

# STATE OF NEW YORK

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9848

## IN ASSEMBLY

April 12, 2024

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Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the Committee on Cities

AN ACT in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of a new police shooting range and authorizing the expenditure of the proceeds from such bonds for such objects or purposes (Part A); in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of a new police shooting range and authorizing the expenditure of the proceeds from such bonds for such objects or purposes (Part B); in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of a new police training facility and authorizing the expenditure of the proceeds from such bonds for such objects or purposes (Part C); and in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of a new police training facility, including planning and design work, related site improvements, and furnishings and authorizing the expenditure of the proceeds from such bonds for such objects or purposes (Part D)

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

1 Section 1. This act enacts into law components of legislation relating  
2 to deeming the objects or purposes for which certain bonds were issued  
3 by the city of Buffalo and authorizing the expenditure of the proceeds  
4 from such bonds for such objects or purposes. Each component is wholly  
5 contained within a Part identified as Parts A through D. The effective  
6 date for each particular provision contained within such Part is set  
7 forth in the last section of such Part. Any provision in any section  
8 contained within a Part, including the effective date of the Part, which  
9 makes a reference to a section "of this act", when used in connection  
10 with that particular component, shall be deemed to mean and refer to the  
11 corresponding section of the Part in which it is found. Section three of  
12 this act sets forth the general effective date of this act.

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

LBD14761-03-4

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## PART A

2 Section 1. Legislative findings. The legislature hereby finds and  
3 determines that pursuant to a bond resolution dated February 19, 2019  
4 adopted by the common council of the city of Buffalo, county of Erie,  
5 (the "common council" and the "city" respectively) the city issued bonds  
6 in the principal amount of \$1,100,000 to finance the cost of  
7 construction of a new police shooting range. The legislature further  
8 finds and determines that said resolution failed to include language to  
9 identify the accurate address within the city in which such construction  
10 of a new police shooting range is intended to be made.

11 § 2. Notwithstanding the defects described in section one of this act,  
12 the object or purposes for which said bonds were issued are hereby  
13 deemed to be for the construction of a new police shooting range to be  
14 located at 379 Paderewski Drive in the city of Buffalo as mentioned in  
15 the aforesaid resolution and the expenditure of the \$1,100,000 proceeds  
16 of such bonds for such objects or purposes is hereby authorized, vali-  
17 dated, confirmed and ratified.

18 § 3. The authorization provided in section two of this act shall not  
19 take effect until the common council of the city of Buffalo adopts a  
20 resolution after the effective date of this act that shall be subject to  
21 permissive referendum pursuant to section 23-11 of the charter of the  
22 city of Buffalo as if the council had not already created a city debt.  
23 In the event a successful petition is filed with the city clerk, the  
24 authorization provided in section two of this act shall not take effect  
25 unless such resolution is approved by the affirmative vote of a majority  
26 of the qualified electors.

27 § 4. Separability. If any clause, sentence, paragraph, section or part  
28 of this act shall be adjudged by any court of competent jurisdiction to  
29 be invalid, such judgment shall not affect, impair, or invalidate the  
30 remainder thereof, but shall be confined in its operation to the clause,  
31 sentence, paragraph, section or part thereof directly involved in the  
32 controversy in which such judgment shall have been rendered.

33 § 5. This act shall take effect immediately.

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## PART B

35 Section 1. Legislative findings. The legislature hereby finds and  
36 determines that pursuant to a bond resolution dated February 18, 2020  
37 adopted by the common council of the city of Buffalo, county of Erie,  
38 (the "common council" and the "city" respectively) the city issued bonds  
39 in the principal amount of \$400,000 to finance the cost of construction  
40 of a new police shooting range. The legislature further finds and deter-  
41 mines that said resolution failed to include language to identify the  
42 accurate address within the city in which such construction of a new  
43 police shooting range is intended to be made.

44 § 2. Notwithstanding the defects described in section one of this act,  
45 the object or purposes for which said bonds were issued are hereby  
46 deemed to be for the construction of a new police shooting range to be  
47 located at 379 Paderewski Drive in the city of Buffalo as mentioned in  
48 the aforesaid resolution and the expenditure of the \$400,000 proceeds of  
49 such bonds for such objects or purposes is hereby authorized, validated,  
50 confirmed and ratified.

51 § 3. The authorization provided in section two of this act shall not  
52 take effect until the common council of the city of Buffalo adopts a  
53 resolution after the effective date of this act that shall be subject to

1 permissive referendum pursuant to section 23-11 of the charter of the  
2 city of Buffalo as if the council had not already created a city debt.  
3 In the event a successful petition is filed with the city clerk, the  
4 authorization provided in section two of this act shall not take effect  
5 unless such resolution is approved by the affirmative vote of a majority  
6 of the qualified electors.

