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

1382

2009-2010 Regular Sessions

I N S E N A T E

January 29, 2009

Introduced by Sens. STAVISKY, ADAMS, DIAZ, DUANE, PARKER, SAMPSON, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT to amend the real property tax law, in relation to the income level for the applicability of the senior citizens' rent increase exemption

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

Section 1. Subdivision 2 and subparagraph 3 of paragraph d of subdivision 3 of section 467-b of the real property tax law, subdivision 2 as amended by chapter 747 of the laws of 1985 and subparagraph 3 of paragraph d of subdivision 3 as amended by section 1 of chapter 188 of the laws of 2005, are amended to read as follows:

2. The governing body of any municipal corporation is hereby authorized and empowered to adopt, after public hearing, in accordance with the provisions of this section, a local law, ordinance or resolution providing for the abatement of taxes of said municipal corporation imposed on real property containing a dwelling unit as defined herein by one of the following amounts:

(a) where the head of the household does not receive a monthly allowance for shelter pursuant to the social services law, an amount not in excess of that portion of any increase in maximum rent or legal regulated rent which causes such maximum rent or legal regulated rent to exceed [one-third] *ONE-FOURTH* of the combined income of all members of the household; or

(b) where the head of the household receives a monthly allowance for shelter pursuant to the social services law, an amount not in excess of that portion of any increase in maximum rent or legal regulated rent which is not covered by the maximum allowance for shelter which such person is entitled to receive pursuant to the social services law.

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

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(3) where the head of the household does not receive a monthly allowance for shelter pursuant to the social services law, the amount by which the maximum rent or legal regulated rent of the subsequent dwelling unit exceeds [one-third] ONE-FOURTH of the combined income of all members of the household.

S 2. This act shall take effect immediately; provided that the amendments made to section 467-b of the real property tax law by section one of this act shall not affect the expiration of such section and shall expire therewith.