

8407

I N   S E N A T E

June 29, 2010

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Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend chapter 774 of the laws of 1989 amending the real property tax law relating to certain state lands subject to taxation, in relation to clarifying the state's obligation to make payments with respect to certain lands; and to amend chapter 99 of the laws of 2010, relating to making appropriations for the support of government, in relation to taxes on public lands

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

1     Section 1. Section 4 of chapter 774 of the laws of 1989 amending the  
2 real property tax law relating to certain state lands subject to taxation is amended to read as follows:  
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4     S 4. The agreements referred to in section three of this act shall  
5 [enure] INURE to the benefit of and bind the people of the state of New  
6 York in the event that the lands which are the subject of said agreements are acquired by the people of the state of New York acting through  
7 the department of environmental conservation. Upon any acquisition of  
8 such lands by the department of environmental conservation, the  
9 provisions of section 532 of the real property tax law shall not apply  
10 to the lands so acquired but the [taxation thereof] PAYMENTS DUE THEREON  
11 shall be governed by the agreements referred to in section three of this  
12 act for the duration of such agreement. IN THE EVENT THAT NO SPECIFIC  
13 APPROPRIATION SHALL HAVE BEEN MADE FOR THAT PURPOSE, THE AMOUNT APPROPRIATED FOR PAYMENTS OF TAXES ON STATE LANDS PURSUANT TO SECTIONS 532  
14 THROUGH 546 OF THE REAL PROPERTY TAX LAW SHALL BE DEEMED TO ENCOMPASS  
15 THE STATE'S OBLIGATION TO MAKE THE PAYMENTS REQUIRED BY THIS SECTION,  
16 NOTWITHSTANDING ANY LAW TO THE CONTRARY, PROVIDED THAT NEITHER SUCH  
17 PAYMENTS NOR THE ASSESSMENTS OF THE PARCELS TO WHICH SUCH PAYMENTS  
18 RELATE SHALL BE SUBJECT TO THE APPROVAL OF THE STATE BOARD OF REAL PROPERTY SERVICES. The taxation of such lands will be governed by such  
19 section 532 at such time as the agreements cease to be effective.  
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EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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1 S 2. Section 1 of chapter 99 of the laws of 2010, relating to making  
2 appropriations for the support of government, is amended to read as  
3 follows:

4 MISCELLANEOUS - ALL STATE DEPARTMENTS AND AGENCIES

5 GENERAL STATE CHARGES

6 General Fund/State Operations

7 State Purposes Account - 003

8 GENERAL STATE CHARGES ..... 5,000,000  
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10 Notwithstanding any law to the contrary, for  
11 taxes on public lands and payments pursu-  
12 ant to sections 532 through 546 of the  
13 real property tax law [(09TX10ER)], AND  
14 PAYMENTS PURSUANT TO SECTION 4 OF CHAPTER  
15 774 OF THE LAWS OF 1989..... 5,000,000  
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17 S 3. This act shall take effect immediately.