

# STATE OF NEW YORK

7686--A

2023-2024 Regular Sessions

## IN ASSEMBLY

June 5, 2023

Introduced by M. of A. BORES, SEAWRIGHT, SIMON -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- reference changed to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the military law and the New York state urban development corporation act, in relation to authorizing the use of armories by legacy cadet corps programs

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

1 Section 1. Subdivision 1 of section 180-a of the military law is  
2 amended by adding a new paragraph (1) to read as follows:

3 (1) "Legacy cadet corps program" shall mean a cadet corps or organized  
4 militia program that has accessed or used a regimental armory located  
5 within a city that has a population of over one million people for over  
6 one hundred years during periods which are not periods of civil or mili-  
7 tary emergency.

8 § 2. Paragraph (e) of subdivision 3 of section 180-a of the military  
9 law, as added by chapter 482 of the laws of 2004, is amended and a new  
10 paragraph (f) is added to read as follows:

11 (e) The management agreement and lease shall not apply to shelter use  
12 or to a legacy cadet corps program. Shelter use shall be governed by a  
13 separate agreement between the city of New York, the lessee and the  
14 state of New York; such separate agreement shall be executed prior to  
15 the execution of the lease. A legacy cadet corps program use shall be  
16 governed by a separate agreement between the division and the state of  
17 New York; such separate agreement shall be executed once a cadet corps  
18 program is determined to be a legacy cadet corps program.

19 (f) A cadet corps program shall qualify as a legacy cadet corps  
20 program if such program can sufficiently demonstrate to the urban devel-

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

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1 opment corporation that the cadet corps program has used or occupied a  
2 regimental armory for over one hundred years. Methods of sufficiently  
3 proving use or occupancy shall include, but not be limited to, photos,  
4 notarized statements, letters addressed to the program, bank statements,  
5 and utility bills. If a cadet corps program qualifies as a legacy cadet  
6 corps program, the urban development corporation shall designate them as  
7 such and immediately begin to enter into a separate agreement with such  
8 program.

9 § 3. Subparagraph (i) of paragraph (c) of subdivision 3 of section  
10 180-a of the military law, as added by chapter 482 of the laws of 2004,  
11 is amended to read as follows:

12 (i) On application of any of the associations of veterans or cadet  
13 corps programs, including a legacy cadet corps program, described in  
14 [~~paragraph~~] paragraphs a and b of subdivision one of such section one  
15 hundred eighty-three, the lessee or the manager pursuant to the terms of  
16 the management agreement shall provide a proper and convenient room or  
17 rooms or other appropriate space in the armory where such posts or chap-  
18 ters may hold regular and special meetings and organizational social  
19 events of a private nature, without the payment of any charge or expense  
20 therefor, provided that such use does not interfere with the use by the  
21 lessee or the manager pursuant to the terms of the management agreement,  
22 including any use by third parties contracted for under subparagraph  
23 (ii) of this paragraph.

24 § 4. Subdivision (b) of section 39 of section 1 of chapter 174 of the  
25 laws of 1968, constituting the New York state urban development corpo-  
26 ration act, as added by chapter 482 of the laws of 2004, is amended to  
27 read as follows:

28 (b) The lease with a lessee or subsequent lessee authorized by this  
29 section shall require a lessee or subsequent lessee to undertake a  
30 program of repair, restoration and refurbishment of the armory and to  
31 manage and use the same as a facility for cultural and other civic uses.  
32 The lease shall demise all portions of the armory other than those  
33 reserved for a homeless shelter for women operated by the city of New  
34 York pursuant to agreement with the state, those spaces reserved for use  
35 by a legacy cadet corps program pursuant to an agreement between the  
36 division and the state of New York, and for that reserved for military  
37 use by the division. The portion of the premises allocated to the shel-  
38 ter for homeless women shall be sufficient and suitable space for the  
39 current and uninterrupted operation of the shelter by the city of New  
40 York. The portion of the premises allocated to a legacy cadet corps  
41 program shall be sufficient and suitable space for the current and unin-  
42 terrupted operation, provided that it is no less than twelve hundred  
43 square feet for their headquarters. The division shall cause the 107th  
44 corps support group or its lineal descendent to maintain military use  
45 within the reserved portions of the armory. The division, and the city  
46 of New York, respectively, shall be responsible to repair and maintain  
47 their reserved premises, including the costs of renovation and uninter-  
48 rupted use, and to pay an annual common maintenance charge to a lessee  
49 or subsequent lessee to cover allocated costs of repair, maintenance and  
50 operation of the common portions of the armory. The lessee or subsequent  
51 lessee shall be required to apply all revenues generated by operations  
52 at the armory to pay or provide for costs of repairs, restoration,  
53 refurbishment, operating, maintenance and programming of the armory and  
54 the uses therein and the activities of the lessee or subsequent lessee  
55 with respect thereto.

56 § 5. This act shall take effect immediately.