

1808

2009-2010 Regular Sessions

I N   S E N A T E

February 9, 2009

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Introduced by Sens. O. JOHNSON, FUSCHILLO, LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT to amend the real property tax law, in relation to a senior citizen rent exemption and tax abatement program within Suffolk county

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 467-g to read as follows:  
3     S 467-G. TENANTS SIXTY-FIVE YEARS OF AGE OR OVER WITHIN SUFFOLK COUN-  
4     TY. 1. ANY MUNICIPAL CORPORATION WITHIN SUFFOLK COUNTY IS HEREBY AUTHOR-  
5     IZED TO PROVIDE A PROGRAM OF SENIOR CITIZEN RENT EXEMPTION AND TAX  
6     ABATEMENT PROVIDED THE GOVERNING BOARD OF SUCH MUNICIPALITY, AFTER A  
7     PUBLIC HEARING THEREON, ADOPTS A LOCAL LAW OR ORDINANCE PROVIDING THERE-  
8     FOR. SUCH PROGRAM SHALL APPLY TO PERSONS SIXTY-FIVE YEARS OF AGE OR  
9     OVER, WHO RESIDE IN RESIDENTIAL RENTAL PREMISES AND WHO ARE HEADS OF  
10    HOUSEHOLDS WHOSE INCOMES FALL WITHIN SPECIFIED LIMITS TO BE ESTABLISHED  
11    BY SUCH LAW OR ORDINANCE.  
12    2. THE ELIGIBLE HEAD OF HOUSEHOLD SHALL APPLY EACH YEAR, PRIOR TO THE  
13    TAXABLE STATUS DATE PRESCRIBED BY LAW, TO THE APPROPRIATE LOCAL ASSESSOR  
14    FOR A TAX ABATEMENT CERTIFICATE, ON A FORM PRESCRIBED BY THE STATE  
15    BOARD. AS A REQUIRED PART OF THE APPLICATION PROCESS, EACH APPLICANT  
16    SHALL ALSO SUBMIT AN ACCESSORY AGREEMENT SIGNED BY HIS OR HER LANDLORD,  
17    ATTESTING TO THE LANDLORD'S WILLINGNESS TO PARTICIPATE IN THE PROGRAM.  
18    SUCH AGREEMENT SHALL INCLUDE THE LANDLORD'S RESPONSIBILITIES TO (A)  
19    REDUCE THE TENANT'S RENT ON A MONTHLY BASIS BY ONE-TWELFTH OF THE AMOUNT  
20    OF THE ANNUAL EXEMPTION GRANTED, (B) REIMBURSE, TO THE RECEIVER OF TAXES  
21    OF THE MUNICIPAL CORPORATION WHICH GRANTED THE EXEMPTION, A PRO-RATED  
22    PORTION OF THE TAX ABATEMENT IF HIS OR HER QUALIFYING TENANT SHOULD MOVE  
23    DURING THE TAXABLE PERIOD AND (C) PERMIT ALL QUALIFYING TENANTS TO  
24    PARTICIPATE IN THE PROGRAM.

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

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1       3. A TAX ABATEMENT CERTIFICATE ESTABLISHING THE AMOUNT OF EXEMPTION  
2 FOR THE TAXABLE PERIOD SHALL BE ISSUED TO EACH HEAD OF THE HOUSEHOLD WHO  
3 IS ELIGIBLE. COPIES OF THE CERTIFICATE SHALL BE ISSUED TO THE OWNER OF  
4 THE REAL PROPERTY CONTAINING THE RENTAL UNIT OF THE HEAD OF THE HOUSE-  
5 HOLD AND TO THE RECEIVER OF TAXES OF EACH MUNICIPALITY WHICH HAS GRANTED  
6 THE ABATEMENT OF TAXES. THE EXEMPTION FOR THE TAX PERIOD SET IN THE TAX  
7 ABATEMENT CERTIFICATE SHALL BE DEDUCTED FROM THE TOTAL TAXES LEVIED BY  
8 THE MUNICIPALITY WHICH GRANTED THE ABATEMENT ON REAL PROPERTY CONTAINING  
9 THE RENTAL UNIT.

10       4. ANY CONVICTION OF HAVING MADE A WILLFUL FALSE STATEMENT IN THE  
11 APPLICATION FOR EXEMPTION PURSUANT TO THIS SECTION SHALL BE PUNISHABLE  
12 BY A FINE OF NOT MORE THAN ONE HUNDRED DOLLARS AND SHALL DISQUALIFY THE  
13 APPLICANT SENIOR CITIZEN AND/OR HOMEOWNER FROM FURTHER EXEMPTIONS FOR A  
14 PERIOD OF FIVE YEARS.

15       5. THE PROVISIONS OF THIS SECTION SHALL BE APPLICABLE TO ALL RENTAL  
16 UNITS WHICH COMPLY WITH ALL RELEVANT HOUSING CODES, LOCAL LAWS OR ORDI-  
17 NANCES.

18       S 2. This act shall take effect immediately and shall apply to real  
19 property having a taxable status date on or after such effective date.