

4682

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to the definition of qualified historic home for the purposes of the historic homeownership rehabilitation credit

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

1 Section 1. Subparagraph (A) of paragraph 5 of subsection (pp) of  
2 section 606 of the tax law, as added by chapter 547 of the laws of 2006,  
3 is amended to read as follows:

4 (A) The term "qualified historic home" means, for purposes of this  
5 subsection, a certified historic structure located within New York  
6 state:

7 (i) which has been substantially rehabilitated,  
8 (ii) which, or any portion of which, is owned, in whole or part, by  
9 the taxpayer,

10 (iii) in which the taxpayer resides during the taxable year in which  
11 the taxpayer is allowed a credit under this subsection, and

12 (iv) which is [in whole or in part a targeted area residence within  
13 the meaning of section 143(j) of the internal revenue code and] located  
14 within an area of a city, town or village whose governing body has iden-  
15 tified by resolution that such area is in need of community renewal  
16 because of deteriorated and/or vacant buildings and, by local law, has  
17 adopted a historic preservation and community renewal program to  
18 preserve and/or revitalize such area. A historic preservation and commu-  
19 nity renewal program is a program that coordinates all applicable  
20 governmental benefits and programs with the aims of preserving and/or  
21 revitalizing neighborhoods, encouraging property owners to complete  
22 substantial rehabilitation projects and promoting smart growth economic  
23 development. Such local laws shall be filed with the office of parks,

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

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1 recreation and historic preservation. The office of parks, recreation  
2 and historic preservation shall assist local governments in developing  
3 historic preservation and community renewal programs.  
4 S 2. This act shall take effect immediately.