S T A T E O F N E W Y O R K

7125

2011-2012 Regular Sessions

I N A S S E M B L Y

April 13, 2011

Introduced by M. of A. CROUCH -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to local assessors

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

Section 1. The real property tax law is amended by adding a new section 324 to read as follows:

S 324. LOCAL DISCIPLINARY ACTIONS. AN ASSESSOR MAY BE REMOVED FROM OFFICE FOR JUST CAUSE BY THE APPOINTING AUTHORITY AFTER A HEARING UPON NOTICE. A DETERMINATION TO REMOVE AN ASSESSOR OR TAKE OTHER DISCIPLINARY ACTION AS A RESULT OF THE REMOVAL PROCEEDING AGAINST AN ASSESSOR SHALL BE SUBJECT TO REVIEW BY THE STATE BOARD UPON APPLICATION FILED WITH SUCH BOARD BY THE ASSESSOR WITHIN THIRTY DAYS AFTER RECEIPT BY HIM OR HER OF WRITTEN NOTICE OF SUCH DETERMINATION. THE REVIEW BY THE STATE BOARD SHALL BE BASED UPON THE RECORD AND A TRANSCRIPT OF THE HEARING HELD BY THE APPOINTING AUTHORITY AND SUCH ORAL OR WRITTEN ARGUMENT AS MAY BE PRESENTED TO SUCH BOARD BY THE PARTIES TO THE PROCEEDING. UPON COMPLETION OF SUCH REVIEW THE STATE BOARD SHALL AFFIRM, REVERSE OR MODIFY THE DETERMINATION OF THE APPOINTING AUTHORITY. THE DETERMINATION OF THE STATE BOARD SHALL BE SUBJECT TO JUDICIAL REVIEW IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE SEVENTY-EIGHT OF THE CIVIL PRACTICE LAW AND RULES.

S 2. This act shall take effect immediately.

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

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