

8794

2009-2010 Regular Sessions

I N A S S E M B L Y

June 9, 2009

Introduced by M. of A. V. LOPEZ, GIBSON, CRESPO -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to conveyances involving real property financed with federal low-income housing tax credits

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

1 Section 1. Subdivision (b) of section 1405 of the tax law is amended  
2 by adding a new paragraph 11 to read as follows:  
3 11. CONVEYANCES INVOLVING REAL PROPERTY FINANCED WITH FEDERAL LOW-IN-  
4 COME HOUSING TAX CREDITS, AND SUBJECT TO A HOUSING CREDIT AGENCY'S REGU-  
5 LATORY AGREEMENT FOR A MINIMUM PERIOD OF FIFTEEN YEARS FROM THE DATE OF  
6 CONVEYANCE, TO A CORPORATION ORGANIZED PURSUANT TO ARTICLE ELEVEN OF THE  
7 PRIVATE HOUSING FINANCE LAW OR TO A NEW YORK NOT-FOR-PROFIT CORPORATION,  
8 AND NO PART OF THE NET EARNINGS OF SAID NEW YORK NOT-FOR-PROFIT CORPO-  
9 RATION SHALL INURE TO THE BENEFIT OF ANY PERSON, AND NO SUBSTANTIAL PART  
10 OF THE ACTIVITIES OF WHICH IS CARRYING ON PROPAGANDA, OR OTHERWISE  
11 ATTEMPTING TO INFLUENCE LEGISLATION; PROVIDED, HOWEVER, THAT NOTHING IN  
12 THIS PARAGRAPH SHALL INCLUDE AN ORGANIZATION OPERATED FOR THE PRIMARY  
13 PURPOSE OF CARRYING ON A TRADE OR BUSINESS FOR PROFIT, WHETHER OR NOT  
14 ALL OF ITS PROFITS ARE PAYABLE TO ONE OR MORE ORGANIZATIONS DESCRIBED IN  
15 THIS PARAGRAPH.  
16 S 2. This act shall take effect immediately and shall be deemed to  
17 have been in full force and effect on and after June 1, 2009.

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

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