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

1887

2009-2010 Regular Sessions

I N A S S E M B L Y

January 14, 2009

Introduced by M. of A. LIFTON, GALEF -- Multi-Sponsored by -- M. of A. HOOPER, McENENY -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to providing state aid to certain municipalities in which the lands of the state university of New York are situate

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

Section 1. The real property tax law is amended by adding a new section 546-a to read as follows:

S 546-A. STATE AID; EXEMPT LANDS OF STATE UNIVERSITY. 1. (A) IN ANY ASSESSING UNIT IN WHICH MORE THAN FIFTEEN PERCENT OF THE TOTAL ASSESSED VALUE OF REAL PROPERTY THEREIN, AS DETERMINED BY THE ASSESSOR OF SUCH UNIT, IS OWNED BY THE STATE UNIVERSITY, THE STATE SHALL MAKE ANNUAL PAYMENTS PURSUANT TO THIS SECTION.

(B) FOR THE PURPOSES OF THIS SECTION, THE ASSESSED VALUE OF THE REAL PROPERTY OF STATUTORY OR CONTRACT COLLEGES AT CORNELL UNIVERSITY AND ALFRED UNIVERSITY, AS DESIGNATED IN SUBDIVISION THREE OF SECTION THREE HUNDRED FIFTY-TWO OF THE EDUCATION LAW, IN AN ASSESSING UNIT SHALL BE DETERMINED BY THE NUMBER OF STUDENTS ENROLLED IN SUCH STATUTORY OR CONTRACT COLLEGES AT THE UNIVERSITY CAMPUS WHICH INCLUDES SUCH COLLEGES, DIVIDED BY THE TOTAL NUMBER OF STUDENTS ENROLLED AT SUCH UNIVERSITY CAMPUS, MULTIPLIED BY THE ASSESSED VALUE OF THE REAL PROPERTY OF THE UNIVERSITY CAMPUS LYING WITHIN THE ASSESSING UNIT.

2. THE STATE BOARD SHALL ANNUALLY MAKE PAYMENTS, THE AGGREGATE OF WHICH SHALL NOT EXCEED TWENTY-FIVE MILLION DOLLARS PER YEAR, TO COUNTIES, CITIES, TOWNS AND VILLAGES, ELIGIBLE PURSUANT TO PARAGRAPH (A) OF SUBDIVISION ONE OF THIS SECTION, THAT HAVE MADE TIMELY APPLICATION THEREFOR. FOR EACH SUCH MUNICIPALITY, THE PAYMENT SHALL EQUAL THE ASSESSED VALUE OF ALL REAL PROPERTY OF THE STATE UNIVERSITY IN SUCH MUNICIPALITY, MULTIPLIED BY THE APPLICABLE EQUALIZATION RATE, DIVIDED BY

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

LBD05151-01-9

THE PRODUCT OF THE ASSESSED VALUE OF ALL REAL PROPERTY OF THE STATE UNIVERSITY IN ALL ELIGIBLE MUNICIPALITIES THAT HAVE MADE TIMELY APPLICATION UNDER THIS SECTION AND THE APPLICABLE EQUALIZATION RATE, MULTIPLIED BY THE OVERALL AMOUNT OF PAYMENTS APPROPRIATED FOR THE PURPOSES OF THIS SECTION. WHERE TWO OR MORE ELIGIBLE MUNICIPALITIES SUBMIT TIMELY APPLICATIONS COVERING IN PART OR IN FULL THE SAME PARCELS, ONE COMBINED PAYMENT SHALL BE CALCULATED FOR ALL SUCH MUNICIPALITIES. SUCH COMBINED PAYMENT SHALL BE BASED ON THE MUNICIPALITY WITH THE GREATER POPULATION, AND SHALL BE APPORTIONED AMONG SUCH MUNICIPALITIES IN PROPORTION TO THE AMOUNT OF REAL PROPERTY TAX WHICH WOULD HAVE BEEN RECEIVED BY EACH SUCH MUNICIPALITY FOR THE PORTION OF THE REAL PROPERTY OF THE STATE UNIVERSITY IN SUCH MUNICIPALITY HAD THE STATE UNIVERSITY NOT BEEN TAX EXEMPT, IN RELATION TO THE TOTAL OF SUCH AMOUNTS.

3. THE STATE BOARD SHALL PROMULGATE ALL RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION.

4. FOR THE PURPOSES OF THIS SECTION, "STATE UNIVERSITY" SHALL MEAN AND INCLUDE ALL THOSE INSTITUTIONS ENUMERATED IN SUBDIVISION THREE OF SECTION THREE HUNDRED FIFTY-TWO OF THE EDUCATION LAW.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such effective date; provided, however, that any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be promulgated on or before such date.