

1735--B

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I N S E N A T E

February 5, 2009

Introduced by Sens. STAVISKY, ADAMS, DIAZ, DUANE, HUNTLEY, PARKER, SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the real property tax law and the administrative code of the city of New York, in relation to authorizing certain homeowners in New York city to receive an abatement of real property taxes of up to two thousand dollars for the installation of sewer improvement check valve devices on certain dwellings

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

- 1 Section 1. The real property tax law is amended by adding a new
2 section 470 to read as follows:
3 S 470. ABATEMENT OF TAXES FOR THE INSTALLATION OF CHECK VALVES FOR
4 SEWER IMPROVEMENTS IN CITIES WITH A POPULATION OF ONE MILLION OR MORE.
5 1. IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, ANY OWNER OF A
6 DWELLING WHO INSTALLS A CHECK VALVE DEVICE TO PREVENT SEWAGE FROM BACK-
7 FLOWING INTO SUCH DWELLING SHALL RECEIVE AN ABATEMENT OF TAXES ON SUCH
8 REAL PROPERTY EQUALING ONE-HALF, UP TO TWO THOUSAND DOLLARS TOWARDS THE
9 COST OF PURCHASING AND INSTALLING SUCH DEVICE.
10 2. ANY NOT-FOR-PROFIT ENTITY WHICH OWNS A BUILDING OF ANY TYPE OR A
11 DWELLING IN A CITY WITH A POPULATION OF ONE MILLION OR MORE AND WHICH
12 INSTALLS A CHECK VALVE DEVICE TO PREVENT SEWAGE FROM BACK-FLOWING INTO
13 SUCH BUILDING OR DWELLING SHALL RECEIVE AN ABATEMENT OF WATER AND SEWER
14 CHARGES EQUALING ONE-HALF OF THE COST OF PURCHASING AND INSTALLING SUCH
15 DEVICE, UP TO TWO THOUSAND DOLLARS.
16 3. FOR THE PURPOSES OF THIS SECTION, THE TERM "DWELLING" SHALL MEAN
17 ANY BUILDING, STRUCTURE OR PORTION THEREOF WHICH IS OCCUPIED IN WHOLE OR

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

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1 IN PART AS A HOME, RESIDENCE OR SLEEPING PLACE FOR ONE OR MORE HUMAN
2 BEINGS.

3 4. THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL
4 PROMULGATE ANY RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF
5 THIS SECTION, INCLUDING BUT NOT LIMITED TO, IDENTIFYING APPROPRIATE
6 CHECK VALVE SYSTEMS.

7 S 2. Subdivision e of section 24-514 of the administrative code of the
8 city of New York is amended to read as follows:

9 e. Exemptions from sewer rents or charges. Any real property which is
10 entitled to an exemption from the payment of water rents or charges
11 shall also be exempt from payment of the sewer rents or charges imposed
12 hereunder. IN ADDITION, ANY NOT-FOR-PROFIT ENTITY WHICH OWNS A BUILDING
13 OF ANY TYPE OR A DWELLING IN A CITY WITH A POPULATION OF ONE MILLION OR
14 MORE AND WHICH INSTALLS A CHECK VALVE DEVICE TO PREVENT SEWAGE FROM
15 BACK-FLOWING INTO SUCH BUILDING OR DWELLING SHALL RECEIVE AN ABATEMENT
16 OF WATER AND SEWER CHARGES EQUALING ONE-HALF OF THE COST OF PURCHASING
17 AND INSTALLING SUCH DEVICE, UP TO TWO THOUSAND DOLLARS. FOR THE
18 PURPOSES OF THIS SUBDIVISION, THE TERM "DWELLING" SHALL MEAN ANY BUILD-
19 ING, STRUCTURE OR PORTION THEREOF WHICH IS OCCUPIED IN WHOLE OR IN PART
20 AS A HOME, RESIDENCE OR SLEEPING PLACE FOR ONE OR MORE HUMAN BEINGS.

21 S 3. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law.