

6168--A

2009-2010 Regular Sessions

I N S E N A T E

September 14, 2009

Introduced by Sen. ESPADA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Finance -- committee discharged and said bill committed to the Committee on Housing, Construction and Community Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to conveyances involving real property financed with federal low-income housing tax credits

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

1 Section 1. Subdivision (b) of section 1405 of the tax law is amended
2 by adding a new paragraph 11 to read as follows:
3 11. CONVEYANCES INVOLVING REAL PROPERTY FINANCED WITH FEDERAL LOW-IN-
4 COME HOUSING TAX CREDITS, AND SUBJECT TO A HOUSING CREDIT AGENCY'S REGU-
5 LATORY AGREEMENT FOR A MINIMUM PERIOD OF FIFTEEN YEARS FROM THE DATE OF
6 CONVEYANCE, TO A CORPORATION ORGANIZED PURSUANT TO ARTICLE ELEVEN OF THE
7 PRIVATE HOUSING FINANCE LAW OR TO A NEW YORK NOT-FOR-PROFIT CORPORATION,
8 AND NO PART OF THE NET EARNINGS OF SAID NEW YORK NOT-FOR-PROFIT CORPO-
9 RATION SHALL INURE TO THE BENEFIT OF ANY PERSON, AND NO SUBSTANTIAL PART
10 OF THE ACTIVITIES OF WHICH IS CARRYING ON PROPAGANDA, OR OTHERWISE
11 ATTEMPTING TO INFLUENCE LEGISLATION; PROVIDED, HOWEVER, THAT NOTHING IN
12 THIS PARAGRAPH SHALL INCLUDE AN ORGANIZATION OPERATED FOR THE PRIMARY
13 PURPOSE OF CARRYING ON A TRADE OR BUSINESS FOR PROFIT, WHETHER OR NOT
14 ALL OF ITS PROFITS ARE PAYABLE TO ONE OR MORE ORGANIZATIONS DESCRIBED IN
15 THIS PARAGRAPH.
16 S 2. This act shall take effect immediately and shall be deemed to
17 have been in full force and effect on and after June 1, 2010.

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

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