

STATE OF NEW YORK

1711

2023-2024 Regular Sessions

IN SENATE

January 13, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the not-for-profit corporation law and the religious corporations law, in relation to the correction of tax errors made by the nonprofit revitalization act

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

1 Section 1. Clause (D) of subparagraph 2 of paragraph (d) of section
2 906 of the not-for-profit corporation law, as amended by chapter 1058 of
3 the laws of 1971, is amended to read as follows:

4 (D) An agreement that the surviving or consolidated foreign corpo-
5 ration may be served with process in this state in any action or special
6 proceeding for the enforcement of any liability or obligation of any
7 domestic corporation or of any foreign corporation, previously amenable
8 to suit in this state, which is a constituent corporation in such merger
9 or consolidation, and an agreement that the surviving or consolidated
10 foreign corporation may be sued in this state in respect of any property
11 transferred or conveyed to it as provided in paragraph ~~[(e)]~~ (b) of
12 section 907 (Approval by the supreme court), or the use made of such
13 property, or any transaction in connection therewith.

14 § 2. Subdivision 1 of section 12 of the religious corporations law, as
15 amended by chapter 555 of the laws of 2015, is amended to read as
16 follows:

17 1. A religious corporation shall not sell, mortgage or lease for a
18 term exceeding five years any of its real property without applying for
19 and obtaining leave of the court or the attorney general therefor pursu-
20 ant to section five hundred eleven of the not-for-profit corporation law
21 as that section is modified by paragraph (d-1) of subdivision one of
22 section two-b of this chapter ~~[or section five hundred eleven-a of the~~
23 ~~not-for-profit corporation law]~~, except that a religious corporation may

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

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1 execute a purchase money mortgage or a purchase money security agreement
2 creating a security interest in personal property purchased by it with-
3 out obtaining leave of the court therefor.
4 § 3. This act shall take effect immediately.