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

10835

I N A S S E M B L Y

April 23, 2010

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

AN ACT to amend the real property tax law, in relation to allowing certain special assessing units other than cities to adjust their current base proportions and in relation to adjusted base proportions in the county of Nassau

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

Section 1. Subdivision 1 of section 1803-a of the real property tax law is amended by adding a new paragraph (v) to read as follows:

(V) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN A SPECIAL ASSESSING UNIT WHICH IS NOT A CITY, FOR CURRENT BASE PROPORTIONS TO BE DETERMINED FOR TAXES TO BE LEVIED UPON AN ASSESSMENT ROLL OF SUCH SPECIAL ASSESSING UNIT COMPLETED IN TWO THOUSAND TEN OR THEREAFTER, THE CURRENT BASE PROPORTION OF ANY CLASS SHALL NOT EXCEED THE ADJUSTED BASE PROPORTION OR ADJUSTED PROPORTION, WHICHEVER IS APPROPRIATE, OF THE IMMEDIATELY PRECEDING YEAR BY MORE THAN FIVE PERCENT OR SUCH LESSER PERCENTAGE AS MAY BE ESTABLISHED BY THE LEGISLATIVE BODY FOR THAT TAX LEVY, PROVIDED THAT SUCH PERCENTAGE MAY NOT BE NEGATIVE. WHERE THE COMPUTATION OF CURRENT BASE PROPORTIONS WOULD OTHERWISE RESULT IN AN INCREASE IN EXCESS OF THE ALLOWABLE PERCENTAGE, THE CURRENT BASE PROPORTION OF SUCH CLASS OR CLASSES SHALL BE LIMITED TO THE ALLOWABLE PERCENTAGE INCREASE, AND THE LEGISLATIVE BODY OF SUCH SPECIAL ASSESSING UNIT SHALL ALTER THE CURRENT BASE PROPORTION OF ANY OR ALL REMAINING CLASSES SO THAT THE SUM OF THE CURRENT BASE PROPORTIONS EQUALS ONE.

S 2. Paragraph (a) of subdivision 3 of section 1903 of the real property tax law is amended by adding a new subparagraph (xii) to read as follows:

(XII) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN AN APPROVED ASSESSING UNIT IN THE COUNTY OF NASSAU, FOR CURRENT BASE PROPORTIONS TO BE DETERMINED FOR TAXES TO BE LEVIED UPON AN ASSESSMENT ROLL OF SUCH APPROVED ASSESSING UNIT COMPLETED IN TWO THOUSAND TEN OR THEREAFTER, THE CURRENT BASE PROPORTION OF ANY CLASS SHALL NOT EXCEED THE ADJUSTED BASE PROPORTION OR ADJUSTED PROPORTION, WHICHEVER IS APPROPRIATE, OF THE

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

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IMMEDIATELY PRECEDING YEAR BY MORE THAN FIVE PERCENT OR SUCH LESSER PERCENTAGE AS MAY BE ESTABLISHED BY THE LEGISLATIVE BODY FOR THE TAX LEVY, PROVIDED THAT SUCH PERCENTAGE MAY NOT BE NEGATIVE. WHERE THE COMPUTATION OF CURRENT BASE PROPORTIONS WOULD OTHERWISE RESULT IN AN INCREASE IN EXCESS OF THE ALLOWABLE PERCENTAGE, THE CURRENT BASE PROPORTION OF SUCH CLASS OR CLASSES SHALL BE LIMITED TO THE ALLOWABLE PERCENTAGE INCREASE, AND THE LEGISLATIVE BODY OF SUCH APPROVED ASSESSING UNIT SHALL ALTER THE CURRENT BASE PROPORTION OF EITHER CLASS SO THAT THE SUM OF THE CURRENT BASE PROPORTIONS EQUALS ONE.

S 3. This act shall take effect immediately and shall apply to the levy of taxes based on the 2010 assessment roll in an approved assessing unit.