

# STATE OF NEW YORK

8338

2021-2022 Regular Sessions

## IN ASSEMBLY

October 20, 2021

Introduced by M. of A. NORRIS -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the real property tax law, in relation to providing a supplemental exemption from taxation

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

1 Section 1. Paragraph (a) and subparagraph (iii) of paragraph (c) of  
2 subdivision 2 of section 458-b of the real property tax law, paragraph  
3 (a) as amended by chapter 253 of the laws of 2016, subparagraph (iii) of  
4 paragraph (c) as amended by chapter 290 of the laws of 2017, are amended  
5 to read as follows:

6 (a) Each county, city, town or village may adopt a local law, and each  
7 school district may adopt a resolution, to provide that qualifying resi-  
8 dential real property shall be exempt from taxation to the extent of  
9 either: (i) ten percent of the assessed value of such property; provided  
10 however, that such exemption shall not exceed eight thousand dollars or  
11 the product of eight thousand dollars multiplied by the latest state  
12 equalization rate of the assessing unit, or, in the case of a special  
13 assessing unit, the latest class ratio, whichever is less or; (ii)  
14 fifteen percent of the assessed value of such property; provided howev-  
15 er, that such exemption shall not exceed twelve thousand dollars or the  
16 product of twelve thousand dollars multiplied by the latest state equal-  
17 ization rate for the assessing unit, or, in the case of a special  
18 assessing unit, the latest class ratio, whichever is less. In addition,  
19 each county, city, town or village may adopt a local law, and each  
20 school district may adopt a resolution, that provides qualified appli-  
21 cants with a supplemental exemption from taxation to the extent of five  
22 hundred dollars.

23 (iii) The exemption provided by paragraph (a) of this subdivision  
24 shall be granted [~~for a period of ten years~~] and remain in effect pursu-  
25 ant to the adoption of a local law or resolution unless repealed by the

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

LBD11711-01-1

1 provisions set forth in subdivision five of this section. The commence-  
2 ment of such [~~ten-year period~~] real property tax exemption shall be  
3 governed pursuant to this subparagraph. Where a qualified owner owns  
4 qualifying residential real property on the effective date of the local  
5 law or resolution providing for such exemption, such [~~ten-year period~~]  
6 exemption shall [~~be-measured~~] take effect from the assessment roll  
7 prepared pursuant to the first taxable status date occurring on or after  
8 the effective date of the local law or resolution providing for such  
9 exemption. Where a qualified owner does not own qualifying residential  
10 real property on the effective date of the local law or resolution  
11 providing for such exemption, such [~~ten-year period~~] exemption shall [~~be~~  
12 ~~measured~~] take effect from the assessment roll prepared pursuant to the  
13 first taxable status date occurring at least sixty days after the date  
14 of purchase of qualifying residential real property; provided, however,  
15 that should the veteran apply for and be granted an exemption on the  
16 assessment roll prepared pursuant to a taxable status date occurring  
17 within sixty days after the date of purchase of residential real proper-  
18 ty, such [~~ten-year period~~] exemption shall [~~be-measured~~] take effect  
19 from the first assessment roll in which the exemption occurs. If[~~,~~  
20 ~~before the expiration of such ten-year period,~~] such exempt property is  
21 sold and replaced with other residential real property, such exemption  
22 may be granted pursuant to this subdivision for the [~~unexpired~~] portion  
23 of the [~~ten-year exemption~~] remaining assessment roll period[~~, provided~~  
24 ~~however, that notwithstanding the ten-year limitation imposed by the~~  
25 ~~foregoing provisions of this subparagraph, a county, city, town, village~~  
26 ~~or school district that has adopted a local law or resolution pursuant~~  
27 ~~to paragraph (a) of this subdivision may adopt a local law or resolution~~  
28 ~~providing that the exemption authorized by this section shall apply to~~  
29 ~~qualifying owners of qualifying real property for as long as they remain~~  
30 ~~qualifying owners, without regard to such ten-year limitation~~]. Each  
31 county, city, town or village may adopt a local law, and each school  
32 district may adopt a resolution, to reduce the maximum exemption allow-  
33 able in paragraphs (a) and (b) of this subdivision to six thousand  
34 dollars, nine thousand dollars and thirty thousand dollars, respective-  
35 ly, or four thousand dollars, six thousand dollars and twenty thousand  
36 dollars, respectively. Each county, city, town, or village is also  
37 authorized to adopt a local law, and each school district may adopt a  
38 resolution, to increase the maximum exemption allowable in paragraphs  
39 (a) and (b) of this subdivision to ten thousand dollars, fifteen thou-  
40 sand dollars and fifty thousand dollars, respectively; twelve thousand  
41 dollars, eighteen thousand dollars and sixty thousand dollars, respec-  
42 tively; fourteen thousand dollars, twenty-one thousand dollars and  
43 seventy thousand dollars, respectively; sixteen thousand dollars, twen-  
44 ty-four thousand dollars and eighty thousand dollars, respectively;  
45 eighteen thousand dollars, twenty-seven thousand dollars and ninety  
46 thousand dollars, respectively; twenty thousand dollars, thirty thousand  
47 dollars and one hundred thousand dollars, respectively; twenty-two thou-  
48 sand dollars, thirty-three thousand dollars and one hundred ten thousand  
49 dollars, respectively; twenty-four thousand dollars, thirty-six thousand  
50 dollars and one hundred twenty thousand dollars, respectively; twenty-  
51 six thousand dollars, thirty-nine thousand dollars, and one hundred  
52 thirty thousand dollars, respectively; twenty-eight thousand dollars,  
53 forty-two thousand dollars, and one hundred forty thousand dollars,  
54 respectively; and thirty thousand dollars, forty-five thousand dollars  
55 and one hundred fifty thousand dollars, respectively. In addition, a  
56 county, city, town or village which is a "high-appreciation municipi-

