

5724

2009-2010 Regular Sessions

I N   A S S E M B L Y

February 19, 2009

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Introduced by M. of A. GALEF, BRADLEY, McENENY -- Multi-Sponsored by --  
M. of A. N. RIVERA -- read once and referred to the Committee on Real  
Property Taxation

AN ACT to amend the real property tax law and the real property law, in  
relation to the taxation of property owned by a cooperative corpo-  
ration

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

1     Section 1. Subdivision 1 of section 581 of the real property tax law  
2     is amended by adding a new paragraph (d) to read as follows:  
3     (D) THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT  
4     APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR  
5     ON A CONDOMINIUM BASIS IN A MUNICIPAL CORPORATION, OTHER THAN A SPECIAL  
6     ASSESSING UNIT, WHICH HAS ADOPTED, PRIOR TO THE TAXABLE STATUS DATE OF  
7     THE ASSESSMENT ROLL UPON WHICH ITS TAXES WILL BE LEVIED, A LOCAL LAW OR,  
8     FOR A SCHOOL DISTRICT, A RESOLUTION PROVIDING THAT THE PROVISIONS OF  
9     PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO SUCH REAL PROPERTY  
10    WITHIN THAT MUNICIPAL CORPORATION; PROVIDED, HOWEVER, THE PROVISIONS OF  
11    THIS PARAGRAPH SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A  
12    COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS THAT HAD BEEN PREVI-  
13    OUSLY SUBJECT TO THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION  
14    PRIOR TO JANUARY FIRST, TWO THOUSAND ELEVEN.  
15    S 2.     Subdivision 1 of section 339-y of the real property law is  
16    amended by adding a new paragraph (g) to read as follows:  
17    (G) THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION SHALL NOT  
18    APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR  
19    ON A CONDOMINIUM BASIS IN A MUNICIPAL CORPORATION OTHER THAN A SPECIAL  
20    ASSESSING UNIT, WHICH HAS ADOPTED, PRIOR TO THE TAXABLE STATUS DATE OF  
21    THE ASSESSMENT ROLL UPON WHICH ITS TAXES WILL BE LEVIED, A LOCAL LAW OR,  
22    FOR A SCHOOL DISTRICT, A RESOLUTION PROVIDING THAT THE PROVISIONS OF  
23    PARAGRAPH (B) OF THIS SUBDIVISION SHALL NOT APPLY TO SUCH REAL PROPERTY

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

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1 WITHIN THAT MUNICIPAL CORPORATION; PROVIDED, HOWEVER, THE PROVISIONS OF  
2 THIS PARAGRAPH SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A  
3 COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS THAT HAD BEEN PREVI-  
4 OUSLY SUBJECT TO THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION  
5 PRIOR TO JANUARY FIRST, TWO THOUSAND ELEVEN.

6 S 3. This act shall take effect immediately and shall apply to  
7 assessment rolls prepared on the basis of taxable status dates occurring  
8 on or after January 1, 2011.