

4522

2013-2014 Regular Sessions

I N   S E N A T E

April 8, 2013

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Introduced by Sen. TKACZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law, in relation to providing state aid to certain public school districts in which tax exempt entities are situated; and providing for the repeal of such provisions upon expiration thereof

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

1     Section 1. The real property tax law is amended by adding a new  
2     section 546-a to read as follows:  
3     S 546-A. STATE AID; EXEMPT LANDS OF TAX EXEMPT ENTITIES. 1. IN ANY  
4     PUBLIC SCHOOL DISTRICT IN WHICH MORE THAN TWENTY-FIVE PERCENT OF THE  
5     TOTAL ASSESSED VALUE OF REAL PROPERTY THEREIN, AS DETERMINED BY THE  
6     ASSESSOR OF SUCH DISTRICT, IS OWNED BY TAX EXEMPT ENTITIES, THE STATE  
7     SHALL MAKE PAYMENTS TO THOSE PUBLIC SCHOOL DISTRICTS IN ACCORDANCE WITH  
8     THIS SECTION.  
9     2. THE COMPTROLLER SHALL CREATE THE FORM OF APPLICATION A PUBLIC  
10    SCHOOL DISTRICT MUST USE WHEN MAKING A SUBMISSION PURSUANT TO THIS  
11    SECTION. THE COMPTROLLER SHALL ALSO ESTABLISH THE DATE BY WHICH ALL  
12    APPLICATIONS MUST BE SUBMITTED. NO APPLICATIONS FOR PAYMENT SHALL BE  
13    ACCEPTED AFTER THE DATE ESTABLISHED BY THE COMPTROLLER.  
14    3. THE COMMISSIONER SHALL MAKE PAYMENTS, THE AGGREGATE OF WHICH SHALL  
15    NOT EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS PER YEAR, TO PUBLIC  
16    SCHOOL DISTRICTS, ELIGIBLE PURSUANT TO SUBDIVISION ONE OF THIS SECTION,  
17    THAT HAVE MADE TIMELY APPLICATION THEREFOR. FOR EACH SUCH PUBLIC SCHOOL  
18    DISTRICT, THE PAYMENT SHALL BE COMPUTED AS FOLLOWS:  
19    (A) TAKE THE TOTAL VALUE OF REAL PROPERTY OWNED BY TAX EXEMPT ENTITIES  
20    IN THE PUBLIC SCHOOL DISTRICT MULTIPLIED BY THE APPLICABLE EQUALIZATION  
21    RATE,

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

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1 (B) FROM THAT SUBTRACT TWENTY-FIVE PERCENT OF THE TOTAL VALUE OF ALL  
2 PROPERTY IN THE PUBLIC SCHOOL DISTRICT MULTIPLIED BY THE APPLICABLE  
3 EQUALIZATION RATE,

4 (C) MULTIPLY THE DIFFERENCE BY THE TAX RATE FOR THE APPLICABLE PUBLIC  
5 SCHOOL DISTRICT.

6 4. IF THE TOTAL AGGREGATE AMOUNT OF PAYMENTS REQUESTED BY PUBLIC  
7 SCHOOL DISTRICTS EXCEEDS THE TWO MILLION FIVE HUNDRED THOUSAND DOLLAR  
8 CAP ALLOWED UNDER SUBDIVISION THREE OF THIS SECTION, THE COMPTROLLER  
9 SHALL MAKE THE PAYMENTS TO EACH PUBLIC SCHOOL DISTRICT ON A PROPOR-  
10 TIONATE BASIS.

11 5. THE COMMISSIONER SHALL PROMULGATE ALL RULES AND REGULATIONS NECES-  
12 SARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION.

13 6. WHEN CALCULATING THE ASSESSED VALUE OF ANY PARCEL OF PROPERTY FOR  
14 PURPOSES OF THIS SECTION, THE VALUE IN ANY YEAR MAY NOT BE GREATER THAN  
15 THE BASE YEAR PLUS TWO PERCENT FOR EACH ADDITIONAL YEAR BEYOND THE BASE  
16 YEAR. THE BASE YEAR FOR ALL PROPERTY FOR PURPOSES OF THIS SECTION SHALL  
17 BE THE ASSESSED VALUE OF SUCH PROPERTY FOR THE TWO THOUSAND TWELVE--TWO  
18 THOUSAND THIRTEEN ASSESSMENT ROLL.

19 7. THE ASSESSED VALUE OF ANY PROPERTY THAT RECEIVES TAX EXEMPT STATUS  
20 AFTER THE EFFECTIVE DATE OF THIS SECTION MUST BE EQUIVALENT TO SIMILARLY  
21 SITUATED PARCELS. THE COMMISSIONER MAY REFUSE TO INCLUDE A PARCEL IN THE  
22 CALCULATIONS REQUIRED BY THIS SECTION IF THE COMMISSIONER DETERMINES  
23 THAT THE ASSESSED VALUE OF SUCH PARCEL IS ARTIFICIALLY HIGH AND  
24 DISPROPORTIONATE TO THE TAXABLE PARCELS LOCATED WITHIN THE PUBLIC SCHOOL  
25 DISTRICTS.

26 S 2. This act shall take effect on the first of January next succeed-  
27 ing the date on which it shall have become a law and shall apply to  
28 assessment rolls prepared on the basis of taxable status dates occurring  
29 on or after such effective date. This act shall expire and be deemed  
30 repealed following the 2022-23 assessment role. Effective immediately,  
31 any rules and regulations necessary to implement the provisions of this  
32 act on its effective date are authorized to be made on or before such  
33 date.