

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 7, 2009

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the real property tax law, in relation to exemptions available to veterans

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

1 Section 1. Paragraphs (a), (b) and (c) of subdivision 2 of section  
2 458-a of the real property tax law, paragraph (a) as amended by chapter  
3 899 of the laws of 1985, paragraph (b) as amended by chapter 473 of the  
4 laws of 2004 and paragraph (c) as amended by chapter 100 of the laws of  
5 1988, are amended to read as follows:

6 (a) Qualifying residential real property shall be exempt from taxation  
7 to the extent of fifteen percent of the assessed value of such property;  
8 provided, however, that such exemption shall not exceed twelve thousand  
9 dollars [or the product of twelve thousand dollars multiplied by the  
10 latest state equalization rate for the assessing unit, or in the case of  
11 a special assessing unit, the latest class ratio, whichever is less].

12 (b) In addition to the exemption provided by paragraph (a) of this  
13 subdivision, where the veteran served in a combat theatre or combat zone  
14 of operations, as documented by the award of a United States campaign  
15 ribbon or service medal, or the armed forces expeditionary medal, navy  
16 expeditionary medal, marine corps expeditionary medal, or global war on  
17 terrorism expeditionary medal, qualifying residential real property also  
18 shall be exempt from taxation to the extent of ten percent of the  
19 assessed value of such property; provided, however, that such exemption  
20 shall not exceed eight thousand dollars [or the product of eight thou-

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

1 sand dollars multiplied by the latest state equalization rate for the  
2 assessing unit, or in the case of a special assessing unit, the class  
3 ratio, whichever is less].

4 (c) In addition to the exemptions provided by paragraphs (a) and (b)  
5 of this subdivision, where the veteran received a compensation rating  
6 from the United States veteran's administration or from the United  
7 States department of defense because of a service connected disability,  
8 qualifying residential real property shall be exempt from taxation to  
9 the extent of the product of the assessed value of such property multi-  
10 plied by fifty percent of the veteran's disability rating; provided,  
11 however, that such exemption shall not exceed forty thousand dollars [or  
12 the product of forty thousand dollars multiplied by the latest state  
13 equalization rate for the assessing unit, or in the case of a special  
14 assessing unit, the latest class ratio, whichever is less]. For purposes  
15 of this paragraph, where a person who served in the active military,  
16 naval or air service during a period of war died in service of a service  
17 connected disability, such person shall be deemed to have been assigned  
18 a compensation rating of one hundred percent.

19 S 2. This act shall take effect immediately.