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

8895

2009-2010 Regular Sessions

I N A S S E M B L Y

June 12, 2009

Introduced by M. of A. HYER-SPENCER, SILVER, FARRELL, GIBSON -- Multi-Sponsored by -- M. of A. ABBATE, BING, BRENNAN, CARROZZA, COLTON, COOK, CRESPO, CUSICK, CYMBROWITZ, DenDEKKER, GLICK, HEVESI, HIKIND, JACOBS, KELLNER, LANCMAN, LENTOL, MARKEY, MAYERSOHN, MILLMAN, NOLAN, PERRY, PHEFFER, P. RIVERA, ROSENTHAL, SCARBOROUGH, WEINSTEIN, WRIGHT -- read once and referred to the Committee on Ways and Means

AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year 2010

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 (u) to read as follows:

(U) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (C) OF THIS SUBDIVISION TO THE CONTRARY, IN A SPECIAL ASSESSING UNIT WHICH IS A CITY AND FOR CURRENT BASE PROPORTIONS TO BE DETERMINED IN SUCH SPECIAL ASSESSING UNIT'S FISCAL YEAR TWO THOUSAND TEN, 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. WHERE THE COMPUTATION PERFORMED PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION WOULD OTHERWISE PRODUCE SUCH RESULT, THE CURRENT BASE PROPORTION OF SUCH CLASS OR CLASSES SHALL BE LIMITED TO A ZERO PERCENT 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. In the event the special assessing unit which is a city has sent out real property tax bills for its fiscal year 2010 before this act shall have become a law, the city shall take such actions as are necessary, consistent with applicable state and local law, to effect the provisions of section one of this act, including, but not limited to, revising the current base proportions and adjusted base proportions,

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

LBD09577-02-9

resetting the real property tax rates and sending amended real property tax bills. Provided, however, that nothing herein shall be deemed to affect the obligation of any taxpayer with respect to the payment of any installment of real property tax for such fiscal year which was due and payable prior to the date such amended real property tax bills are sent; for this purpose, such obligations shall be determined in accordance with the applicable provisions of law that were in effect immediately prior to the effective date of this act, and such city shall be authorized to determine the date on which amended bills are to be sent and the installments of real property tax which are to be reflected therein.

S 3. This act shall take effect immediately.