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

2239

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I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. SCHROEDER, TOWNS, PHEFFER, SWEENEY, BENEDETTO, GUNTHER, LATIMER, J. RIVERA, COOK, KOLB -- Multi-Sponsored by -- M. of A. BOYLAND, DESTITO, JOHN, LANCMAN, McENENY, PEOPLES -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the real property tax law, in relation to exempting from real property taxation real property owned by a person certified to receive a United States department of veterans affairs disability pension

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

Section 1. Paragraph (b) and the closing paragraph of subdivision 2 of section 459-c of the real property tax law, as amended by chapter 421 of the laws of 2000, are amended to read as follows:

(b) a person with a disability is one who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who (i) is certified to receive social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal Social Security Act, or (ii) is certified to receive Railroad Retirement Disability benefits under the federal railroad Retirement Act, or (iii) has received a certificate from the state commission for the blind and visually handicapped stating that such person is legally blind, or (iv) is certified to receive a United States Postal Service disability pension, OR (V) IS CERTIFIED TO RECEIVE A UNITED STATES DEPARTMENT OF VETERANS AFFAIRS DISABILITY PENSION PURSUANT TO 38 U.S.C. S1521.

An award letter from the Social Security Administration or the Railroad Retirement Board, or a certificate from the state commission for the blind and visually handicapped, or an award letter from the United

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

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States Postal Service, OR AN AWARD LETTER FROM THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS shall be submitted as proof of disability.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.