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

255

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law and the real property law, in relation to the taxation of property owned by a cooperative corporation

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

Section 1. Subdivision 1 of section 581 of the real property tax law is amended by adding a new paragraph (d) to read as follows:

(D) THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS IN A MUNICIPAL CORPORATION, OTHER THAN A SPECIAL ASSESSING UNIT, WHICH HAS ADOPTED, PRIOR TO THE TAXABLE STATUS DATE OF THE ASSESSMENT ROLL UPON WHICH ITS TAXES WILL BE LEVIED, A LOCAL LAW OR, FOR A SCHOOL DISTRICT, A RESOLUTION PROVIDING THAT THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO SUCH REAL PROPERTY WITHIN THAT MUNICIPAL CORPORATION; PROVIDED, HOWEVER, THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS THAT HAD BEEN PREVIOUSLY SUBJECT TO THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION PRIOR TO JANUARY FIRST, TWO THOUSAND ELEVEN.

S 2. Subdivision 1 of section 339-y of the real property law is amended by adding a new paragraph (g) to read as follows:

(G) THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS IN A MUNICIPAL CORPORATION OTHER THAN A SPECIAL ASSESSING UNIT, WHICH HAS ADOPTED, PRIOR TO THE TAXABLE STATUS DATE OF THE ASSESSMENT ROLL UPON WHICH ITS TAXES WILL BE LEVIED, A LOCAL LAW OR, FOR A SCHOOL DISTRICT, A RESOLUTION PROVIDING THAT THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION SHALL NOT APPLY TO SUCH REAL PROPERTY

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

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WITHIN THAT MUNICIPAL CORPORATION; PROVIDED, HOWEVER, THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS THAT HAD BEEN PREVIOUSLY SUBJECT TO THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION PRIOR TO JANUARY FIRST, TWO THOUSAND ELEVEN.

S 3. This act shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2011.