

10563

I N A S S E M B L Y

June 5, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Meng, Braunstein, Weprin) -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law and the administrative code of the city of New York, in relation to a partial abatement of real property taxes for condominiums and cooperatives, a credit for S corporations, and credits and exemptions under the commercial rent or occupancy tax, in a city having a population of one million or more

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

1 Section 1. Paragraphs (a) and (b) of subdivision 2 of section 467-a of
2 the real property tax law, as added by chapter 273 of the laws of 1996,
3 are amended to read as follows:
4 (a) In a city having a population of one million or more, dwelling
5 units owned by unit owners who, as of the applicable taxable status
6 date, own no more than three dwelling units in any one property held in
7 the condominium form of ownership, shall be eligible to receive a
8 partial abatement of real property taxes, as set forth in paragraphs (c)
9 and (d) of this subdivision; provided, however, that a property held in
10 the condominium form of ownership that is receiving complete or partial
11 real property tax exemption or tax abatement pursuant to any other
12 provision of this chapter or any other state or local law, except as
13 provided in paragraph (f) of this subdivision, shall not be eligible to
14 receive a partial abatement pursuant to this section; and provided,
15 further, that sponsors shall not be eligible to receive a partial abate-
16 ment pursuant to this section; AND PROVIDED, FURTHER, HOWEVER, THAT IN
17 ANY FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND THIRTEEN OR
18 LATER, NO DWELLING UNIT SHALL BE ELIGIBLE TO RECEIVE A PARTIAL ABATEMENT
19 PURSUANT TO THIS SECTION UNLESS IT IS THE PRIMARY RESIDENCE OF THE UNIT
20 OWNER AND, IN ANY SUCH FISCAL YEAR, THE PRIMARY RESIDENCE OF THE UNIT
21 OWNER SHALL BE ELIGIBLE TO RECEIVE A PARTIAL ABATEMENT PURSUANT TO THIS
22 SECTION REGARDLESS OF THE NUMBER OF DWELLING UNITS OWNED BY THE UNIT
23 OWNER. A MARRIED COUPLE WITH TWO OR MORE RESIDENCES MAY RECEIVE A

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

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1 PARTIAL ABATEMENT PURSUANT TO THIS SECTION ON NO MORE THAN ONE RESI-
2 DENCE, UNLESS LIVING APART DUE TO LEGAL SEPARATION.

3 (b) In a city having a population of one million or more, dwelling
4 units owned by tenant-stockholders who, as of the applicable taxable
5 status date, own no more than three dwelling units in any one property
6 held in the cooperative form of ownership, shall be eligible to receive
7 a partial abatement of real property taxes, as set forth in paragraphs
8 (c) and (d) of this subdivision; provided, however, that a property held
9 in the cooperative form of ownership that is receiving complete or
10 partial real property tax exemption or tax abatement pursuant to any
11 other provision of this chapter or any other state or local law, except
12 as provided in paragraph (f) of this subdivision, shall not be eligible
13 to receive a partial abatement pursuant to this section; and provided,
14 further, that sponsors shall not be eligible to receive a partial abate-
15 ment pursuant to this section; AND PROVIDED, FURTHER, HOWEVER, THAT IN
16 ANY FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND THIRTEEN OR
17 LATER, NO DWELLING UNIT SHALL BE ELIGIBLE TO RECEIVE A PARTIAL ABATEMENT
18 PURSUANT TO THIS SECTION UNLESS IT IS THE PRIMARY RESIDENCE OF THE
19 TENANT-STOCKHOLDER AND, IN ANY SUCH FISCAL YEAR, THE PRIMARY RESIDENCE
20 OF THE TENANT-STOCKHOLDER SHALL BE ELIGIBLE TO RECEIVE A PARTIAL ABATE-
21 MENT PURSUANT TO THIS SECTION REGARDLESS OF THE NUMBER OF DWELLING UNITS
22 OWNED BY THE TENANT-STOCKHOLDER. A MARRIED COUPLE WITH TWO OR MORE RESI-
23 DENCES MAY RECEIVE A PARTIAL ABATEMENT PURSUANT TO THIS SECTION ON NO
24 MORE THAN ONE RESIDENCE, UNLESS LIVING APART DUE TO LEGAL SEPARATION.
25 For purposes of this section, a tenant-stockholder of a cooperative
26 apartment corporation shall be deemed to own the dwelling unit which is
27 represented by his or her shares of stock in such corporation. Any
28 abatement so granted shall be credited by the appropriate taxing author-
29 ity against the tax due on the property as a whole. The reduction in
30 real property taxes received thereby shall be credited by the cooper-
31 ative apartment corporation against the amount of such taxes attribut-
32 able to eligible dwelling units at the time of receipt.

