STATE OF NEW YORK

977

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law and the public authorities law, in relation to notice procedures prior to approval of projects by industrial development agencies

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

Section 1. Subdivision 1-a of section 859-a of the general municipal law, as added by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended and a new subdivision 7 is added to read as follows:

1-a. The agency shall deliver a copy of the resolution adopted pursuant to subdivision one of this section by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, to the chief executive officer of each affected local taxing jurisdiction. When the affected local taxing jurisdiction is a school district, the agency shall deliver a copy of such resolution by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, to the [~~school board~~] **district clerk** and district superintendent of each affected school district.

7. Each agency shall establish a procedure for compliance with the notification requirements, including identification of the notification method, under subdivision one-a of this section and paragraph (b) of subdivision four of section eight hundred seventy-four of this title.

§ 2. Paragraph (b) of subdivision 4 of section 874 of the general municipal law, as amended by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requir-

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

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ing notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended to read as follows:

(b) The agency shall establish a procedure for deviation from the uniform tax exemption policy required pursuant to this subdivision. The agency shall set forth in writing the reasons for deviation from such policy, and shall further notify by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, the affected local taxing jurisdictions of the proposed deviation from such policy and the reasons therefor. When the affected local taxing jurisdiction is a school district, the agency shall notify by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, the [~~**school board**~~] **district clerk** and district superintendent of each affected school district.

§ 3. Subdivision 1-a of section 1953-a of the public authorities law, as added by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended and a new subdivision 4 is added to read as follows:

1-a. The authority shall deliver a copy of the resolution adopted pursuant to subdivision one of this section by certified mail, return receipt requested **or an electronic correspondence with a read receipt**, to the chief executive officer of each affected tax jurisdiction. When the affected tax jurisdiction is a school district, the authority shall deliver a copy of such resolution by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, to the [~~**school board**~~] **district clerk** and district superintendent of each affected school district.

4. The authority shall establish a procedure for compliance with the notification requirements, including identification of the notification method, under subdivision one-a of this section and subdivision two of section nineteen hundred sixty-three-a of this title.

§ 4. Subdivision 2 of section 1963-a of the public authorities law, as amended by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended to read as follows:

2. The authority shall establish a procedure for deviation from the uniform tax exemption policy required pursuant to this section. The authority shall set forth in writing the reasons for deviation from such policy, and shall further notify by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, the affected tax jurisdictions of the proposed deviation from such policy and the reasons therefor. When the affected tax jurisdiction is a school district, the authority shall notify by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, the [~~**school board**~~] **district clerk** and district superintendent of each affected school district.

§ 5. Subdivision 1-a of section 2307 of the public authorities law, as added by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and

confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended and a new subdivision 4 is added to read as follows:

1-a. The authority shall deliver a copy of the resolution adopted pursuant to subdivision one of this section by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, to the chief executive officer of each affected tax jurisdiction. When the affected tax jurisdiction is a school district, the authority shall deliver a copy of such resolution by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, to the [~~**school board**~~] **district clerk** and district superintendent of each affected school district.

4. The authority shall establish a procedure for compliance with the notification requirements, including identification of the notification method, of subdivision one-a of this section and subdivision two of section twenty-three hundred fifteen of this title.

§ 6. Subdivision 2 of section 2315 of the public authorities law, as amended by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended to read as follows:

2. The authority shall establish a procedure for deviation from the uniform tax exemption policy required pursuant to this section. The authority shall set forth in writing the reasons for deviation from such policy, and shall further notify by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, the affected local taxing jurisdictions of the proposed deviation from such policy and the reasons therefor. When the affected tax jurisdiction is a school district, the authority shall notify by certified mail, return receipt requested **or an electronic correspondence with a read-receipt**, the [~~**school board**~~] **district clerk** and district superintendent of each affected school district.

§ 7. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, takes effect.