

# STATE OF NEW YORK

8583

## IN SENATE

February 16, 2024

Introduced by Sen. STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to expenditures for Essex county correctional and public safety facilities projects; and to amend chapter 327 of the laws of 2006 amending the tax law relating to authorizing the county of Essex to impose an additional mortgage recording tax, in relation to extending the effectiveness thereof

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

1 Section 1. Subdivision 5 of section 253-j of the tax law, as added by  
2 chapter 327 of the laws of 2006, is amended to read as follows:

3 5. Notwithstanding any provision of this article to the contrary, the  
4 balance of all moneys paid to the recording officer of the county of  
5 Essex during each month upon account of the tax imposed pursuant to the  
6 authority of this section, after deducting the necessary expenses of his  
7 or her office as provided in section two hundred sixty-two of this arti-  
8 cle, except taxes paid upon mortgages which under the provisions of this  
9 section or section two hundred sixty of this article are first to be  
10 apportioned by the commissioner, shall be paid over by such officer on  
11 or before the tenth day of each succeeding month to the treasurer of  
12 Essex county and, after the deduction by such treasurer of the necessary  
13 expenses of his or her office provided in section two hundred sixty-two  
14 of this article shall be deposited in the general fund of the county of  
15 Essex [~~for expenditure on all expenses incurred by such county for coun-~~  
16 ~~ty correctional and public safety facility projects~~]. Notwithstanding  
17 the provisions of the preceding sentence, the tax so imposed and paid  
18 upon mortgages covering real property situated in two or more counties,  
19 which under the provisions of this section or section two hundred sixty  
20 of this article are first to be apportioned by the commissioner, shall  
21 be paid over by the recording officer receiving the same as provided by  
22 the determination of the commissioner.

23 § 2. Section 3 of chapter 327 of the laws of 2006 amending the tax law  
24 relating to authorizing the county of Essex to impose an additional

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

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1 mortgage recording tax, as amended by chapter 514 of the laws of 2021,  
2 is amended to read as follows:  
3 § 3. This act shall take effect immediately; provided, however, that  
4 this act shall expire and be deemed repealed December 1, [~~2024~~] 2026.  
5 § 3. This act shall take effect immediately and shall be deemed to  
6 have been in full force and effect on and after December 1, 2024;  
7 provided, however, that the amendments to subdivision 5 of section 253-j  
8 of the tax law made by section one of this act shall not affect the  
9 repeal of such section and shall be deemed repealed therewith.