

3100

2009-2010 Regular Sessions

I N S E N A T E

March 10, 2009

Introduced by Sen. STACHOWSKI -- read twice and ordered printed, and  
when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law, in relation to a sales tax  
factor applicable to STAR exemptions

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

1 Section 1. Paragraph (a) of subdivision 2 of section 425 of the real  
2 property tax law, as amended by section 1 of part E of chapter 83 of the  
3 laws of 2002, is amended to read as follows:

4 (a) Overview. There shall be two variations of the exemption author-  
5 ized by this section: an exemption for property owned by persons who  
6 satisfy the criteria set forth in subdivision three of this section,  
7 which shall be known as the "basic" STAR exemption, and an exemption for  
8 property owned by senior citizens who satisfy the criteria set forth in  
9 both subdivisions three and four of this section, which shall be known  
10 as the "enhanced" STAR exemption. The exempt amount for each assessing  
11 unit shall be determined annually as set forth in this subdivision, by  
12 multiplying the "base figure" by the locally-applicable "sales price  
13 differential factor," if any, multiplying the product by the appropriate  
14 "equalization factor" for the assessing unit, ADDING ON THE APPLICABLE  
15 SALES TAX FACTOR, IF ANY, and, if necessary, increasing the result to  
16 equal the applicable "floor." The result is then rounded to the nearest  
17 multiple of ten dollars.

18 S 2. Subdivision 2 of section 425 of the real property tax law is  
19 amended by adding a new paragraph (d-1) to read as follows:

20 (D-1) SALES TAX ADJUSTMENT. FOR ANY COUNTY IN WHICH THE SCHOOL  
21 DISTRICT RECEIVES A PORTION OF THE REVENUE GENERATED FROM SALES TAX  
22 WITHIN THE COUNTY, A "SALES TAX FACTOR" SHALL BE ADDED TO THE AMOUNT  
23 DETERMINED IN PARAGRAPH (D) OF THIS SUBDIVISION. THE APPLICABLE SALES  
24 TAX FACTOR FOR EACH COUNTY SHALL BE DETERMINED BY TAKING THE TOTAL SALES  
25 TAX REVENUE THE SCHOOL DISTRICT RECEIVES FROM THE COUNTY AND DIVIDING IT

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

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1 BY THE TOTAL NUMBER OF ASSESSED UNITS LOCATED WITHIN THE SCHOOL  
2 DISTRICT. THAT QUOTIENT IS THEN DIVIDED BY THE LATEST TAX RATE APPLIED  
3 TO AN ASSESSED PARCEL WITHIN THE DISTRICT.  
4 S 3. This act shall take effect on the first of July next succeeding  
5 the date on which it shall have become a law.