

STATE OF NEW YORK

8805

IN SENATE

March 14, 2024

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 2

AN ACT in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of a new police shooting range and authorizing the expenditure of the proceeds from such bonds for such objects or purposes (Part A); in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of a new police shooting range and authorizing the expenditure of the proceeds from such bonds for such objects or purposes (Part B); in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of a new police training facility and authorizing the expenditure of the proceeds from such bonds for such objects or purposes (Part C); and in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of a new police training facility, including planning and design work, related site improvements, and furnishings and authorizing the expenditure of the proceeds from such bonds for such objects or purposes (Part D)

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

1 Section 1. This act enacts into law components of legislation relating
2 to deeming the objects or purposes for which certain bonds were issued
3 by the city of Buffalo and authorizing the expenditure of the proceeds
4 from such bonds for such objects or purposes. Each component is wholly
5 contained within a Part identified as Parts A through D. The effective
6 date for each particular provision contained within such Part is set
7 forth in the last section of such Part. Any provision in any section
8 contained within a Part, including the effective date of the Part, which
9 makes a reference to a section "of this act", when used in connection
10 with that particular component, shall be deemed to mean and refer to the
11 corresponding section of the Part in which it is found. Section three of
12 this act sets forth the general effective date of this act.

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

LBD14761-01-4

1

PART A

2 Section 1. Legislative Findings. The legislature hereby finds and
3 determines that pursuant to a bond resolution dated February 19, 2019
4 adopted by the common council of the city of Buffalo, county of Erie,
5 (the "common council" and the "city" respectively) the city issued bonds
6 in the principal amount of \$1,100,000 to finance the cost of
7 construction of a new police shooting range. The legislature further
8 finds and determines that said resolution failed to include language to
9 identify the accurate address within the city in which such construction
10 of a new police shooting range was intended to be made.

11 § 2. Notwithstanding any other provision of law to the contrary, the
12 object or purposes for which said bonds were issued are hereby deemed to
13 be for the construction of a new police shooting range to be located at
14 379 Paderewski Drive in the city of Buffalo as mentioned in the afore-
15 said resolution and the expenditure of the \$1,100,000 proceeds of such
16 bonds for such objects or purposes is hereby authorized, validated,
17 confirmed and ratified.

18 § 3. The authorization provided in section two of this act shall not
19 take effect until the common council of the city of Buffalo adopts a
20 resolution after the effective date of this act that shall be subject to
21 permissive referendum pursuant to section 23-11 of the charter of the
22 city of Buffalo as if the council had not already created a city debt.
23 In the event a successful petition is filed with the city clerk, the
24 authorization provided in section two of this act shall not take effect
25 unless such resolution is approved by the affirmative vote of a majority
26 of the qualified electors.

27 § 4. Separability. If any clause, sentence, paragraph, section or part
28 of this act shall be adjudged by any court of competent jurisdiction to
29 be invalid, such judgment shall not affect, impair, or invalidate the
30 remainder thereof, but shall be confined in its operation to the clause,
31 sentence, paragraph, section or part thereof directly involved in the
32 controversy in which such judgment shall have been rendered.

33 § 5. This act shall take effect immediately.

34

PART B

35 Section 1. Legislative Findings. The legislature hereby finds and
36 determines that pursuant to a bond resolution dated February 18, 2020
37 adopted by the common council of the city of Buffalo, county of Erie,
38 (the "common council" and the "city" respectively) the city issued bonds
39 in the principal amount of \$400,000 to finance the cost of construction
40 of a new police shooting range. The legislature further finds and deter-
41 mines that said resolution failed to include language to identify the
42 accurate address within the city in which such construction of a new
43 police shooting range was intended to be made.

44 § 2. Notwithstanding any other provision of law to the contrary, the
45 object or purposes for which said bonds were issued are hereby deemed to
46 be for the construction of a new police shooting range to be located at
47 379 Paderewski Drive in the city of Buffalo as mentioned in the afore-
48 said resolution and the expenditure of the \$400,000 proceeds of such
49 bonds for such objects or purposes is hereby authorized, validated,
50 confirmed and ratified.

51 § 3. The authorization provided in section two of this act shall not
52 take effect until the common council of the city of Buffalo adopts a
53 resolution after the effective date of this act that shall be subject to

1 permissive referendum pursuant to section 23-11 of the charter of the
2 city of Buffalo as if the council had not already created a city debt.
3 In the event a successful petition is filed with the city clerk, the
4 authorization provided in section two of this act shall not take effect
5 unless such resolution is approved by the affirmative vote of a majority
6 of the qualified electors.

