

STATE OF NEW YORK

791--A

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the New York state urban development corporation act, in relation to extending the amount of time between notice of a project and a public hearing

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

1 Section 1. Subdivision (c) of section 6 of section 1 of chapter 174 of
2 the laws of 1968 constituting the New York state urban development
3 corporation act is amended to read as follows:

4 (c) to any other person, firm, partnership or corporation, without
5 public bidding or public sale, provided there is published in at least
6 one newspaper of general circulation in the municipality in which the
7 project is located a notice which shall include a statement of the iden-
8 tity of the proposed purchaser or lessee and of his proposed use or
9 reuse of the land use improvement project area or applicable portion
10 thereof, the price or rental to be paid by such purchaser or lessee, all
11 other essential conditions of such sale or lease, and a statement that a
12 public hearing upon such sale or lease will be held before the corpo-
13 ration at a specified time and place on a date not less than [~~ten~~ thir-
14 ty days after such publication, and provided further that such public
15 hearing is held in accordance with such notice.

16 § 2. Subdivision 2 of section 8 of section 1 of chapter 174 of the
17 laws of 1968 constituting the New York state urban development corpo-
18 ration act is amended to read as follows:

19 (2) Before any sale or lease of all or a substantial part of a project
20 as authorized by subdivision one of this section is consummated, there

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

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1 shall be published in at least one newspaper of general circulation in
2 the municipality in which the project is located a notice which shall
3 include a statement of the identity of the proposed purchaser or lessee,
4 the price or rental to be paid, all other essential conditions of such
5 sale or lease, and a statement that a public hearing upon such sale or
6 lease will be held before the corporation at a specified time and place
7 on a date not less than ~~ten~~ thirty days after such publication, and
8 such hearing shall be held in accordance with such notice; provided,
9 however, that if the corporation determines that trade secrets or other
10 confidential information about the prospective purchaser's or lessee's
11 business operations, products, processes or designs would otherwise be
12 revealed by such public notice and public hearing, the requirements of
13 this subdivision may be waived by unanimous vote of the directors of the
14 corporation.

15 § 3. Subdivision 2 of section 14 of section 1 of chapter 174 of the
16 laws of 1968 constituting the New York state urban development corpo-
17 ration act, as amended by chapter 576 of the laws of 1969, is amended to
18 read as follows:

19 (2) Notwithstanding the provisions of any general, special or local
20 law or charter, any municipality, by resolution of its local governing
21 body, is hereby empowered without referendum, public auction, sealed
22 bids or public notice, to sell, lease for a term not exceeding ninety-
23 nine years, grant or convey to the corporation any real property owned
24 by it which the corporation shall certify to be necessary or convenient
25 for its corporate purposes. Any such sale, lease, grant or conveyance
26 shall be made with or without consideration and upon such terms and
27 conditions as may be agreed upon by such municipality and the corpo-
28 ration. Certification shall be evidenced by a formal request from the
29 president of the corporation. Before any such sale, lease, grant or
30 conveyance may be made to the corporation, a public hearing shall be
31 held by the local governing body to consider the same. Notice of such
32 hearing shall be published at least ~~ten~~ fourteen business days before
33 the date set for the hearing in such publication and in such manner as
34 may be designated by the local governing body.

35 § 4. Subparagraph (iii) of paragraph (b) of subdivision 2 of section
36 16 of section 1 of chapter 174 of the laws of 1968 constituting the New
37 York state urban development corporation act, as amended by chapter 732
38 of the laws of 1990, is amended to read as follows:

39 (iii) in any city having a population of one million or more, provide
40 to any community board in which the project will be located, a notice
41 that such plan will be filed upon its adoption by the corporation and
42 that digests thereof will be available, which notice shall also state
43 that a public hearing will be held to consider the plan at a specified
44 time and place on a date not less than ~~ten~~ fourteen business days
45 after such publication;

46 § 5. This act shall take effect immediately.