33 S 2. The opening paragraph and subparagraph (xvi) of paragraph (c) of
34 subdivision 2 of section 467-a of the real property tax law, the opening
35 paragraph as amended by chapter 97 of the laws of 2004 and subparagraph
36 (xvi) as added by chapter 109 of the laws of 2008, are amended and a new
37 subparagraph (xvii) is added to read as follows:

38 [Eligible] IN ANY FISCAL YEAR COMMENCING IN CALENDAR YEAR NINETEEN
39 HUNDRED NINETY-SIX THROUGH CALENDAR YEAR TWO THOUSAND TWELVE, ELIGIBLE
40 dwelling units in property whose average unit assessed value is less
41 than or equal to fifteen thousand dollars shall receive a partial abate-
42 ment of the real property taxes attributable to or due on such dwelling
43 units, as follows:

44 (xvi) twenty-five percent in the fiscal year commencing in calendar
45 year two thousand eleven[.];

46 (XVII) TWENTY-FIVE PERCENT IN THE FISCAL YEAR COMMENCING IN CALENDAR
47 YEAR TWO THOUSAND TWELVE.

48 S 3. The opening paragraph and subparagraph (xvi) of paragraph (d) of
49 subdivision 2 of section 467-a of the real property tax law, the opening
50 paragraph as amended by chapter 97 of the laws of 2004 and subparagraph
51 (xvi) as added by chapter 109 of the laws of 2008, are amended and a new
52 subparagraph (xvii) is added to read as follows:

53 [Eligible] IN ANY FISCAL YEAR COMMENCING IN CALENDAR YEAR NINETEEN
54 HUNDRED NINETY-SIX THROUGH CALENDAR YEAR TWO THOUSAND TWELVE, ELIGIBLE
55 dwelling units in property whose average unit assessed value is greater
56 than fifteen thousand dollars shall receive a partial abatement of the

1 real property taxes attributable to or due on such dwelling units, as
2 follows:

3 (xvi) seventeen and one-half percent in the fiscal year commencing in
4 calendar year two thousand eleven[.];

5 (XVII) SEVENTEEN AND ONE-HALF PERCENT IN THE FISCAL YEAR COMMENCING IN
6 CALENDAR YEAR TWO THOUSAND TWELVE.

7 S 4. Subdivision 2 of section 467-a of the real property tax law is
8 amended by adding four new paragraphs (d-1), (d-2), (d-3) and (d-4) to
9 read as follows:

10 (D-1) IN ANY FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND
11 THIRTEEN, TWO THOUSAND FOURTEEN OR TWO THOUSAND FIFTEEN, ELIGIBLE DWELL-
12 ING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS LESS THAN OR
13 EQUAL TO THIRTY THOUSAND DOLLARS SHALL RECEIVE A PARTIAL ABATEMENT OF
14 THE REAL PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF
15 TWENTY-FIVE PERCENT.

16 (D-2) IN ANY FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND
17 THIRTEEN, TWO THOUSAND FOURTEEN OR TWO THOUSAND FIFTEEN, ELIGIBLE DWELL-
18 ING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE THAN
19 THIRTY THOUSAND DOLLARS, BUT LESS THAN OR EQUAL TO THIRTY-FIVE THOUSAND
20 DOLLARS, SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL PROPERTY TAXES
21 ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF TWENTY-TWO AND ONE-HALF
22 PERCENT.

23 (D-3) IN ANY FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND
24 THIRTEEN, TWO THOUSAND FOURTEEN OR TWO THOUSAND FIFTEEN, ELIGIBLE DWELL-
25 ING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE THAN
26 THIRTY-FIVE THOUSAND DOLLARS, BUT LESS THAN OR EQUAL TO FORTY THOUSAND
27 DOLLARS, SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL PROPERTY TAXES
28 ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF TWENTY PERCENT.

29 (D-4) IN ANY FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND
30 THIRTEEN, TWO THOUSAND FOURTEEN OR TWO THOUSAND FIFTEEN, ELIGIBLE DWELL-
31 ING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE THAN
32 FORTY THOUSAND DOLLARS SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL
33 PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON THE FIRST ONE HUNDRED THOUSAND
34 DOLLARS OF ASSESSED VALUE PER DWELLING UNIT OF SEVENTEEN AND ONE-HALF
35 PERCENT.

