

3731

2013-2014 Regular Sessions

I N S E N A T E

February 13, 2013

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and
when printed to be committed to the Committee on Veterans, Homeland
Security and Military Affairs

AN ACT to amend the real property tax law, in relation to eliminating
the ten-year duration limit on the real property tax exemption for
Cold War veterans

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

1 Section 1. Subparagraph (iii) of paragraph (c) of subdivision 2 of
2 section 458-b of the real property tax law, as amended by chapter 235 of
3 the laws of 2009 and as further amended by subdivision (b) of section 1
4 of part W of chapter 56 of the laws of 2010, is amended to read as
5 follows:
6 (iii) The exemption provided by paragraph (a) of this subdivision
7 shall be granted for [a period of ten years. The commencement of such
8 ten year period shall be governed pursuant to this subparagraph. Where a
9 qualified owner owns qualifying residential real property on the effec-
10 tive date of the local law providing for such exemption, such ten year
11 period shall be measured from the assessment roll prepared pursuant to
12 the first taxable status date occurring on or after the effective date
13 of the local law providing for such exemption. Where a qualified owner
14 does not own qualifying residential real property on the effective date
15 of the local law providing for such exemption, such ten year period
16 shall be measured from the assessment roll prepared pursuant to the
17 first taxable status date occurring at least sixty days after the date
18 of purchase of qualifying residential real property; provided, however,
19 that should the veteran apply for and be granted an exemption on the
20 assessment roll prepared pursuant to a taxable status date occurring
21 within sixty days after the date of purchase of residential real proper-
22 ty, such ten year period shall be measured from the first assessment
23 roll in which the exemption occurs. If, before the expiration of such

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

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1 ten year period, such exempt property is sold and replaced with other
2 residential real property, such exemption may be granted pursuant to
3 this subdivision for the unexpired portion of the ten year exemption
4 period] THE LIFE OF THE QUALIFIED OWNER. Each county, city, town or
5 village may adopt a local law to reduce the maximum exemption allowable
6 in paragraphs (a) and (b) of this subdivision to six thousand dollars,
7 nine thousand dollars and thirty thousand dollars, respectively, or four
8 thousand dollars, six thousand dollars and twenty thousand dollars,
9 respectively. Each county, city, town, or village is also authorized to
10 adopt a local law to increase the maximum exemption allowable in para-
11 graphs (a) and (b) of this subdivision to ten thousand dollars, fifteen
12 thousand dollars and fifty thousand dollars, respectively; twelve thou-
13 sand dollars, eighteen thousand dollars and sixty thousand dollars,
14 respectively; fourteen thousand dollars, twenty-one thousand dollars and
15 seventy thousand dollars, respectively; sixteen thousand dollars, twen-
16 ty-four thousand dollars and eighty thousand dollars, respectively;
17 eighteen thousand dollars, twenty-seven thousand dollars and ninety
18 thousand dollars, respectively; twenty thousand dollars, thirty thousand
19 dollars and one hundred thousand dollars, respectively; twenty-two thou-
20 sand dollars, thirty-three thousand dollars and one hundred ten thousand
21 dollars, respectively; twenty-four thousand dollars, thirty-six thousand
22 dollars and one hundred twenty thousand dollars, respectively. In addi-
23 tion, a county, city, town or village which is a "high-appreciation
24 municipality" as defined in this subparagraph is authorized to adopt a
25 local law to increase the maximum exemption allowable in paragraphs (a)
26 and (b) of this subdivision to twenty-six thousand dollars, thirty-nine
27 thousand dollars and one hundred thirty thousand dollars, respectively;
28 twenty-eight thousand dollars, forty-two thousand dollars and one
29 hundred forty thousand dollars, respectively; thirty thousand dollars,
30 forty-five thousand dollars and one hundred fifty thousand dollars,
31 respectively; thirty-two thousand dollars, forty-eight thousand dollars
32 and one hundred sixty thousand dollars, respectively; thirty-four thou-
33 sand dollars, fifty-one thousand dollars and one hundred seventy thou-
34 sand dollars, respectively; thirty-six thousand dollars, fifty-four
35 thousand dollars and one hundred eighty thousand dollars, respectively.
36 For purposes of this subparagraph, a "high-appreciation municipality"
37 means: (A) a special assessing unit that is a city, (B) a county for
38 which the commissioner has established a sales price differential factor
39 for purposes of the STAR exemption authorized by section four hundred
40 twenty-five of this title in three consecutive years, and (C) a city,
41 town or village which is wholly or partly located within such a county.
42 S 2. This act shall take effect immediately.