STATE OF NEW YORK

1416

2023-2024 Regular Sessions

IN SENATE

January 11, 2023

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public authorities law, in relation to prohibiting development of build-ready sites on viable agricultural land

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

Section 1. The opening paragraph of paragraph (a) and paragraph (b) of subdivision 1 of section 1902 of the public authorities law, as added by section 6 of part JJJ of chapter 58 of the laws of 2020, are amended to read as follows:

Locate, identify and assess sites within the state that appear suitable for the development of build-ready sites with a priority given to previously developed sites**, provided that viable agricultural land shall not be deemed suitable for the development of a build-ready site**. Such assessment may include but need not be limited to the following considerations:

(b) In making such assessment the authority shall give priority to previously developed sites, existing or abandoned commercial sites, including without limitation brownfields, landfills, former commercial or industrial sites, dormant electric generating sites, or otherwise underutilized sites**, provided that the authority shall not deem any viable agricultural land to be an otherwise underutilized site for the purposes of this section**;

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 3, 2020; provided, however, that the amendments to section 1902 of the public authorities law, made by section one of this act, shall not affect the repeal of such section and shall be deemed to be repealed therewith.

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

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