36 S 5. Paragraphs (a), (c) and (h) of subdivision 3 of section 467-a of
37 the real property tax law, as amended by chapter 109 of the laws of
38 2008, are amended to read as follows:

39 (a) An application for an abatement pursuant to this section for the
40 fiscal year commencing in calendar year nineteen hundred ninety-six
41 shall be made no later than the fifteenth day of September, nineteen
42 hundred ninety-six. An application for an abatement pursuant to this
43 section for the fiscal year commencing in calendar year nineteen hundred
44 ninety-seven shall be made no later than the first day of April, nine-
45 teen hundred ninety-seven. An application for an abatement pursuant to
46 this section for the fiscal year commencing in calendar year nineteen
47 hundred ninety-eight shall be made no later than the first day of April,
48 nineteen hundred ninety-eight. An application for an abatement pursuant
49 to this section for the fiscal year commencing in calendar year nineteen
50 hundred ninety-nine shall be made in accordance with this subdivision
51 and subdivision three-a of this section. An application for an abatement
52 pursuant to this section for the fiscal year commencing in calendar year
53 two thousand shall be made no later than the fifteenth day of February,
54 two thousand. An application for an abatement pursuant to this section
55 for the fiscal year commencing in calendar year two thousand one shall
56 be made in accordance with this subdivision and subdivision three-b of

1 this section. An application for an abatement pursuant to this section
2 for the fiscal year commencing in calendar year two thousand two shall
3 be made no later than the fifteenth day of February, two thousand two.
4 An application for an abatement pursuant to this section for the fiscal
5 year commencing in calendar year two thousand three shall be made no
6 later than the fifteenth day of February, two thousand three. An appli-
7 cation for an abatement pursuant to this section for the fiscal year
8 commencing in calendar year two thousand four shall be made in accord-
9 ance with this subdivision and subdivision three-c of this section. An
10 application for an abatement pursuant to this section for the fiscal
11 year commencing in calendar year two thousand five shall be made no
12 later than the fifteenth day of February, two thousand five. An applica-
13 tion for an abatement pursuant to this section for the fiscal year
14 commencing in calendar year two thousand six shall be made no later than
15 the fifteenth day of February, two thousand six. An application for an
16 abatement pursuant to this section for the fiscal year commencing in
17 calendar year two thousand seven shall be made no later than the
18 fifteenth day of February, two thousand seven. An application for AN
19 abatement pursuant to this section for the fiscal year commencing in
20 calendar year two thousand eight shall be made in accordance with this
21 subdivision and subdivision three-d of this section. An application for
22 an abatement pursuant to this section for the fiscal year commencing in
23 calendar year two thousand nine shall be made no later than the
24 fifteenth day of February, two thousand nine. An application for an
25 abatement pursuant to this section for the fiscal year commencing in
26 calendar year two thousand ten shall be made no later than the fifteenth
27 day of February, two thousand ten. An application for an abatement
28 pursuant to this section for the fiscal year commencing in calendar year
29 two thousand eleven shall be made no later than the fifteenth day of
30 February, two thousand eleven. AN APPLICATION FOR AN ABATEMENT PURSUANT
31 TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
32 THOUSAND TWELVE SHALL BE MADE IN ACCORDANCE WITH THIS SUBDIVISION AND
33 SUBDIVISION THREE-E OF THIS SECTION. AN APPLICATION FOR AN ABATEMENT
34 PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR
35 TWO THOUSAND THIRTEEN SHALL BE MADE NO LATER THAN THE FIFTEENTH DAY OF
36 FEBRUARY, TWO THOUSAND THIRTEEN. AN APPLICATION FOR AN ABATEMENT PURSU-
37 ANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
38 THOUSAND FOURTEEN SHALL BE MADE NO LATER THAN THE FIFTEENTH DAY OF
39 FEBRUARY, TWO THOUSAND FOURTEEN. AN APPLICATION FOR AN ABATEMENT PURSU-
40 ANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
41 THOUSAND FIFTEEN SHALL BE MADE NO LATER THAN THE FIFTEENTH DAY OF FEBRU-
42 ARY, TWO THOUSAND FIFTEEN.

