

# STATE OF NEW YORK

1337

2023-2024 Regular Sessions

## IN SENATE

January 11, 2023

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

AN ACT to amend the general municipal law and the public authorities law, in relation to notice procedures prior to approval of projects by industrial development agencies

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

1 Section 1. Subdivision 1-a of section 859-a of the general municipal  
2 law, as added by a chapter of the laws of 2022 amending the general  
3 municipal law and the public authorities law relating to requiring  
4 notice and confirmation of such notice by affected local taxing juris-  
5 dictions and school districts prior to approval of projects by indus-  
6 trial development agencies, as proposed in legislative bills numbers S.  
7 3256 and A. 10056, is amended and a new subdivision 7 is added to read  
8 as follows:

9 1-a. The agency shall deliver a copy of the resolution adopted pursu-  
10 ant to subdivision one of this section by certified mail, return receipt  
11 requested or an electronic correspondence with a read-receipt, to the  
12 chief executive officer of each affected local taxing jurisdiction. When  
13 the affected local taxing jurisdiction is a school district, the agency  
14 shall deliver a copy of such resolution by certified mail, return  
15 receipt requested or an electronic correspondence with a read-receipt,  
16 to the [~~school-board~~] district clerk and district superintendent of each  
17 affected school district.

18 7. Each agency shall establish a procedure for compliance with the  
19 notification requirements, including identification of the notification  
20 method, under subdivision one-a of this section and paragraph (b) of  
21 subdivision four of section eight hundred seventy-four of this title.

22 § 2. Paragraph (b) of subdivision 4 of section 874 of the general  
23 municipal law, as amended by a chapter of the laws of 2022 amending the  
24 general municipal law and the public authorities law relating to requir-

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

LBD04215-01-3

ing notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended to read as follows:

(b) The agency shall establish a procedure for deviation from the uniform tax exemption policy required pursuant to this subdivision. The agency shall set forth in writing the reasons for deviation from such policy, and shall further notify by certified mail, return receipt requested or an electronic correspondence with a read-receipt, the affected local taxing jurisdictions of the proposed deviation from such policy and the reasons therefor. When the affected local taxing jurisdiction is a school district, the agency shall notify by certified mail, return receipt requested or an electronic correspondence with a read-receipt, the [~~school-board~~] district clerk and district superintendent of each affected school district.

§ 3. Subdivision 1-a of section 1953-a of the public authorities law, as added by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended and a new subdivision 4 is added to read as follows:

1-a. The authority shall deliver a copy of the resolution adopted pursuant to subdivision one of this section by certified mail, return receipt requested or an electronic correspondence with a read receipt, to the chief executive officer of each affected tax jurisdiction. When the affected tax jurisdiction is a school district, the authority shall deliver a copy of such resolution by certified mail, return receipt requested or an electronic correspondence with a read-receipt, to the [~~school-board~~] district clerk and district superintendent of each affected school district.

4. The authority shall establish a procedure for compliance with the notification requirements, including identification of the notification method, under subdivision one-a of this section and subdivision two of section nineteen hundred sixty-three-a of this title.

§ 4. Subdivision 2 of section 1963-a of the public authorities law, as amended by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and confirmation of such notice by affected local taxing jurisdictions and school districts prior to approval of projects by industrial development agencies, as proposed in legislative bills numbers S. 3256 and A. 10056, is amended to read as follows:

2. The authority shall establish a procedure for deviation from the uniform tax exemption policy required pursuant to this section. The authority shall set forth in writing the reasons for deviation from such policy, and shall further notify by certified mail, return receipt requested or an electronic correspondence with a read-receipt, the affected tax jurisdictions of the proposed deviation from such policy and the reasons therefor. When the affected tax jurisdiction is a school district, the authority shall notify by certified mail, return receipt requested or an electronic correspondence with a read-receipt, the [~~school-board~~] district clerk and district superintendent of each affected school district.

§ 5. Subdivision 1-a of section 2307 of the public authorities law, as added by a chapter of the laws of 2022 amending the general municipal law and the public authorities law relating to requiring notice and

1 confirmation of such notice by affected local taxing jurisdictions and  
2 school districts prior to approval of projects by industrial development  
3 agencies, as proposed in legislative bills numbers S. 3256 and A. 10056,  
4 is amended and a new subdivision 4 is added to read as follows:

5 1-a. The authority shall deliver a copy of the resolution adopted  
6 pursuant to subdivision one of this section by certified mail, return  
7 receipt requested or an electronic correspondence with a read-receipt,  
8 to the chief executive officer of each affected tax jurisdiction. When  
9 the affected tax jurisdiction is a school district, the authority shall  
10 deliver a copy of such resolution by certified mail, return receipt  
11 requested or an electronic correspondence with a read-receipt, to the  
12 [~~school board~~] district clerk and district superintendent of each  
13 affected school district.

14 4. The authority shall establish a procedure for compliance with the  
15 notification requirements, including identification of the notification  
16 method, of subdivision one-a of this section and subdivision two of  
17 section twenty-three hundred fifteen of this title.

18 § 6. Subdivision 2 of section 2315 of the public authorities law, as  
19 amended by a chapter of the laws of 2022 amending the general municipal  
20 law and the public authorities law relating to requiring notice and  
21 confirmation of such notice by affected local taxing jurisdictions and  
22 school districts prior to approval of projects by industrial development  
23 agencies, as proposed in legislative bills numbers S. 3256 and A. 10056,  
24 is amended to read as follows:

25 2. The authority shall establish a procedure for deviation from the  
26 uniform tax exemption policy required pursuant to this section. The  
27 authority shall set forth in writing the reasons for deviation from such  
28 policy, and shall further notify by certified mail, return receipt  
29 requested or an electronic correspondence with a read-receipt, the  
30 affected local taxing jurisdictions of the proposed deviation from such  
31 policy and the reasons therefor. When the affected tax jurisdiction is a  
32 school district, the authority shall notify by certified mail, return  
33 receipt requested or an electronic correspondence with a read-receipt,  
34 the [~~school board~~] district clerk and district superintendent of each  
35 affected school district.

36 § 7. This act shall take effect on the same date and in the same  
37 manner as a chapter of the laws of 2022 amending the general municipal  
38 law and the public authorities law relating to requiring notice and  
39 confirmation of such notice by affected local taxing jurisdictions and  
40 school districts prior to approval of projects by industrial development  
41 agencies, as proposed in legislative bills numbers S. 3256 and A. 10056,  
42 takes effect.