1 pality" as defined in this subparagraph is authorized to adopt a local  
2 law, and each school district which is within a high-appreciation muni-  
3 cipality is authorized to adopt a resolution, to increase the maximum  
4 exemption allowable in paragraphs (a) and (b) of this subdivision to  
5 twenty-six thousand dollars, thirty-nine thousand dollars and one  
6 hundred thirty thousand dollars, respectively; twenty-eight thousand  
7 dollars, forty-two thousand dollars and one hundred forty thousand  
8 dollars, respectively; thirty thousand dollars, forty-five thousand  
9 dollars and one hundred fifty thousand dollars, respectively; thirty-two  
10 thousand dollars, forty-eight thousand dollars and one hundred sixty  
11 thousand dollars, respectively; thirty-four thousand dollars, fifty-one  
12 thousand dollars and one hundred seventy thousand dollars, respectively;  
13 thirty-six thousand dollars, fifty-four thousand dollars and one hundred  
14 eighty thousand dollars, respectively; thirty-eight thousand dollars,  
15 fifty-seven thousand dollars and one hundred ninety thousand dollars,  
16 respectively; forty thousand dollars, sixty thousand dollars and two  
17 hundred thousand dollars, respectively; forty-two thousand dollars,  
18 sixty-three thousand dollars and two hundred ten thousand dollars,  
19 respectively; forty-four thousand dollars, sixty-six thousand dollars  
20 and two hundred twenty thousand dollars, respectively; forty-six thou-  
21 sand dollars, sixty-nine thousand dollars and two hundred thirty thou-  
22 sand dollars, respectively; forty-eight thousand dollars, seventy-two  
23 thousand dollars and two hundred forty thousand dollars, respectively;  
24 fifty thousand dollars, seventy-five thousand dollars and two hundred  
25 fifty thousand dollars, respectively. For purposes of this subpara-  
26 graph, a "high-appreciation municipality" means: (A) a special assessing  
27 unit that is a city, (B) a county for which the commissioner has estab-  
28 lished a sales price differential factor for purposes of the STAR  
29 exemption authorized by section four hundred twenty-five of this title  
30 in three consecutive years, and (C) a city, town or village which is  
31 wholly or partly located within such a county.

32 § 2. This act shall take effect immediately.