7 § 4. Separability. If any clause, sentence, paragraph, section or part
8 of this act shall be adjudged by any court of competent jurisdiction to
9 be invalid, such judgment shall not affect, impair, or invalidate the
10 remainder thereof, but shall be confined in its operation to the clause,
11 sentence, paragraph, section or part thereof directly involved in the
12 controversy in which such judgment shall have been rendered.

13 § 5. This act shall take effect immediately.

14 PART C

15 Section 1. Legislative Findings. The legislature hereby finds and
16 determines that pursuant to a bond resolution dated February 22, 2022
17 adopted by the common council of the city of Buffalo, county of Erie,
18 (the "common council" and the "city" respectively) the city issued bonds
19 in the principal amount of \$1,879,700 to finance the cost of
20 construction of a new police training facility. The legislature further
21 finds and determines that said resolution failed to include language to
22 identify the accurate address within the city in which such construction
23 of a new police training facility was intended to be made.

24 § 2. Notwithstanding any other provision of law to the contrary, the
25 object or purposes for which said bonds were issued are hereby deemed to
26 be for the construction of a new police training facility to be located
27 at 379 Paderewski Drive in the city of Buffalo as mentioned in the afor-
28 esaid resolution and the expenditure of the \$1,879,700 proceeds of such
29 bonds for such objects or purposes is hereby authorized, validated,
30 confirmed and ratified.

31 § 3. The authorization provided in section two of this act shall not
32 take effect until the common council of the city of Buffalo adopts a
33 resolution after the effective date of this act that shall be subject to
34 permissive referendum pursuant to section 23-11 of the charter of the
35 city of Buffalo as if the council had not already created a city debt.
36 In the event a successful petition is filed with the city clerk, the
37 authorization provided in section two of this act shall not take effect
38 unless such resolution is approved by the affirmative vote of a majority
39 of the qualified electors.

40 § 4. Separability. If any clause, sentence, paragraph, section or part
41 of this act shall be adjudged by any court of competent jurisdiction to
42 be invalid, such judgment shall not affect, impair, or invalidate the
43 remainder thereof, but shall be confined in its operation to the clause,
44 sentence, paragraph, section or part thereof directly involved in the
45 controversy in which such judgment shall have been rendered.

46 § 5. This act shall take effect immediately.

47 PART D

48 Section 1. Legislative Findings. The legislature hereby finds and
49 determines that pursuant to a bond resolution dated February 7, 2023
50 adopted by the common council of the city of Buffalo, county of Erie,
51 (the "common council" and the "city" respectively) the city issued bonds
52 in the principal amount of \$1,514,700 to finance the cost of

1 construction of a new police training facility, including planning and
2 design work, related site improvements, and furnishings. The legislature
3 further finds and determines that said resolution failed to include
4 language to identify the accurate address within the city in which such
5 construction of a new police training facility was intended to be made.

6 § 2. Notwithstanding any other provision of law to the contrary, the
7 object or purposes for which said bonds were issued are hereby deemed to
8 be for the construction of a new police training facility, including
9 planning and design work, related site improvements, and furnishings to
10 be located at 379 Paderewski Drive in the city of Buffalo as mentioned
11 in the aforesaid resolution and the expenditure of the \$1,514,700
12 proceeds of such bonds for such objects or purposes is hereby author-
13 ized, validated, confirmed and ratified.

14 § 3. The authorization provided in section two of this act shall not
15 take effect until the common council of the city of Buffalo adopts a
16 resolution after the effective date of this act that shall be subject to
17 permissive referendum pursuant to section 23-11 of the charter of the
18 city of Buffalo as if the council had not already created a city debt.
19 In the event a successful petition is filed with the city clerk, the
20 authorization provided in section two of this act shall not take effect
21 unless such resolution is approved by the affirmative vote of a majority
22 of the qualified electors.

23 § 4. Separability. If any clause, sentence, paragraph, section or part
24 of this act shall be adjudged by any court of competent jurisdiction to
25 be invalid, such judgment shall not affect, impair, or invalidate the
26 remainder thereof, but shall be confined in its operation to the clause,
27 sentence, paragraph, section or part thereof directly involved in the
28 controversy in which such judgment shall have been rendered.

29 § 5. This act shall take effect immediately.

30 § 2. Severability. If any clause, sentence, paragraph, section or part
31 of this act shall be adjudged by any court of competent jurisdiction to
32 be invalid and after exhaustion of all further judicial review, the
33 judgment shall not affect, impair, or invalidate the remainder thereof,
34 but shall be confined in its operation to the clause, sentence, para-
35 graph, section or part of this act directly involved in the controversy
36 in which the judgment shall have been rendered.

37 § 3. This act shall take effect immediately provided, however, that
38 the applicable effective date of Parts A through D of this act shall be
39 as specifically set forth in the last section of such Parts.