7 § 4. Separability. If any clause, sentence, paragraph, section or part  
8 of this act shall be adjudged by any court of competent jurisdiction to  
9 be invalid, such judgment shall not affect, impair, or invalidate the  
10 remainder thereof, but shall be confined in its operation to the clause,  
11 sentence, paragraph, section or part thereof directly involved in the  
12 controversy in which such judgment shall have been rendered.

13 § 5. This act shall take effect immediately.

14 PART C

15 Section 1. Legislative findings. The legislature hereby finds and  
16 determines that pursuant to a bond resolution dated February 22, 2022  
17 adopted by the common council of the city of Buffalo, county of Erie,  
18 (the "common council" and the "city" respectively) the city issued bonds  
19 in the principal amount of \$1,879,700 to finance the cost of  
20 construction of a new police training facility. The legislature further  
21 finds and determines that said resolution failed to include language to  
22 identify the accurate address within the city in which such construction  
23 of a new police training facility is intended to be made.

24 § 2. Notwithstanding the defects described in section one of this act,  
25 the object or purposes for which said bonds were issued are hereby  
26 deemed to be for the construction of a new police training facility to  
27 be located at 379 Paderewski Drive in the city of Buffalo as mentioned  
28 in the aforesaid resolution and the expenditure of the \$1,879,700  
29 proceeds of such bonds for such objects or purposes is hereby author-  
30 ized, validated, confirmed and ratified.

31 § 3. The authorization provided in section two of this act shall not  
32 take effect until the common council of the city of Buffalo adopts a  
33 resolution after the effective date of this act that shall be subject to  
34 permissive referendum pursuant to section 23-11 of the charter of the  
35 city of Buffalo as if the council had not already created a city debt.  
36 In the event a successful petition is filed with the city clerk, the  
37 authorization provided in section two of this act shall not take effect  
38 unless such resolution is approved by the affirmative vote of a majority  
39 of the qualified electors.

40 § 4. Separability. If any clause, sentence, paragraph, section or part  
41 of this act shall be adjudged by any court of competent jurisdiction to  
42 be invalid, such judgment shall not affect, impair, or invalidate the  
43 remainder thereof, but shall be confined in its operation to the clause,  
44 sentence, paragraph, section or part thereof directly involved in the  
45 controversy in which such judgment shall have been rendered.

46 § 5. This act shall take effect immediately.

47 PART D

48 Section 1. Legislative findings. The legislature hereby finds and  
49 determines that pursuant to a bond resolution dated February 7, 2023  
50 adopted by the common council of the city of Buffalo, county of Erie,  
51 (the "common council" and the "city" respectively) the city issued bonds  
52 in the principal amount of \$1,514,700 to finance the cost of

1 construction of a new police training facility, including planning and  
2 design work, related site improvements, and furnishings. The legislature  
3 further finds and determines that said resolution failed to include  
4 language to identify the accurate address within the city in which such  
5 construction of a new police training facility is intended to be made.

6 § 2. Notwithstanding the defects described in section one of this act,  
7 the object or purposes for which said bonds were issued are hereby  
8 deemed to be for the construction of a new police training facility,  
9 including planning and design work, related site improvements, and  
10 furnishings to be located at 379 Paderewski Drive in the city of Buffalo  
11 as mentioned in the aforesaid resolution and the expenditure of the  
12 \$1,514,700 proceeds of such bonds for such objects or purposes is hereby  
13 authorized, validated, confirmed and ratified.

14 § 3. The authorization provided in section two of this act shall not  
15 take effect until the common council of the city of Buffalo adopts a  
16 resolution after the effective date of this act that shall be subject to  
17 permissive referendum pursuant to section 23-11 of the charter of the  
18 city of Buffalo as if the council had not already created a city debt.  
19 In the event a successful petition is filed with the city clerk, the  
20 authorization provided in section two of this act shall not take effect  
21 unless such resolution is approved by the affirmative vote of a majority  
22 of the qualified electors.

23 § 4. Separability. If any clause, sentence, paragraph, section or part  
24 of this act shall be adjudged by any court of competent jurisdiction to  
25 be invalid, such judgment shall not affect, impair, or invalidate the  
26 remainder thereof, but shall be confined in its operation to the clause,  
27 sentence, paragraph, section or part thereof directly involved in the  
28 controversy in which such judgment shall have been rendered.

29 § 5. This act shall take effect immediately.

30 § 2. Severability. If any clause, sentence, paragraph, section or part  
31 of this act shall be adjudged by any court of competent jurisdiction to  
32 be invalid and after exhaustion of all further judicial review, the  
33 judgment shall not affect, impair, or invalidate the remainder thereof,  
34 but shall be confined in its operation to the clause, sentence, para-  
35 graph, section or part of this act directly involved in the controversy  
36 in which the judgment shall have been rendered.

37 § 3. This act shall take effect immediately provided, however, that  
38 the applicable effective date of Parts A through D of this act shall be  
39 as specifically set forth in the last section of such Parts.