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

8794--A

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 -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Subdivision (b) of section 1405 of the tax law is amended by adding a new paragraph 11 to read as follows:

11. CONVEYANCES INVOLVING REAL PROPERTY FINANCED WITH FEDERAL LOW-INCOME HOUSING TAX CREDITS, AND SUBJECT TO A HOUSING CREDIT AGENCY'S REGULATORY AGREEMENT FOR A MINIMUM PERIOD OF FIFTEEN YEARS FROM THE DATE OF CONVEYANCE, TO A CORPORATION ORGANIZED PURSUANT TO ARTICLE ELEVEN OF THE PRIVATE HOUSING FINANCE LAW OR TO A NEW YORK NOT-FOR-PROFIT CORPORATION, AND NO PART OF THE NET EARNINGS OF SAID NEW YORK NOT-FOR-PROFIT CORPORATION SHALL INURE TO THE BENEFIT OF ANY PERSON, AND NO SUBSTANTIAL PART OF THE ACTIVITIES OF WHICH IS CARRYING ON PROPAGANDA, OR OTHERWISE ATTEMPTING TO INFLUENCE LEGISLATION; PROVIDED, HOWEVER, THAT NOTHING IN THIS PARAGRAPH SHALL INCLUDE AN ORGANIZATION OPERATED FOR THE PRIMARY PURPOSE OF CARRYING ON A TRADE OR BUSINESS FOR PROFIT, WHETHER OR NOT ALL OF ITS PROFITS ARE PAYABLE TO ONE OR MORE ORGANIZATIONS DESCRIBED IN THIS PARAGRAPH.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after June 1, 2010.

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

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