

# 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:

1 Section 1. Sections 3 and 11 of part DD of chapter 56 of the laws of  
2 2024 relating to the city of Dunkirk fiscal recovery act, are amended to  
3 read as follows:

4 § 3. Deficit bond and deficit note issuance authorization. The city is  
5 hereby authorized to issue bonds, subject to the provisions of this act,  
6 on or before December 31, [~~2025~~] 2026, in an aggregate principal amount  
7 not to exceed eighteen million five hundred thousand dollars  
8 (\$18,500,000) (exclusive of the costs and expenses incidental to the  
9 issuance of the bonds authorized to be issued by this section) for the  
10 specific object or purpose of liquidating actual deficits in its general  
11 fund, water fund, sewer fund, and the capital projects fund existing at  
12 the close of its 2024 fiscal year. In anticipation of the issuance of  
13 such bonds, deficit notes are hereby authorized to be issued.

14 § 11. Private sale of bonds authorized. To facilitate the marketing of  
15 (a) deficit bonds, (b) any bonds issued to refund such deficit bonds,  
16 and (c) any other bonds to be issued on or before December 31, [~~2025~~]  
17 2026, the city may, notwithstanding any limitation on the private sales  
18 of bonds provided by law and subject to the approval of the state comp-  
19 troller of the terms and conditions of such sales:

20 (1) arrange for the underwriting of such bonds at private sale through  
21 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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1 (2) arrange for the private sale of such bonds through negotiated  
2 agreement, with compensation for such sales to be provided by negotiated  
3 agreement and/or negotiated fee, if required.

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

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

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

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

19 § 15-a. Collective bargaining agreements. The city shall not take any  
20 action to violate any collective bargaining agreement between the city  
21 and its employees. In its oversight of the city's finances, if the state  
22 comptroller becomes aware of any alleged violation of such collective  
23 bargaining agreement, it shall refer such matters to the public employ-  
24 ment relations board.

25 § 15-b. Local law required. The local legislative body of the city of  
26 Dunkirk is hereby authorized and empowered to ratify and approve by  
27 local law the provisions of this act.

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

31 § 17. This act shall take effect immediately; and shall remain in full  
32 force and effect until the fifteenth anniversary of the date of first  
33 issuance of deficit bonds or deficit notes pursuant to this act, when  
34 upon such date the provisions of this act shall be deemed repealed; and  
35 provided, however, that the state comptroller shall notify the legisla-  
36 tive bill drafting commission upon the occurrence of this act in order  
37 that the commission may maintain an accurate and timely effective data  
38 base of the official text of the laws of the state of New York in furth-  
39 erance of effectuating the provisions of section 44 of the legislative  
40 law and section 70-b of the public officers law; and provided, further,  
41 the city of Dunkirk shall notify the legislative bill drafting commis-  
42 sion upon enactment of such local law as described in section fifteen-b  
43 of this act in order that the commission may maintain an accurate and  
44 timely effective data base of the official text of the laws of the state  
45 of New York in furtherance of effectuating the provisions of section 44  
46 of the legislative law and section 70-b of the public officers law.

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