

STATE OF NEW YORK

9053

IN SENATE

April 12, 2024

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to amend chapter 696 of the laws of 1887 relating to providing hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor, in relation to exempting certain other than for-profit community gardens from payment for water usage and supply

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

1 Section 1. Section 1 of chapter 696 of the laws of 1887 relating to
2 providing hospitals, orphan asylums and other charitable institutions in
3 the city of New York with water and remitting assessments therefor, as
4 amended by chapter 634 of the laws of 2023, is amended to read as
5 follows:

6 Section 1. Except as otherwise provided in section three of this act,
7 the several hospitals, dispensaries, orphan asylums, registered volun-
8 teer ambulance corps, homes for the aged, [~~non-profit~~] other than for-
9 profit community gardens located on property in the city of New York
10 [~~and registered with~~] and licensed by or registered with such city's
11 department of parks and recreation, houses or homes for the reformation,
12 protection or shelter of females, day nurseries or corporations or soci-
13 eties for the care and instruction of poor babies and needy children,
14 any corporation which was created by an act of congress of the United
15 States to be non-profit and without capital stock and organized exclu-
16 sively for the purpose of furnishing volunteer aid to the sick and
17 wounded of armies in time of war and to continue and carry on a system
18 of national international relief in time of peace and to mitigate the
19 suffering caused by fire, floods and other great national calamities,
20 and industrial homes, and any benevolent or charitable corporation
21 owning or maintaining an institution for medical research, public baths,
22 for free school societies or free circulating libraries or veteran fire-
23 men's associations, and any social settlement, whether incorporated or
24 unincorporated, which shall own or lease for a term not less than three
25 years a building or buildings devoted exclusively to the purposes of
26 such social settlement work or any religious society owning or leasing
27 for a period of not less than three years a building devoted exclusively
28 to social settlement work, now existing or hereafter established in the

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

LBD15224-02-4

1 city of New York, or the real estate owned by any religious corporation
2 located in the city of New York as now constituted, actually dedicated
3 and used by such corporation exclusively as a place of public worship,
4 or the real estate used exclusively for education through and including
5 the twelfth grade which is owned by any corporation or association enti-
6 tled to exemption under the provisions of paragraph (a) of subdivision
7 one of section four hundred twenty-a of the real property tax law, or
8 the real estate owned by an association of honorably discharged
9 soldiers, sailors, or marines, devoted exclusively to patriotic and
10 charitable purposes, are hereby exempted from the payment of any sum of
11 money whatever to said city, for the use of water taken by same from
12 said city, and water shall be supplied to the same by said city, in
13 sufficient quantity for all purposes for which it is now used by said
14 corporations, societies and institutions, or which may be necessary to
15 be used by the same, free of all charge whatsoever, and the real estate
16 necessarily used for any hospital, dispensary, institution for medical
17 research, orphan asylum, registered volunteer ambulance corps, home for
18 the aged, free school or free circulating library, veteran firemen's
19 association, house or home for reformation, protection or shelter of
20 females, day nurseries or corporations or societies for the care and
21 instruction of poor babies and needy children, or any corporation which
22 was created by an act of the congress of the United States to be non-
23 profit and without capital stock and organized exclusively for the
24 purpose of furnishing volunteer aid to the sick and wounded of armies in
25 time of war and to continue and carry on a system of national and inter-
26 national relief in time of peace and to mitigate the suffering caused by
27 fire, floods and other great national calamities, or industrial homes,
28 or social settlements maintained or conducted by any incorporated or
29 unincorporated social settlement, church or religious society, or occu-
30 pied for such public bath, owned or leased for a term of not less than
31 three years, or held under any renewal or extension of such lease by any
32 such corporation, societies and institutions aforesaid, or the real
33 estate owned by any religious corporation located in the city of New
34 York, as now constituted, actually dedicated and used by such corpo-
35 ration exclusively as a place of public worship, or the real estate used
36 exclusively for education through and including the twelfth grade which
37 is owned by any corporation or association entitled to exemption under
38 the provisions of paragraph (a) of subdivision one of section four
39 hundred twenty-a of the real property tax law, or the real estate used
40 exclusively by ~~[non-profit]~~ other than for-profit community gardens
41 located on property in the city of New York ~~[and registered with]~~ and
42 licensed by or registered with such city's department of parks and
43 recreation, is hereby released, discharged and exempted from all lien
44 and charge for water heretofore used or which may hereafter be used by
45 any such institution, society or corporation. Notwithstanding the fore-
46 going provisions, the mayor of the city of New York, by executive order,
47 may provide that such institution, society or corporation shall not be
48 exempt from payment for the use and supply of water, except that such
49 executive order shall apply only with respect to those institutions,
50 societies or corporations who are eligible to receive reimbursement from
51 either the United States, the state of New York, or the city of New
52 York, or any agency thereof, for payments for the use and supply of
53 water.

54 § 2. This act shall take effect immediately.