

# STATE OF NEW YORK

2239

2023-2024 Regular Sessions

## IN ASSEMBLY

January 25, 2023

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

AN ACT to amend the administrative code of the city of New York, in relation to recording interests in air rights

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

1 Section 1. The administrative code of the city of New York is amended  
2 by adding a new section 11-203.1 to read as follows:

3 § 11-203.1 Maps and records; air rights. a. As used in this section  
4 "air rights" means the unused development rights above the surface of  
5 the earth, permitted to a lot, parcel, or area of land under a zoning  
6 ordinance, remaining when an actual floor area is less than the maximum  
7 amount of floor area permissible on such lot.

8 b. No later than January first, two thousand twenty-four, the commis-  
9 sioner of the department of finance, in collaboration with the chair of  
10 the department of city planning, shall develop or update a single,  
11 searchable database that includes:

12 (1) the date of the transaction or transfer of air rights;  
13 (2) the square footage of air rights transferred;  
14 (3) any consideration exchanged for the air rights;  
15 (4) the physical address of the property where the air rights origi-  
16 nated and the physical address of the property where the air rights are  
17 being transferred;  
18 (5) any other assets of value included in the transaction;  
19 (6) the identities of the buyer and seller; and  
20 (7) the disclosure of the buyer's and seller's legal address and other  
21 relevant contact information.

22 § 2. This act shall take effect immediately.

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

LBD00021-01-3