STATE OF NEW YORK

10129--A

IN SENATE

April 30, 2026

Introduced by Sen. BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend part DD of chapter 56 of the laws of 2024 relating to the city of Dunkirk fiscal recovery act, in relation to extending the authorization of the city of Dunkirk to issue bonds and requiring the city of Dunkirk to adhere to all collective bargaining agreements entered into

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

Section 1. Sections 3 and 11 of part DD of chapter 56 of the laws of 2024 relating to the city of Dunkirk fiscal recovery act, are amended to read as follows:

§ 3. Deficit bond and deficit note issuance authorization. The city is hereby authorized to issue bonds, subject to the provisions of this act, on or before December 31, [~~2025~~] **2026**, in an aggregate principal amount not to exceed eighteen million five hundred thousand dollars ($18,500,000) (exclusive of the costs and expenses incidental to the issuance of the bonds authorized to be issued by this section) for the specific object or purpose of liquidating actual deficits in its general fund, water fund, sewer fund, and the capital projects fund existing at the close of its 2024 fiscal year. In anticipation of the issuance of such bonds, deficit notes are hereby authorized to be issued.

§ 11. Private sale of bonds authorized. To facilitate the marketing of (a) deficit bonds, (b) any bonds issued to refund such deficit bonds, and (c) any other bonds to be issued on or before December 31, [~~2025~~] **2026**, the city may, notwithstanding any limitation on the private sales of bonds provided by law and subject to the approval of the state comptroller of the terms and conditions of such sales:

(1) arrange for the underwriting of such bonds at private sale through negotiated fees or by sale of such bonds to an underwriter; or

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

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(2) arrange for the private sale of such bonds through negotiated agreement, with compensation for such sales to be provided by negotiated agreement and/or negotiated fee, if required.

The cost of such underwriting or private placement shall be deemed to be a preliminary cost for purposes of section 11.00 of the local finance law.

§ 2. Subdivision (c) of section 2 of part DD of chapter 56 of the laws of 2024 relating to the city of Dunkirk fiscal recovery act, is amended to read as follows:

(c) "City treasurer" means the treasurer of the city. **In the event the city consolidates the office of city treasurer with another city position, or the city creates a new position to handle the duties of the city treasurer, or the city eliminates the city treasurer position from the city charter, the required acts of the city treasurer pursuant to this act shall be fulfilled by the office of the mayor.**

§ 3. Part DD of chapter 56 of the laws of 2024 relating to the city of Dunkirk fiscal recovery act, is amended by adding two new sections 15-a and 15-b to read as follows:

§ 15-a. Collective bargaining agreements. The city shall not take any action to violate any collective bargaining agreement between the city and its employees. In its oversight of the city's finances, if the state comptroller becomes aware of any alleged violation of such collective bargaining agreement, it shall refer such matters to the public employment relations board.

§ 15-b. Local law required. The local legislative body of the city of Dunkirk is hereby authorized and empowered to ratify and approve by local law the provisions of this act.

§ 4. Section 17 of part DD of chapter 56 of the laws of 2024 relating to the city of Dunkirk fiscal recovery act, is amended to read as follows:

§ 17. This act shall take effect immediately; and shall remain in full force and effect until the fifteenth anniversary of the date of first issuance of deficit bonds or deficit notes pursuant to this act, when upon such date the provisions of this act shall be deemed repealed; and provided, however, that the state comptroller shall notify the legislative bill drafting commission upon the occurrence of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law**; and provided, further, the city of Dunkirk shall notify the legislative bill drafting commission upon enactment of such local law as described in section fifteen-b of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law**.

§ 5. This act shall take effect immediately; provided that the amendments to part DD of chapter 56 of the laws of 2024 made by this act shall not affect the repeal of such part and shall be deemed repealed therewith.