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2011-2012 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 5, 2011

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Introduced by M. of A. PAULIN, PHEFFER, DenDEKKER, CASTELLI, TITONE,  
CASTRO, COLTON, GIBSON, LANCMAN, LAVINE, WEISENBERG, ZEBROWSKI, HOOPER  
-- Multi-Sponsored by -- M. of A. ABBATE, GOTTFRIED, ORTIZ, THIELE --  
read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to alternative  
exemptions for active duty members of the armed forces

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

1     Section 1. Section 458-a of the real property tax law is amended by  
2     adding a new subdivision 9 to read as follows:  
3     9. (A) AS USED IN THIS SUBDIVISION, "ACTIVE DUTY MEMBER OF THE ARMED  
4     FORCES" MEANS A MEMBER OF THE UNITED STATES ARMY, NAVY, MARINE CORPS,  
5     AIR FORCE OR COAST GUARD ON FULL-TIME ACTIVE DUTY DURING A PERIOD OF  
6     WAR.  
7     (B) A COUNTY, CITY, TOWN, OR VILLAGE MAY ADOPT A LOCAL LAW TO INCLUDE  
8     AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OR THE SPOUSE OF AN ACTIVE  
9     DUTY MEMBER OF THE ARMED FORCES, AS EVIDENCED ANNUALLY BY A STATEMENT OF  
10    SERVICE FROM THE UNIT IN WHICH THE ACTIVE DUTY MEMBER SERVES OR OTHER  
11    ADEQUATE PROOF OF ACTIVE DUTY MILITARY SERVICE, WITHIN THE DEFINITION OF  
12    "QUALIFIED OWNER," AS PROVIDED IN PARAGRAPH (C) OF SUBDIVISION ONE OF  
13    THIS SECTION, AND TO INCLUDE PROPERTY OWNED BY AN ACTIVE DUTY MEMBER OF  
14    THE ARMED FORCES OR THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE ARMED  
15    FORCES WITHIN THE DEFINITION OF "QUALIFYING RESIDENTIAL REAL PROPERTY"  
16    AS PROVIDED IN PARAGRAPH (D) OF SUBDIVISION ONE OF THIS SECTION,  
17    PROVIDED THAT SUCH PROPERTY SHALL BE THE PRIMARY RESIDENCE OF THE ACTIVE  
18    DUTY MEMBER OF THE ARMED FORCES OR THE SPOUSE OF AN ACTIVE DUTY MEMBER  
19    OF THE ARMED FORCES.  
20    S 2. This act shall take effect immediately and shall apply to assess-  
21    ment rolls prepared on the basis of taxable status dates occurring on or  
22    after the first of January next succeeding the date on which this act  
23    shall have become a law.

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

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