43 (c) No abatement pursuant to this section shall be granted unless the
44 applicant files an application for an abatement within the time periods
45 prescribed in paragraph (a) of this subdivision or subdivision three-a,
46 three-b, three-c [or], three-d OR THREE-E of this section, provided,
47 however, that the commissioner of finance may, for good cause shown,
48 extend the time for filing an application.

49 (h) Notwithstanding any other provision of law to the contrary, appli-
50 cation by the board of directors of a cooperative apartment corporation
51 for an abatement pursuant to this section for either the fiscal year
52 commencing in calendar year two thousand five or the fiscal year
53 commencing in the calendar year two thousand six or the fiscal year
54 commencing in the calendar year two thousand seven or the fiscal year
55 commencing in the calendar year two thousand eight or the fiscal year
56 commencing in the calendar year two thousand nine or the fiscal year

1 commencing in the calendar year two thousand ten or the fiscal year
2 commencing in the calendar year two thousand eleven OR THE FISCAL YEAR
3 COMMENCING IN THE CALENDAR YEAR TWO THOUSAND TWELVE OR THE FISCAL YEAR
4 COMMENCING IN THE CALENDAR YEAR TWO THOUSAND THIRTEEN OR THE FISCAL YEAR
5 COMMENCING IN THE CALENDAR YEAR TWO THOUSAND FOURTEEN OR THE FISCAL YEAR
6 COMMENCING IN THE CALENDAR YEAR TWO THOUSAND FIFTEEN shall be made by
7 the filing of an information return pursuant to subdivision (g) of
8 section 11-2105 of the administrative code of the city of New York, as
9 added by local law number fifty-eight of the city of New York for the
10 year nineteen hundred eighty-nine, including an election by such board
11 of directors that such information return be deemed an application for
12 an abatement pursuant to this section for such fiscal year, provided,
13 however, that where the board of directors files an application on
14 behalf of a cooperative apartment corporation that is not receiving an
15 abatement pursuant to this section for the fiscal year immediately
16 preceding the fiscal year for which the application is filed, then the
17 board of directors shall be required to file, in addition to the infor-
18 mation return pursuant to subdivision (g) of section 11-2105 of the
19 administrative code of the city of New York, as added by local law
20 number fifty-eight of the city of New York for the year nineteen hundred
21 eighty-nine, any information return covering a reporting period begin-
22 ning on or after January first, nineteen hundred ninety-six, that has
23 not been filed previously. Information returns that are deemed to be
24 applications for an abatement pursuant to this paragraph shall be
25 subject to the provisions of this section relating to such applications
26 including, but not limited to, the provisions of this subdivision and
27 subdivision four of this section.

28 S 6. Section 467-a of the real property tax law is amended by adding a
29 new subdivision 3-e to read as follows:

30 3-E. (A) AN APPLICANT WHOSE PROPERTY DID NOT RECEIVE AN ABATEMENT
31 PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR
32 TWO THOUSAND ELEVEN SHALL SUBMIT AN APPLICATION FOR AN ABATEMENT PURSU-
33 ANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
34 THOUSAND TWELVE NO LATER THAN SIXTY DAYS FOLLOWING THE EFFECTIVE DATE OF
35 THIS SUBDIVISION.

36 (B) THE ABATEMENT FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
37 THOUSAND TWELVE OF A COOPERATIVE APARTMENT CORPORATION THAT RECEIVED AN
38 ABATEMENT PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN
39 CALENDAR YEAR TWO THOUSAND ELEVEN AND THAT SUBMITTED AN INFORMATION
40 RETURN ON OR BEFORE FEBRUARY FIFTEENTH, TWO THOUSAND TWELVE, THAT
41 INCLUDED AN ELECTION BY THE BOARD OF DIRECTORS OF SUCH COOPERATIVE
42 APARTMENT CORPORATION THAT SUCH INFORMATION RETURN BE DEEMED AN APPLICA-
43 TION FOR AN ABATEMENT PURSUANT TO THIS SECTION FOR SUCH FISCAL YEAR,
44 SHALL BE BASED ON THE INFORMATION CONTAINED IN SUCH INFORMATION RETURN.

