

STATE OF NEW YORK

5904

2017-2018 Regular Sessions

IN ASSEMBLY

February 17, 2017

Introduced by M. of A. ERRIGO, CASTORINA, MORINELLO -- Multi-Sponsored
by -- M. of A. GIGLIO -- read once and referred to the Committee on
Real Property Taxation

AN ACT to amend the real property tax law, in relation to requiring
assessing authorities answer discovery demands in assessment review

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 8 of section 730 of the real property tax law,
2 as amended by chapter 556 of the laws of 2006, is amended to read as
3 follows:

4 8. The petitioner shall [~~mail~~] serve a copy of the petition within ten
5 days from the date of filing with the clerk of the supreme court to: (a)
6 the clerk of the assessing unit named in the petition, or if there be no
7 such clerk, then to the officer who performs the customary duties of
8 that official, or to the president of the tax commission in a city with
9 a population of more than one million and having a tax commission; (b)
10 the assessor or chairman of the board of assessors of the assessing unit
11 named in the petition; (c) the clerk of any school district, except a
12 school district governed by the provisions of article fifty-two of the
13 education law, within which any part of the real property on which the
14 assessment to be reviewed is located, or if there be no clerk or the
15 clerk's name and address cannot be obtained, then to a trustee; (d) the
16 treasurer of any county in which any part of the real property is
17 located; and (e) the clerk of a village which has enacted a local law as
18 provided in subdivision three of section fourteen hundred two of this
19 chapter if the assessment to be reviewed is on a parcel located within
20 such village. Service upon the clerk of the assessing unit or other
21 appropriate official specified in paragraph (a) of this subdivision
22 shall be made by personal delivery or by certified mail, return receipt
23 requested. In the event that service is made by personal delivery, the
24 clerk of the assessing unit or other appropriate person shall provide a

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

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1 receipt for such service to the petitioner stating the date and time of
2 service. [~~Neither the school district, county nor such village shall be~~
3 ~~deemed to have been made a party to the proceeding.~~] Upon receipt of
4 service, the assessing unit shall be required to answer any discovery
5 demands.
6 § 2. This act shall take effect immediately.