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

434

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the real property tax law, in relation to the employment of New York state residents by entities receiving certain tax breaks

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

Section 1. Subdivision 13 of section 485-b of the real property tax law, as renumbered by chapter 305 of the laws of 1994, is renumbered subdivision 14 and a new subdivision 13 is added to read as follows:

13. (A) ANY ENTITY SHALL NOT BE ENTITLED TO RECEIVE THE EXEMPTION PROVIDED BY THIS SECTION UNLESS AT LEAST EIGHTY-FIVE PERCENT OF ITS EMPLOYEES ARE RESIDENTS OF THIS STATE OR THE ENTITY FALLS WITHIN AN EXCEPTION LISTED IN PARAGRAPH (B) OF THIS SUBDIVISION.

(B) AN ENTITY MAY RECEIVE THE EXEMPTION PROVIDED BY THIS SECTION WITH A WORKFORCE WHERE LESS THAN EIGHTY-FIVE PERCENT OF THE EMPLOYEES ARE RESIDENTS OF THIS STATE IF IT CAN SHOW THAT:

(I) IT MADE DILIGENT EFFORTS TO HIRE RESIDENT EMPLOYEES, BUT NO SUCH EMPLOYEES EXISTED OR WERE QUALIFIED FOR THE EMPLOYMENT POSITION; OR

(II) THE EMPLOYMENT POSITION REQUIRES SPECIALIZED TALENTS THAT CAN ONLY BE FILLED BY INDIVIDUALS WHO HAPPEN TO RESIDE OUTSIDE THIS STATE.

S 2. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to any exemption claimed on or after such effective date.

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

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