subparagraph (iv) of this paragraph, a statement of the value to the private party; [~~and~~]

(vi) the names of other private parties who have made an offer for such asset, the value offered, and the purpose for which the asset was sought to be used[~~.~~]**; and**

(vii) the names of all beneficial owners of the entity to which the property is being transferred. For the purposes of this subparagraph, "beneficial owner" shall mean an individual who, directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise, owns any equity interest of an entity, and/or has a level of

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

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control over the funds or assets of the entity that, as a practical matter, enables the individual, directly or indirectly, to control, manage or direct the entity and the use of its funds and assets or any part thereof.

§ 3. This act shall take effect immediately and shall apply to disposals and contracts for disposal of property occurring or entered into on or after such date.