

9422

I N A S S E M B L Y

(PREFILED)

January 6, 2010

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

AN ACT to amend the real property tax law, in relation to the enhanced
STAR income eligibility requirements

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

1 Section 1. Clause (C) of subparagraph (i) of paragraph (b) of subdivi-
2 sion 4 of section 425 of the real property tax law, as amended by
3 section 3 of part E of chapter 83 of the laws of 2002, is amended to
4 read as follows:

5 (C) For final assessment rolls to be completed in each ensuing year,
6 the [applicable income tax year,] cost-of-living-adjustment percentage
7 and applicable increase percentage shall all be advanced by one year,
8 and the income standard shall be the previously-applicable income stand-
9 ard increased by the new cost-of-living-adjustment percentage. FOR
10 PURPOSES OF ELIGIBILITY IN ENSUING YEARS, THE APPLICANT SHALL HAVE THE
11 OPTION OF BASING HIS OR HER INCOME ON EITHER (I) HIS OR HER INCOME FOR
12 THE INCOME TAX YEAR ENDING IMMEDIATELY PRECEDING THE YEAR IN WHICH HE OR
13 SHE IS FILING FOR THE EXEMPTION, OR (II) HIS OR HER INCOME FOR THE
14 INCOME TAX YEAR IMMEDIATELY PRIOR TO THE INCOME TAX YEAR DETERMINED IN
15 SUBCLAUSE (I) OF THIS CLAUSE. If there should be a year for which there
16 is no applicable increase percentage due to a general benefit increase
17 as defined by subdivision three of subsection (i) of section four
18 hundred fifteen of title forty-two of the United States code, the appli-
19 cable increase percentage for purposes of this computation shall be
20 deemed to be the percentage which would have yielded that general bene-
21 fit increase.

22 S 2. 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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