

1491--A

2011-2012 Regular Sessions

I N   S E N A T E

January 7, 2011

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Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property tax law, in relation to the assessment of private forest lands and to provide state assistance to municipal corporations relating thereto

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

1     Section 1. Section 480 of the real property tax law is amended by  
2     adding a new subdivision 10 to read as follows:  
3     10. (A) THE CHIEF EXECUTIVE OFFICER OF A MUNICIPAL CORPORATION IN  
4     WHICH THERE ARE PRIVATELY OWNED FOREST LANDS WHICH ARE ASSESSED IN  
5     ACCORDANCE WITH THE PROVISIONS OF SUBDIVISION THREE OF THIS SECTION MAY  
6     MAKE APPLICATION FOR STATE ASSISTANCE AS PROVIDED IN THIS SUBDIVISION.  
7     (B) APPLICATION FOR STATE ASSISTANCE PURSUANT TO THIS SUBDIVISION  
8     SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER AND SHALL CONTAIN  
9     SUCH INFORMATION AND DOCUMENTATION AS MAY BE REQUIRED BY THE COMMISSION-  
10    ER AND THE COMMISSIONER MAY PROMULGATE RULES AND REGULATIONS NECESSARY  
11    TO THE IMPLEMENTATION OF THIS SUBDIVISION.  
12    (C) UPON RECEIPT OF THE APPLICATION FOR STATE ASSISTANCE, SUCH PRIVATE  
13    FOREST LANDS SHALL BE VALUED BY THE STATE BOARD AND THE CUMULATIVE VALUE  
14    OF ALL SUCH LANDS SHALL BE EQUALIZED BY APPLYING THERETO THE APPROPRIATE  
15    STATE EQUALIZATION RATE OR SPECIAL EQUALIZATION RATE ESTABLISHED IN  
16    ACCORDANCE WITH THE RULES OF THE COMMISSIONER.  
17    (D) IF THE CUMULATIVE VALUE DETERMINED AND EQUALIZED PURSUANT TO PARA-  
18    GRAPH (C) OF THIS SUBDIVISION EXCEEDS THE TAXABLE ASSESSED VALUATION OF  
19    SUCH PROPERTY ON THE PRECEDING ASSESSMENT ROLL, AS REQUIRED BY SUBDIVI-  
20    SION THREE OF THIS SECTION THE STATE BOARD SHALL COMPUTE THE AMOUNT OF  
21    STATE ASSISTANCE PAYABLE TO OR FOR THE BENEFIT OF EACH MUNICIPAL CORPO-

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

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1 RATION BY APPLYING TO THE AMOUNT OF THE EXCESS THE APPROPRIATE TAX RATE  
2 OF THE MUNICIPAL CORPORATION AND SUCH AMOUNT SHALL BE PAID ON AUDIT AND  
3 WARRANT OF THE COMPTROLLER OUT OF MONEYS APPROPRIATED BY THE LEGISLA-  
4 TURE.

5 S 2. Section 480-a of the real property tax law is amended by adding a  
6 new subdivision 11 to read as follows:

7 11. (A) THE CHIEF EXECUTIVE OFFICER OF A MUNICIPAL CORPORATION IN  
8 WHICH THERE ARE PRIVATELY OWNED FOREST LANDS WHICH ARE ASSESSED IN  
9 ACCORDANCE WITH THE PROVISIONS OF THIS SECTION MAY MAKE APPLICATION FOR  
10 STATE ASSISTANCE AS PROVIDED IN THIS SUBDIVISION.

11 (B) APPLICATION FOR STATE ASSISTANCE PURSUANT TO THIS SUBDIVISION  
12 SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER AND SHALL CONTAIN  
13 SUCH INFORMATION AND DOCUMENTATION AS MAY BE REQUIRED BY THE COMMISSION-  
14 ER AND THE COMMISSIONER MAY PROMULGATE RULES AND REGULATIONS NECESSARY  
15 TO THE IMPLEMENTATION OF THIS SUBDIVISION.

16 (C) UPON RECEIPT OF THE APPLICATION FOR STATE ASSISTANCE, SUCH PRIVATE  
17 FOREST LANDS SHALL BE VALUED BY THE STATE BOARD AND THE CUMULATIVE VALUE  
18 OF ALL SUCH LANDS SHALL BE EQUALIZED BY APPLYING THERETO THE APPROPRIATE  
19 STATE EQUALIZATION RATE OR SPECIAL EQUALIZATION RATE ESTABLISHED IN  
20 ACCORDANCE WITH THE RULES OF THE COMMISSIONER.

21 (D) IF THE CUMULATIVE VALUE DETERMINED AND EQUALIZED PURSUANT TO PARA-  
22 GRAPH (C) OF THIS SUBDIVISION EXCEEDS THE TAXABLE ASSESSED VALUATION OF  
23 SUCH PROPERTY ON THE PRECEDING ASSESSMENT ROLL, AS REQUIRED BY THIS  
24 SECTION THE STATE BOARD SHALL COMPUTE THE AMOUNT OF STATE ASSISTANCE  
25 PAYABLE TO OR FOR THE BENEFIT OF EACH MUNICIPAL CORPORATION BY APPLYING  
26 TO THE AMOUNT OF THE EXCESS THE APPROPRIATE TAX RATE OF THE MUNICIPAL  
27 CORPORATION AND SUCH AMOUNT SHALL BE PAID ON AUDIT AND WARRANT OF THE  
28 COMPTROLLER OUT OF MONEYS APPROPRIATED BY THE LEGISLATURE.

29 S 3. This act shall take effect immediately and shall apply to taxes  
30 levied upon assessment rolls prepared on the basis of taxable status  
31 dates occurring on or after January 1, 2014.