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

10080

I N A S S E M B L Y

March 3, 2010

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

AN ACT to amend the real property tax law, in relation to restructuring the current aid program to encourage full value reassessments

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

Section 1. Paragraphs (a), (b) and (c) of subdivision 1 and subdivision 2 of section 1573 of the real property tax law, paragraph (a) of subdivision 1 as amended and paragraphs (b) and (c) of subdivision 1 as added by chapter 309 of the laws of 1996, subdivision 2 as amended by chapter 655 of the laws of 2004 and paragraph (a) of subdivision 2 as amended by chapter 212 of the laws of 2006, are amended to read as follows:

(a) the assessing unit has satisfied standards of quality assessment administration, as established by the state board pursuant to regulations promulgated by the state board, subject to the approval of the director of the budget[. Such rules shall be based upon but not limited to the following criteria:

(i) quality and maintenance of valuation data;

(ii) presentation of public information and data;

(iii) administration of exemptions;

(iv) an acceptable level of assessment uniformity as measured annually by the state board; and

(v) compliance with statutes and rules.] AND HAS IMPLEMENTED A REVALUATION PURSUANT TO AN APPROVED PLAN AS PROVIDED IN THIS SUBDIVISION;

(b) [any revaluation or update of assessments, implemented on an assessment roll finalized after the first day of January, nineteen hundred ninety-six,] THE REVALUATION is at one hundred percent of value; however, in special assessing units the revaluation or update of assessments must be at a uniform percentage of value for each class;

(c) [the assessing unit has published, on the tentative assessment roll, the uniform percentage of value at which all real property is assessed, or in special assessing units, the uniform percentage of value at which each class of property is assessed] THE REVALUATION WAS IMPLE-

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

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MENTED PURSUANT TO A PLAN, APPROVED PURSUANT TO THE RULES OF THE STATE BOARD, OF NOT LESS THAN FOUR YEARS THAT PROVIDES, AT A MINIMUM, FOR A REVALUATION IN THE FIRST AND LAST YEAR OF SUCH PLAN, BUT IN NO CASE LESS THAN ONCE EVERY FOUR YEARS, AND FOR INVENTORY DATA TO BE COLLECTED AT LEAST ONCE EVERY SIX YEARS;

2. (A) State assistance pursuant to subdivision one of this section shall be payable [as follows] in an amount not to exceed five dollars per parcel for [each separately assessed parcel appearing on the applicable] AN assessment roll[, excluding] UPON WHICH A REVALUATION IS IMPLEMENTED IN ACCORDANCE WITH AN APPROVED PLAN, AND NOT TO EXCEED TWO DOLLARS PER PARCEL FOR ANY ASSESSMENT ROLL UPON WHICH A REVALUATION IS NOT IMPLEMENTED IN ACCORDANCE WITH AN APPROVED PLAN. THE AMOUNT PAYABLE ON A PER PARCEL BASIS SHALL EXCLUDE parcels which are wholly exempt or assessed by the state board[: (a) Triennial aid shall be payable when the state board determines that the assessing unit has implemented a revaluation or update that includes the reinspection and reappraisal of all locally assessed properties. However, no assessing unit may qualify for this payment more than once in a three year period, and no aid may be paid pursuant to this paragraph with respect to any assessment roll filed after the year two thousand eleven.

(b) (i) Annual aid shall be payable when the state board determines that the assessing unit has maintained an equitable assessment roll. Such determination shall be made in accordance with standards established pursuant to regulations promulgated by the state board, subject to the approval of the director of the budget, and shall be based upon criteria including but not limited to:

(A) annually maintaining assessments at the percentage of value specified in subdivision one of this section;

(B) annually conducting a systematic analysis of all locally assessed properties using a methodology specified in such regulations;

(C) annually revising assessments as necessary to maintain the stated uniform percentage of value; and

(D) implementing a local program for physically inspecting and reappraising each parcel at least once every six years.

(E) Such standards shall contain ranges of acceptable performance as determined by the state board in accordance with nationally recognized assessment methods.

(ii) No aid shall be paid pursuant to this paragraph with respect to any assessment roll which receives triennial aid pursuant to paragraph (a) of this subdivision].

[(iii)] (B) ANY ASSESSING UNIT THAT FAILS TO IMPLEMENT A REVALUATION AS PRESCRIBED IN AN APPROVED PLAN SHALL REMIT TO THE STATE THE FULL AMOUNT OF ANY STATE AID RECEIVED PURSUANT TO THIS SUBDIVISION FOR THE ASSESSMENT ROLLS FOLLOWING THE ONE UPON WHICH THE MOST RECENT REVALUATION WAS IMPLEMENTED.

(C) NOTHING IN THIS SUBDIVISION SHALL BE DEEMED TO PREVENT AN ASSESSING UNIT FROM WITHDRAWING FROM AN APPROVED PLAN. ANY ASSESSING UNIT THAT DOES SO SHALL ONLY BE RESPONSIBLE FOR REMISSION OF PER PARCEL PAYMENTS FOR NON-REVALUATION YEARS.

(D) No grant awarded to any individual assessing unit in any given year pursuant to this subdivision shall exceed five hundred thousand dollars.

S 2. This act shall take effect immediately and shall apply to assessment rolls with taxable status dates occurring on and after March 1, 2010.