



Legislation Text

File #: Res 1955-2013, **Version:** *

Preconsidered Res. No. 1955

Resolution of the Council of the City of New York adopting the provisions of the “New York city Hurricane Sandy filing fee exemption and reimbursement act” to authorize exemptions and refunds for filing fees related to Federal Small Business Administration Disaster Loans given for Hurricane Sandy relief pursuant to Chapter 380 of the laws of New York of 2013.

By Council Members Fidler, Recchia, the Speaker (Council Member Quinn), Chin, Garodnick, Gonzalez, Levin, Mendez, Nelson, Richards, Rose, Vacca, Van Bramer, Comrie, Jackson, James, Koo, Koslowitz, Lander, Mark-Viverito, Reyna, Vann, Williams, Rodriguez, Eugene, Ignizio, Oddo, Ulrich and Halloran

Whereas, On September 27, 2013, Governor Andrew Cuomo signed the “New York city Hurricane Sandy filing fee exemption and reimbursement act,” Chapter 380 of the laws of New York of 2013 (the “Act” or “Chapter 380”) following the passage by the State Legislature of A07996/S05796, authorizing New York City to grant exemptions and refunds for filing fees related to Federal Small Business Administration Disaster Loans given for Hurricane Sandy relief; and

Whereas, The Act applies only to an eligible city when the city council has enacted a resolution adopting the provisions of the Act within 30 days of its effective date; and

Whereas, In accordance with Chapter 380 and this resolution, all filings with the county clerk’s office, or the office of the City register, filed between the period beginning October 28, 2012 and ending December 31, 2013 related to a United States Small Business Administration Disaster Loan as defined in 15 U.S.C.S. section 636(b)(1) shall be exempt from any filing fees required pursuant to sections 8019 and 8021 of the civil practice law and rules; and

Whereas, Any person or entity that paid filing fees required by sections 8019 and 8021 of the civil practice law and rules, to the county clerk’s office or the office of the city register, between the period

beginning October 28, 2012 and ending December 31, 2013, due to any filings related to a U.S. Small Business Administration Disaster Loan as defined in 15 U.S.C.S. section 636(b)(1), shall receive a reimbursement of all such fees; and

Whereas, Before any reimbursement is paid, the county clerk or the office of the city register shall notify the commissioner of education in writing of any amounts which have been collected on behalf of and remitted to the commissioner of education, pursuant to section 8021 of the civil practice law and rules, which must be reimbursed pursuant to this resolution. Upon such notice, the commissioner of education shall remit such amounts to the City of New York within fifteen days of notice. Upon receipt of such payment from the commissioner of education to the City of New York the county clerk or the office of the city register shall reimburse the full amount of fees paid to an eligible person or entity pursuant to this resolution; now, therefore, be it

Resolved, That the Council of the City of New York adopts the provisions of the “New York city Hurricane Sandy filing fee exemption and reimbursement act” to authorize exemptions and refunds for filing fees related to Federal Small Business Administration Disaster Loans given for Hurricane Sandy relief pursuant to Chapter 380 of the laws of New York of 2013.

LS# 4914
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