

## LOCAL LAW NO. "K" FOR 2006

**A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING LOCAL LAW NO. 3 FOR 1980 AS AMENDED BY LOCAL LAW NO. 8 FOR 1981, LOCAL LAW NO. 3 FOR 1986 AND LOCAL LAW NO. 3 FOR 2005 IMPOSING A TAX ON THE OCCUPANCY OF HOTEL ROOMS PURSUANT TO CHAPTER 693 OF THE LAWS OF 1980 OF THE STATE OF NEW YORK, CHAPTER 375 OF THE LAWS OF 1985 OF THE STATE OF NEW YORK, CHAPTER 531 OF THE LAWS OF 2005 OF THE STATE OF NEW YORK AND CHAPTER 194 OF THE LAWS OF 2006 OF THE STATE OF NEW YORK**

Introduced: 8/14/06  
By Mr. Houghtaling:

BE IT ENACTED by the County Legislature of the County of Albany that Local Law No. 3 for 1980 as amended by Local Law No. 8 for 1981, Local Law No. 3 for 1986 and Local Law No. 3 for 2005 is hereby amended as follows:

SECTION 1. During the period October 1, 2006 to December 31, 2008, Section 2 of Local Law No. 3 for 1980 as amended by Local Law No. 3 for 1986 and Local Law No. 3 for 2005 is amended to read as follows:  
Imposition of Tax

On and after the first day of October, 2006, there is hereby imposed and there shall be paid a tax of six percent of the per diem rental rate charged to occupants for each hotel or motel room except that the tax shall not be imposed upon a permanent resident.

SECTION 2. During the period October 1, 2006 to December 31, 2008, Section 12 of Local Law No. 3 for 1980 as amended by Local Law No. 3 for 1986 and Local Law No. 3 for 2005 is amended to read as follows:

### Disposition of Revenues

All revenues resulting from the imposition of the tax under the local law shall be paid into the treasury of the County of Albany and shall be credited to and deposited into three special funds as follows:

- (a) Revenues from the tax imposed by such local law up to an amount equal to one-sixth of such total revenue shall be credited to and deposited in a special fund for convention and tourist development. The County of Albany is authorized to retain up to a maximum of ten per centum of such revenue derived from this fund to defray the necessary expenses of the County in administering such tax. The revenue derived from this portion of the tax,

after deducting the amount provided for administering such tax, shall be allocated to pay for services performed, subject to the terms and conditions in contracts, which may be entered into between the County and the Albany County Convention and Visitors Bureau, Inc., all at the option of the County, its successors or assigns. Said funds so allocated shall be used for the purpose of promoting Albany County, its cities, towns and villages, in order to increase convention/trade show and tourism business.

(b) Revenues from the tax imposed by this local law equal to two-thirds of such total revenue shall be credited and deposited in a special account to be known as "Civic Center Debt Service Fund" and shall be maintained separate and apart from other funds and accounts of the County. Moneys in such account shall be deposited in one or more banks designated in the manner provided by law, as a depository of funds of the County of Albany. Pending expenditure from such fund, money therein may be invested in the manner provided in section 6-f of the General Municipal Law or in a successor statute to such section. Any interest earned or capital gain realized on the moneys so deposited or invested shall accrue and become part of the fund. Said moneys so deposited shall be used, subject to appropriation, solely for the purpose of making debt service payments on obligations issued by the County to finance the acquisition, development (including construction), operation and repair and continuing use and maintenance of a civic center and ancillary facilities therefore, which ancillary facilities shall include but not be limited to, any buildings, structures, parking facilities, machinery, equipment, facilities and appurtenances incidental thereto.

(c) Revenues from the tax imposed by this local law equal to one-sixth of such total revenue shall be credited and deposited in a special account to be known as the "Albany Convention Center Authority Fund" and shall be maintained separate and apart from other funds and accounts of the County. Moneys in such account shall be deposited in one or more banks designated in the manner provided by law, as a depository of funds of the County of Albany. Pending expenditure from such fund, moneys therein may be invested in the manner provided in section 6-f of the General Municipal Law or in a successor statute to such section. Any interest earned or capital gain realized on the moneys so deposited or invested shall accrue and become part of the fund. Said moneys so deposited shall be used solely and exclusively by the Albany Convention Center Project. Albany County shall pay the moneys in such fund over to such authority upon application for such moneys by the authority.

SECTION 3. This local law supersedes Local law No. 3 for 2005 and shall take effect October 1, 2006 and expire and be deemed repealed December 31, 2008.

*Referred to Audit and Finance Committee. 8/14/06*

*Favorable Recommendation - Audit and Finance Committee. 8/30/06*

*On roll call vote the following voted in favor: Messrs. Aidala, Aylward, Clay, Collins, Commisso, Ms. Connolly, Messrs. Cunningham, Dawson, Domalewicz, Ethier, Feeney, Frederick, Gordon, Houghtaling, Infante, Joyce, Ms. Maffia-Tobler, Mr. Mayo, Ms. McKnight, Messrs. Monjeau, Morse, Nichols, Reilly, Riddick, Shafer, Steck, Ward, Mss. Wiley and Willingham - 29.*

*Those opposed: Mss. Barlette, Benedict, Messrs. Carman, Clouse, Ms. Comella, Mr. Hoblock, Ms. Prentiss and Mr. Tunny - 8.*

*Local Law was adopted. 9/11/06*