

# STATE OF NEW YORK

10236

## IN ASSEMBLY

May 15, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Brabenec) --  
read once and referred to the Committee on Judiciary

AN ACT to amend the transportation corporations law and the lien law, in  
relation to permitting the town of Tuxedo to file liens on real prop-  
erty related to the towns sewage-works corporation

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

1 Section 1. The transportation corporations law is amended by adding a  
2 new section 125 to read as follows:

3 § 125. Sewage-works corporation liens. 1. (a) If there shall be any  
4 payments which are due to a sewage-works corporation in the town of  
5 Tuxedo from a homeowner owning real property serviced by such sewage-  
6 works corporation, which shall remain due and unpaid, in whole or in  
7 part, for a period of one calendar year from the date of billing of the  
8 first missed payment, the same shall constitute a default and a lien may  
9 be placed on the property by the sewage-works corporation. Such lien  
10 shall be enforced under article three of the lien law. Such lien shall  
11 not have priority over any other security interest in the real property.

12 2. Liens under this section shall be filed and recorded with the  
13 appropriate county municipal office handling such matters where the real  
14 property is located.

15 3. The aggrieved party has one year from after the prescribed period  
16 of one calendar year to file a notice of lien for unpaid services. With-  
17 in ten days after filing of such notice the lienor shall service a copy  
18 personally, or by mail, upon the person with whom the unpaid services  
19 were provided to.

20 § 2. The lien law is amended by adding a new section 66 to read as  
21 follows:

22 § 66. Enforcement of sewage-works corporation lien on real property. A  
23 sewage-works corporation lien by a sewage-works corporation located  
24 within the town of Tuxedo on real property may be enforced against such  
25 property, and against a person liable for the debt upon which the lien  
26 is founded, by an action, by the lienor, the lienor's assignee or legal  
27 representative, in the supreme court or in a county court otherwise

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

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1 having jurisdiction, regardless of the amount of such debt, so long as  
2 the provisions in section one hundred twenty-five of the transportation  
3 corporations law are met.

4 § 3. This act shall take effect immediately.