

5371

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. CUSICK, ORTIZ, ABBATE, BENEDETTO, COLTON, COOK, ENGLEBRIGHT, MILLMAN, SCHIMMINGER, CASTRO -- Multi-Sponsored by -- M. of A. ALESSI, BOYLAND, FARRELL, KOON, McENENY, PHEFFER, REILLY -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the real property tax law, in relation to authorizing certain exemptions from school district real property for veterans

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subparagraphs (i) and (ii) of paragraph (d) of subdivision
2 2 of section 458-a of the real property tax law, subparagraph (i) as
3 added by chapter 525 of the laws of 1984 and subparagraph (ii) as
4 amended by chapter 256 of the laws of 2005, are amended to read as
5 follows:
6 (i) The exemption from taxation provided by this subdivision shall be
7 applicable to county, city, town [and], village AND SCHOOL DISTRICT
8 taxation[, but shall not be applicable to taxes levied for school
9 purposes] IF THE GOVERNING BODY OF THE SCHOOL DISTRICT IN WHICH THE
10 PROPERTY IS LOCATED, AFTER PUBLIC HEARINGS, ADOPTS A RESOLUTION PROVID-
11 ING SUCH EXEMPTION, THE PROCEDURE FOR SUCH HEARING AND RESOLUTION SHALL
12 BE CONDUCTED SEPARATELY FROM THE PROCEDURE FOR ANY HEARING AND LOCAL LAW
13 OR RESOLUTION CONDUCTED PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,
14 SUBDIVISION FOUR, PARAGRAPH (D) OF SUBDIVISION SIX AND PARAGRAPH (B) OF
15 SUBDIVISION SEVEN OF THIS SECTION.
16 (ii) Each county, city, town [or], village OR SCHOOL DISTRICT may
17 adopt a local law to reduce the maximum exemption allowable in para-
18 graphs (a), (b) and (c) of this subdivision to nine thousand dollars,
19 six thousand dollars and thirty thousand dollars, respectively, or six
20 thousand dollars, four thousand dollars and twenty thousand dollars,
21 respectively. Each county, city, town, [or] village OR SCHOOL DISTRICT
22 is also authorized to adopt a local law to increase the maximum
23 exemption allowable in paragraphs (a), (b) and (c) of this subdivision

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

1 to fifteen thousand dollars, ten thousand dollars and fifty thousand
2 dollars, respectively; eighteen thousand dollars, twelve thousand
3 dollars and sixty thousand dollars, respectively; twenty-one thousand
4 dollars, fourteen thousand dollars, and seventy thousand dollars,
5 respectively; twenty-four thousand dollars, sixteen thousand dollars,
6 and eighty thousand dollars, respectively; twenty-seven thousand
7 dollars, eighteen thousand dollars, and ninety thousand dollars, respec-
8 tively; thirty thousand dollars, twenty thousand dollars, and one
9 hundred thousand dollars, respectively; thirty-three thousand dollars,
10 twenty-two thousand dollars, and one hundred ten thousand dollars,
11 respectively; thirty-six thousand dollars, twenty-four thousand dollars,
12 and one hundred twenty thousand dollars, respectively. In addition, a
13 county, city, town [or], village OR SCHOOL DISTRICT which is a "high-ap-
14 preciation municipality" as defined in this subparagraph is authorized
15 to adopt a local law to increase the maximum exemption allowable in
16 paragraphs (a), (b) and (c) of this subdivision to thirty-nine thousand
17 dollars, twenty-six thousand dollars, and one hundred thirty thousand
18 dollars, respectively; forty-two thousand dollars, twenty-eight thousand
19 dollars, and one hundred forty thousand dollars, respectively; forty-
20 five thousand dollars, thirty thousand dollars and one hundred fifty
21 thousand dollars, respectively; forty-eight thousand dollars, thirty-two
22 thousand dollars and one hundred sixty thousand dollars, respectively;
23 fifty-one thousand dollars, thirty-four thousand dollars and one hundred
24 seventy thousand dollars, respectively; fifty-four thousand dollars,
25 thirty-six thousand dollars and one hundred eighty thousand dollars,
26 respectively. For purposes of this subparagraph, a "high-appreciation
27 municipality" means: (A) a special assessing unit that is a city, (B) a
28 county for which the state board has established a sales price differen-
29 tial factor for purposes of the STAR exemption authorized by section
30 four hundred twenty-five of this title in three consecutive years, and
31 (C) a city, town [or], village OR SCHOOL DISTRICT which is wholly or
32 partly located within such a county.

33 S 2. Paragraph (b) of subdivision 7 of section 458-a of the real prop-
34 erty tax law, as added by chapter 326 of the laws of 2000, is amended to
35 read as follows:

36 (b) A county, city, town, [or] village OR SCHOOL DISTRICT may adopt a
37 local law to include a Gold Star Parent within the definition of "quali-
38 fied owner", as provided in paragraph (c) of subdivision one of this
39 section, and to include property owned by a Gold Star Parent within the
40 definition of "qualifying residential real property" as provided in
41 paragraph (d) of subdivision one of this section, provided that such
42 property shall be the primary residence of the Gold Star Parent.

43 S 3. This act shall take effect immediately.