

STATE OF NEW YORK

2555

2019-2020 Regular Sessions

IN SENATE

January 28, 2019

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the real property tax law, in relation to providing certain elderly individuals with an exemption from increases in water rates

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 467-aa to read as follows:

3 § 467-aa. Water rate freeze in a city with a population of one million
4 or more. 1. Definitions. As used in this section:

5 (a) "qualified resident" means a person who is at least sixty-two
6 years of age and has had a total household income of less than fifty
7 thousand dollars for two consecutive income tax years beginning in two
8 thousand fifteen, as verified by the New York city department of
9 finance;

10 (b) "exemption" means the exemption to future water rate increases
11 provided in subdivision two of this section; and

12 (c) "primary domicile" means real property owned by one or more
13 persons, each of whom is sixty-five years of age or over, or real prop-
14 erty owned by husband and wife or by siblings, one of whom is sixty-five
15 years of age or over, or real property owned by one or more persons,
16 some of whom qualify under this section and the others of whom qualify
17 under section four hundred fifty-nine-c of this title. For the purposes
18 of this section, sibling shall mean a brother or a sister, whether
19 related through half blood, whole blood or adoption.

20 2. Exemption. A qualified resident of a city with a population of one
21 million or more shall be eligible for an exemption to any future water
22 rate increases at the primary dwelling of such individual; provided,
23 however, that no individual shall be eligible for the exemption at more
24 than one dwelling unit.

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

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1 3. Temporary suspension of exemption. The exemption may be suspended
2 for no more than one calendar year in the event of a drought or extraor-
3 inary catastrophic environmental event as determined jointly by the
4 commissioner of environmental conservation and the commissioner of the
5 department of environmental protection of the city of New York.

6 4. Eligibility. An individual's enrollment in the senior citizen home-
7 owner exemption provided in section 11-245.3 of the administrative code
8 of the city of New York or the exemption for persons with disabilities
9 provided in section 11-245.4 of the administrative code of the city of
10 New York shall not preclude an otherwise qualified resident from eligi-
11 bility for the exemption provided in this section.

12 5. Preemption. The provisions of this section shall exclusively govern
13 the exemption established in subdivision two of this section notwith-
14 standing the provisions of any other law to the contrary; and further,
15 no local law shall be enacted which shall purport to expand or curtail
16 the exemption established herein.

17 § 2. This act shall take effect immediately.