§ 99-s. Transfer and sale of delinquent real estate tax receivables. 1. A city with a population of one million or more, acting through its finance commissioner, collector of taxes or other officer responsible for the collection of real estate taxes, may sell or transfer any portion of or all its interest in any or all of its delinquent real estate tax receivables, including any penalty or interest thereon. Provided, however, no such sale or transfer shall take place without adoption of a local law, ordinance or resolution authorizing each such sale or transfer.

2. a. Delinquent real estate tax receivables shall be sold only at public sale to the bidder offering the highest total return to such city including fees and other payments.

b. There shall be published, at least once, not less than five nor more than thirty days before the date fixed for the public sale of delinquent real estate tax receivables, a notice of such public sale. Such notice shall be published in any financial newspaper published and circulated in such city which the state comptroller, by rules and regulations, shall designate for such publication, or in lieu thereof, such notice shall be circulated in such manner as the state comptroller shall prescribe, within ninety days after this section shall take effect, pursuant to such rules and regulations and shall be published in any newspaper or newspapers which the finance board of such city may designate for such purpose.

c. Such notice shall call for sealed bids for the purchase of such delinquent real estate tax receivables, and shall state:

1. The place where bids will be received and considered.

2. (a) The time and date for the opening of bids, which shall be only on weekdays, Saturdays and holidays excluded, between the hours of ten o'clock ante meridian and four o'clock post meridian, eastern standard time.

(b) In lieu of the statement of the time and date for the opening of bids required by clause (a) of this subparagraph, a statement (i) that

the time and date for the opening of bids will be provided on not less than twenty-four hours prior notice by means of a supplemental notice of sale and indicating the manner in which such supplemental notice will be provided, or (ii) setting a time and date for the opening of bids, stating that notice of a change in the time or date for the opening of bids may be provided not less than twenty-four hours prior to the time originally scheduled for the opening of bids by means of a supplemental notice of sale and indicating the manner in which such supplemental notice will be provided. Where notice is given that the time or date of a sale will be changed without specifying the new time or date, notice of the new time or date of sale must be provided by means of a second supplemental notice of sale at least twenty-four hours prior to the new time for the opening of bids.

(c) A supplemental notice of sale shall refer to and be deemed a part of the notice of sale required by this section and shall not establish or change the terms of the sale other than the time or date for the opening of bids. The time set for the opening of bids in the supplemental notice of sale shall not be less than five nor more than thirty days after publication of the notice of sale required pursuant to paragraph a of this subdivision.

(d) Public notice of the time and date set for the opening of bids shall be given to the news media and shall be posted in one or more designated public locations within such city at least twenty-four hours prior to the time and date set for the opening of bids or, in the case of a time and date set or changed in a supplemental notice of sale, at least twenty-four hours prior to such time and date; provided, however, that such public notice shall not be construed to require publication as a legal notice.

d. All bids shall be opened publicly at the time and place stated in the notice of sale, and not before, and shall be publicly announced. Prior to the time fixed for such public opening of bids, a sealed bid may be amended by a bidder by delivery to the official to whom the sealed bid was delivered of a sealed amendment to such bid. No bid shall be amended by a telegraphic or telephonic communication.

e. Advertisements shall contain a provision to the effect that such

city, in its discretion, may reject any or all bids made in pursuance of such advertisements, and in the event of such rejection, such city is authorized to readvertise for bids in the form and manner above described as many times as, in its judgement, may be necessary to effect a satisfactory sale.

3. Without limitation of the foregoing, any sale or transfer agreement entered into pursuant hereto may also contain provisions requiring such city to undertake to replace such receivable with the transferee or purchaser for any misrepresentation or mistake as to the description or status of any delinquent real estate tax receivable which is the subject of such sale or transfer agreement.

4. In no event shall such city pay any such receivable other than from moneys collected thereon by such city. Any revenues received by such city for payment of delinquent real estate taxes including any penalties and interest thereon where the interest in such delinquent real estate tax receivable has been sold or transferred, shall be deposited in a special fund to be created by such city. Such fund shall be kept separate and apart from any other funds and accounts of such city. Moneys in such fund shall first be used to pay any such receivables. Moneys in the fund in excess of that needed to pay such receivables may be used for any other city purpose as authorized by law. In no event shall such city guarantee payment, or be construed as guarantor of payment for such receivables.

5. Such city shall remain responsible for servicing, collecting and enforcing any such receivables in the same manner as if such receivables had not been sold. The obligation of such city to service or collect any such receivables on behalf of the purchaser or transferee thereof shall terminate with respect to each receivable upon the date three years from the date such receivable was sold or transferred by such city or such earlier date as payment is made to such purchaser or transferee of such receivable, including any penalty or interest thereon, equal to the consideration paid for such sale or transfer plus any fees or other payments in accordance with the terms of sale or transfer of the receivables and such city shall thereafter collect and enforce such

receivables solely on its own behalf.

6. The transferee of the delinquent real estate tax receivables or interests therein, during the term of an agreement with such city, may perfect a security interest in such delinquent real estate tax receivables or interests therein by the filing of financing statements, as provided in article nine of the uniform commercial code, with respect thereto giving a reasonable description of such receivables or interests so transferred as identified on the records kept for such purpose by the officer of such city responsible for the collection of real estate taxes.