

2564

2009-2010 Regular Sessions

I N S E N A T E

February 24, 2009

Introduced by Sen. DeFRANCISCO -- 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, in relation to the volunteer
firefighters and volunteer ambulance workers in certain counties

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

1 Section 1. Subdivision 2 of section 466-g of the real property tax
2 law, as added by chapter 419 of the laws of 2005, is amended to read as
3 follows:
4 2. Such exemption shall not be granted to an enrolled member of an
5 incorporated volunteer fire company, fire department or incorporated
6 voluntary ambulance service residing in such county unless:
7 (a) [the applicant resides in the city, town or village which is
8 served by such incorporated volunteer fire company or fire department or
9 incorporated voluntary ambulance service;
10 (b)] the property is the primary residence of the applicant;
11 [(c)] (B) the property is used exclusively for residential purposes;
12 provided, however, that in the event any portion of such property is not
13 used exclusively for the applicant's residence but is used for other
14 purposes, such portion shall be subject to taxation and the remaining
15 portion only shall be entitled to the exemption provided by this
16 section; and
17 [(d)] (C) the applicant has been certified by the authority having
18 jurisdiction for the incorporated volunteer fire company or fire depart-
19 ment as an enrolled member of such incorporated volunteer fire company
20 or fire department for at least five years or the applicant has been
21 certified by the authority having jurisdiction for the incorporated
22 voluntary ambulance service as an enrolled member of such incorporated
23 voluntary ambulance service for at least five years. It shall be the
24 duty and responsibility of the municipality which adopts a local law,

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

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1 ordinance or resolution pursuant to this section to determine the proce-
2 dure for certification.

3 S 2. This act shall take effect immediately and shall apply to assess-
4 ment rolls prepared on the basis of taxable status dates occurring on or
5 after such date.