45 (C) THE ABATEMENT FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
46 THOUSAND TWELVE OF A COOPERATIVE APARTMENT CORPORATION THAT RECEIVED AN
47 ABATEMENT PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN
48 CALENDAR YEAR TWO THOUSAND ELEVEN AND THAT SUBMITTED AN INFORMATION
49 RETURN ON OR BEFORE FEBRUARY FIFTEENTH, TWO THOUSAND TWELVE, THAT DID
50 NOT INCLUDE AN ELECTION BY THE BOARD OF DIRECTORS OF SUCH COOPERATIVE
51 APARTMENT CORPORATION THAT SUCH INFORMATION RETURN BE DEEMED AN APPLICA-
52 TION FOR AN ABATEMENT PURSUANT TO THIS SECTION FOR SUCH FISCAL YEAR,
53 SHALL BE BASED ON THE INFORMATION CONTAINED IN THE APPLICATION SUBMITTED
54 IN TWO THOUSAND ELEVEN OR ON THE INFORMATION CONTAINED IN SUCH INFORMA-
55 TION RETURN, OR BOTH, PROVIDED THAT NOTHING IN THIS PARAGRAPH SHALL
56 AUTHORIZE OR REQUIRE THE COMMISSIONER OF FINANCE TO GRANT AN ABATEMENT

1 WITH RESPECT TO A PROPERTY OR A DWELLING UNIT THAT IS NOT ELIGIBLE AS OF
2 THE APPLICABLE TAXABLE STATUS DATE FOR THE FISCAL YEAR COMMENCING IN
3 CALENDAR YEAR TWO THOUSAND TWELVE.

4 (D) THE BOARD OF MANAGERS OF A CONDOMINIUM THAT RECEIVED AN ABATEMENT
5 PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR
6 TWO THOUSAND ELEVEN SHALL SUBMIT AN APPLICATION FOR AN ABATEMENT PURSU-
7 ANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
8 THOUSAND TWELVE NO LATER THAN SIXTY DAYS FOLLOWING THE EFFECTIVE DATE OF
9 THIS SUBDIVISION. IF SUCH BOARD OF MANAGERS DOES NOT SUBMIT SUCH APPLI-
10 CATION WITHIN SIXTY DAYS FOLLOWING THE EFFECTIVE DATE OF THIS SUBDIVI-
11 SION, THEN THE ABATEMENT FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR
12 TWO THOUSAND TWELVE FOR SUCH CONDOMINIUM SHALL BE BASED ON THE INFORMA-
13 TION CONTAINED IN THE APPLICATION SUBMITTED IN TWO THOUSAND ELEVEN,
14 PROVIDED THAT NOTHING IN THIS PARAGRAPH SHALL AUTHORIZE OR REQUIRE THE
15 COMMISSIONER OF FINANCE TO GRANT AN ABATEMENT WITH RESPECT TO A PROPERTY
16 OR A DWELLING UNIT THAT IS NOT ELIGIBLE AS OF THE APPLICABLE TAXABLE
17 STATUS DATE FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND
18 TWELVE.

19 S 7. Subdivision 8 of section 467-a of the real property tax law, as
20 amended by chapter 453 of the laws of 2011, is amended to read as
21 follows:

22 8. Except to the extent that the owner of a dwelling unit of a proper-
23 ty situated in a city having a population of one million or more may
24 request a redacted copy of any application or statements pertaining to
25 such dwelling unit, as provided in subdivision four of this section, the
26 information contained in applications or statements in connection there-
27 with filed with the commissioner of finance pursuant to subdivision
28 three, three-a, three-b [or], three-c, THREE-D OR THREE-E of this
29 section shall not be subject to disclosure under article six of the
30 public officers law.

31 S 8. Section 11-604 of the administrative code of the city of New York
32 is amended by adding a new subdivision 22 to read as follows:

33 22. CREDIT FOR S CORPORATIONS. (A) FOR EACH TAXABLE YEAR BEGINNING ON
34 OR AFTER JANUARY FIRST, TWO THOUSAND THIRTEEN, IN THE CASE OF A CORPO-
35 RATION THAT HAS MADE AN ELECTION UNDER SUBCHAPTER S OF CHAPTER ONE OF
36 THE INTERNAL REVENUE CODE:

37 (1) IF THE TAX COMPUTED UNDER SUBDIVISION ONE OF THIS SECTION IS MORE
38 THAN TWENTY-FIVE DOLLARS BUT LESS THAN OR EQUAL TO ONE THOUSAND SIX
39 HUNDRED DOLLARS, A CREDIT SHALL BE ALLOWED IN THE AMOUNT OF SUCH TAX
40 LESS TWENTY-FIVE DOLLARS; AND

41 (2) IF THE TAX COMPUTED UNDER SUBDIVISION ONE OF THIS SECTION IS TWEN-
42 TY-FIVE DOLLARS, OR MORE THAN ONE THOUSAND SIX HUNDRED DOLLARS, NO CRED-
43 IT SHALL BE ALLOWED.

