

2390

2011-2012 Regular Sessions

I N A S S E M B L Y

January 18, 2011

Introduced by M. of A. LIFTON, GALEF -- Multi-Sponsored by -- M. of A. HOOPER, McENENY -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to providing state aid to certain municipalities in which the lands of the state university of New York are situate

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

1 Section 1. The real property tax law is amended by adding a new
2 section 546-a to read as follows:

3 S 546-A. STATE AID; EXEMPT LANDS OF STATE UNIVERSITY. 1. (A) IN ANY
4 ASSESSING UNIT IN WHICH MORE THAN FIFTEEN PERCENT OF THE TOTAL ASSESSED
5 VALUE OF REAL PROPERTY THEREIN, AS DETERMINED BY THE ASSESSOR OF SUCH
6 UNIT, IS OWNED BY THE STATE UNIVERSITY, THE STATE SHALL MAKE ANNUAL
7 PAYMENTS PURSUANT TO THIS SECTION.

8 (B) FOR THE PURPOSES OF THIS SECTION, THE ASSESSED VALUE OF THE REAL
9 PROPERTY OF STATUTORY OR CONTRACT COLLEGES AT CORNELL UNIVERSITY AND
10 ALFRED UNIVERSITY, AS DESIGNATED IN SUBDIVISION THREE OF SECTION THREE
11 HUNDRED FIFTY-TWO OF THE EDUCATION LAW, IN AN ASSESSING UNIT SHALL BE
12 DETERMINED BY THE NUMBER OF STUDENTS ENROLLED IN SUCH STATUTORY OR
13 CONTRACT COLLEGES AT THE UNIVERSITY CAMPUS WHICH INCLUDES SUCH COLLEGES,
14 DIVIDED BY THE TOTAL NUMBER OF STUDENTS ENROLLED AT SUCH UNIVERSITY
15 CAMPUS, MULTIPLIED BY THE ASSESSED VALUE OF THE REAL PROPERTY OF THE
16 UNIVERSITY CAMPUS LYING WITHIN THE ASSESSING UNIT.

17 2. THE STATE BOARD SHALL ANNUALLY MAKE PAYMENTS, THE AGGREGATE OF
18 WHICH SHALL NOT EXCEED TWENTY-FIVE MILLION DOLLARS PER YEAR, TO COUN-
19 TIES, CITIES, TOWNS AND VILLAGES, ELIGIBLE PURSUANT TO PARAGRAPH (A) OF
20 SUBDIVISION ONE OF THIS SECTION, THAT HAVE MADE TIMELY APPLICATION
21 THEREFOR. FOR EACH SUCH MUNICIPALITY, THE PAYMENT SHALL EQUAL THE
22 ASSESSED VALUE OF ALL REAL PROPERTY OF THE STATE UNIVERSITY IN SUCH
23 MUNICIPALITY, MULTIPLIED BY THE APPLICABLE EQUALIZATION RATE, DIVIDED BY

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

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1 THE PRODUCT OF THE ASSESSED VALUE OF ALL REAL PROPERTY OF THE STATE
2 UNIVERSITY IN ALL ELIGIBLE MUNICIPALITIES THAT HAVE MADE TIMELY APPLICA-
3 TION UNDER THIS SECTION AND THE APPLICABLE EQUALIZATION RATE, MULTIPLIED
4 BY THE OVERALL AMOUNT OF PAYMENTS APPROPRIATED FOR THE PURPOSES OF THIS
5 SECTION. WHERE TWO OR MORE ELIGIBLE MUNICIPALITIES SUBMIT TIMELY APPLI-
6 CATIONS COVERING IN PART OR IN FULL THE SAME PARCELS, ONE COMBINED
7 PAYMENT SHALL BE CALCULATED FOR ALL SUCH MUNICIPALITIES. SUCH COMBINED
8 PAYMENT SHALL BE BASED ON THE MUNICIPALITY WITH THE GREATER POPULATION,
9 AND SHALL BE APPORTIONED AMONG SUCH MUNICIPALITIES IN PROPORTION TO THE
10 AMOUNT OF REAL PROPERTY TAX WHICH WOULD HAVE BEEN RECEIVED BY EACH SUCH
11 MUNICIPALITY FOR THE PORTION OF THE REAL PROPERTY OF THE STATE UNIVERSI-
12 TY IN SUCH MUNICIPALITY HAD THE STATE UNIVERSITY NOT BEEN TAX EXEMPT, IN
13 RELATION TO THE TOTAL OF SUCH AMOUNTS.

14 3. THE STATE BOARD SHALL PROMULGATE ALL RULES AND REGULATIONS NECES-
15 SARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION.

16 4. FOR THE PURPOSES OF THIS SECTION, "STATE UNIVERSITY" SHALL MEAN AND
17 INCLUDE ALL THOSE INSTITUTIONS ENUMERATED IN SUBDIVISION THREE OF
18 SECTION THREE HUNDRED FIFTY-TWO OF THE EDUCATION LAW.

19 S 2. This act shall take effect on the first of January next succeed-
20 ing the date on which it shall have become a law and shall apply to
21 assessment rolls prepared on the basis of taxable status dates occurring
22 on or after such effective date; provided, however, that any rules and
23 regulations necessary to implement the provisions of this act on its
24 effective date are authorized and directed to be promulgated on or
25 before such date.