S T A T E O F N E W Y O R K

1365

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to not rescinding certain tax exemptions for real property owned by siblings

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

Section 1. Subparagraph (iii) of paragraph (a) of subdivision 4 of section 425 of the real property tax law, as added by section 4 of part A of chapter 405 of the laws of 1999, is amended to read as follows:

(iii) In the case of property owned by husband and wife OR BY SIBLINGS, one of whom is sixty-five years of age or over, the exemption, once granted, shall not be rescinded solely because of the death of the older spouse OR SIBLING, so long as the surviving spouse OR SIBLING is at least sixty-two years of age as of the date specified in this paragraph.

S 2. Paragraph (d) of subdivision 1 of section 467 of the real property tax law, as amended by chapter 440 of the laws of 1985, is amended to read as follows:

(d) The real property tax exemption on real property owned by husband and wife OR BY SIBLINGS, one of whom is sixty-five years of age or over, once granted, shall not be rescinded by any municipal corporation solely because of the death of the older spouse OR SIBLING so long as the surviving spouse OR SIBLING is at least sixty-two years of age.

S 3. This act shall take effect immediately.

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

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