44 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBCHAPTER TO THE
45 CONTRARY, THE CREDIT ALLOWABLE UNDER THIS SUBDIVISION SHALL BE TAKEN
46 PRIOR TO ANY OTHER CREDIT ALLOWED BY THIS SECTION.

47 S 9. Paragraph 2 of subdivision h of section 11-704 of the administra-
48 tive code of the city of New York, as amended by local law number 63 of
49 the city of New York for the year 1997, is amended to read as follows:

50 (2) In the case of any taxable premises located in the borough of
51 Manhattan south of the center line of ninety-sixth street, the base rent
52 for such premises shall be reduced by (i) fifteen percent for the period
53 beginning March first, nineteen hundred ninety-six and ending May thir-
54 ty-first, nineteen hundred ninety-six, (ii) twenty-five percent for the
55 period beginning June first, nineteen hundred ninety-six and ending
56 August thirty-first, nineteen hundred ninety-eight, [and] (iii) thirty-

1 five percent for [periods] THE PERIOD beginning September first, nine-
2 teen hundred ninety-eight AND ENDING MAY THIRTY-FIRST, TWO THOUSAND
3 THIRTEEN, AND (IV) FORTY PERCENT FOR PERIODS BEGINNING JUNE FIRST, TWO
4 THOUSAND THIRTEEN and thereafter, such reduction to be made after all
5 other exemptions and deductions authorized by this chapter have been
6 taken.

7 S 10. Paragraph 6 of subdivision (a) of section 11-704.3 of the admin-
8 istrative code of the city of New York, as amended by local law number
9 38 of the city of New York for the year 2001, is amended to read as
10 follows:

11 (6) For each tax year beginning on or after June first, two thousand
12 one AND ENDING ON OR BEFORE MAY THIRTY-FIRST, TWO THOUSAND THIRTEEN, a
13 credit shall be allowed against the tax imposed by this chapter as
14 follows: a tenant whose base rent is at least two hundred [and] fifty
15 thousand dollars but not more than three hundred thousand dollars shall
16 be allowed a credit in an amount determined by multiplying three and
17 nine-tenths percent of base rent by a fraction the numerator of which is
18 three hundred thousand dollars minus the amount of base rent and the
19 denominator of which is fifty thousand dollars. If the tenant's base
20 rent is over three hundred thousand dollars, no credit shall be allowed
21 under this paragraph. For purposes of this paragraph, 'base rent' shall
22 be calculated without regard to any reduction in base rent allowed by
23 paragraph two of subdivision h of section 11-704 of this chapter.

24 S 11. Subdivision (a) of section 11-704.3 of the administrative code
25 of the city of New York is amended by adding a new paragraph 7 to read
26 as follows:

27 (7) FOR EACH TAX YEAR BEGINNING ON OR AFTER JUNE FIRST, TWO THOUSAND
28 THIRTEEN, A CREDIT SHALL BE ALLOWED AGAINST THE TAX IMPOSED BY THIS
29 CHAPTER AS FOLLOWS: A TENANT WHOSE BASE RENT IS AT LEAST TWO HUNDRED
30 FIFTY THOUSAND DOLLARS BUT NOT MORE THAN THREE HUNDRED THOUSAND DOLLARS
31 SHALL BE ALLOWED A CREDIT IN AN AMOUNT DETERMINED BY MULTIPLYING THREE
32 AND SIX-TENTHS PERCENT OF BASE RENT BY A FRACTION THE NUMERATOR OF WHICH
33 IS THREE HUNDRED THOUSAND DOLLARS MINUS THE AMOUNT OF BASE RENT AND THE
34 DENOMINATOR OF WHICH IS FIFTY THOUSAND DOLLARS. IF THE TENANT'S BASE
35 RENT IS OVER THREE HUNDRED THOUSAND DOLLARS, NO CREDIT SHALL BE ALLOWED
36 UNDER THIS PARAGRAPH. FOR PURPOSES OF THIS PARAGRAPH, 'BASE RENT' SHALL
37 BE CALCULATED WITHOUT REGARD TO ANY REDUCTION IN BASE RENT ALLOWED BY
38 PARAGRAPH TWO OF SUBDIVISION H OF SECTION 11-704 OF THIS CHAPTER.

39 S 12. This act shall take effect immediately.