

2674--A

2013-2014 Regular Sessions

I N S E N A T E

January 23, 2013

Introduced by Sens. YOUNG, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law and the real property tax law, in relation to property tax exemption for on-farm structures that provide added value to farm products

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

1 Section 1. The opening paragraph of subdivision 4 of section 301 of
2 the agriculture and markets law, as amended by chapter 344 of the laws
3 of 2012, is amended to read as follows:
4 "Land used in agricultural production" means not less than seven acres
5 of land used as a single operation in the preceding two years for the
6 production for sale of crops, livestock or livestock products of an
7 average gross sales value of ten thousand dollars or more; or, not less
8 than seven acres of land used in the preceding two years to support a
9 commercial horse boarding operation or a commercial equine operation
10 with annual gross receipts of ten thousand dollars or more. Land used in
11 agricultural production shall [not] include land or portions thereof
12 used for processing or retail merchandising of such crops, livestock or
13 livestock products. Land used in agricultural production shall also
14 include:
15 S 2. Subdivision 2 of section 483 of the real property tax law, as
16 amended by chapter 540 of the laws of 2007, is amended to read as
17 follows:
18 2. The term "structures and buildings" shall include: (a) structures
19 and buildings or portions thereof used directly and exclusively in the
20 raising and production for sale of agricultural and horticultural
21 commodities or necessary for the storage thereof, [but not] AND INCLUD-
22 ING structures and buildings or portions thereof used for the processing

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

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1 of agricultural and horticultural commodities, or the retail merchandis-
2 ing of such commodities; (b) structures and buildings used to provide
3 housing for regular and essential employees and their immediate families
4 who are primarily employed in connection with the operation of lands
5 actively devoted to agricultural and horticultural use, but not includ-
6 ing structures and buildings occupied as a residence by the applicant
7 and his immediate family; (c) structures and buildings used as indoor
8 exercise arenas exclusively for training and exercising horses in
9 connection with the raising and production for sale of agricultural and
10 horticultural commodities or in connection with a commercial horse
11 boarding operation as defined in section three hundred one of the agri-
12 culture and markets law. For purposes of this section, the term "indoor
13 exercise arenas" shall not include riding academies or dude ranches; (d)
14 structures and buildings used in the production of maple syrup; (e)
15 structures and buildings used in the production of honey and beeswax
16 including those structures and buildings used for the storage of bees.
17 For purposes of this section, this shall not include those structures or
18 buildings and portions thereof used for the sale of maple syrup or sale
19 of honey and beeswax. The term "structures and buildings" shall not
20 include silos, bulk milk tanks or coolers, or manure storage and handl-
21 ing facilities as such terms are used in section four hundred eighty-
22 three-a of this title.

23 S 3. This act shall take effect immediately and shall apply to assess-
24 ment rolls prepared on the basis of taxable status dates occurring on or
25 after such date.