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

9189

I N A S S E M B L Y

February 2, 2012

Introduced by M. of A. P. LOPEZ -- read once and referred to the Committee on Ways and Means

AN ACT to amend the Hurricane Irene and Tropical Storm Lee assessment relief act, in relation to reductions of assessments of disaster damaged real property; and to amend chapter 56 of the laws of 2011, creating the Hurricane Irene-Tropical Storm Lee Flood Recovery Grant program, in relation to establishing criteria for the awarding of grants to municipalities in accordance with such program

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

Section 1. Section 3 of part G of chapter 56 of the laws of 2011, constituting the Hurricane Irene and Tropical Storm Lee assessment relief act, is amended to read as follows:

S 3. Local option. An eligible municipality may exercise the provisions of this act if its governing body shall, [by the forty-fifth day] WITHIN ONE YEAR following the date upon which this act is approved by the governor, pass a resolution adopting the provisions of this act.

S 2. Subdivision (b) of section 4 of part G of chapter 56 of the laws of 2011, constituting the Hurricane Irene and Tropical Storm Lee assessment relief act, is amended to read as follows:

(b) To receive such relief pursuant to this act, the property owner shall submit a written request to the assessor within [ninety days] ONE YEAR following the date upon which this act is approved by the governor. Such request need not be in a particular format but shall describe in reasonable detail the damage caused to the property by either Hurricane Irene or Tropical Storm Lee or both and the condition of the property following the hurricane or storm or both, and shall be accompanied by supporting documentation if available.

S 3. Part G of chapter 56 of the laws of 2011, constituting the Hurricane Irene and Tropical Storm Lee assessment relief act, is amended by adding a new section 5-a to read as follows:

S 5-A. MUNICIPALITIES HELD HARMLESS. EACH PARTICIPATING MUNICIPALITY, THAT IS WHOLLY OR PARTIALLY CONTAINED WITHIN AN ELIGIBLE COUNTY, WHICH CAN DEMONSTRATE THAT THE REDUCTION IN ASSESSMENT REVENUES PAYABLE TO

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

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SUCH MUNICIPALITY WOULD EQUATE TO A LOCAL REAL PROPERTY TAX LEVY OF TWO PERCENT OR MORE, SHALL BE HELD HARMLESS BY THE STATE FOR ANY REDUCTION IN ASSESSMENT REVENUES INCURRED DUE TO THE PROVISIONS OF THIS ACT.

S 4. Subdivision 3 of section 1 of part H of chapter 56 of the laws of 2011, creating the Hurricane Irene-Tropical Storm Lee Flood Recovery Grant program, is amended to read as follows:

3. The director of the budget, in consultation with the temporary president of the senate and the speaker of the assembly, shall develop a plan and criteria regarding distribution of funding to municipalities located in an area which was included in a federal disaster declaration for either Hurricane Irene or Tropical Storm Lee. THE CRITERIA SHALL INCLUDE, BUT NOT BE LIMITED TO, AN APPLICATION PROCESS FOR MUNICIPALITIES IN THE DESIGNATED AREA TO APPLY FOR FUNDS TO SUPPORT THE LOSS IN TAX REVENUE INCURRED UNDER THE HURRICANE IRENE AND TROPICAL STORM LEE ASSESSMENT RELIEF ACT. Such program shall not exceed $20,000,000, AND A PORTION OF THESE FUNDS SHALL BE USED TO SUPPORT MUNICIPALITIES THAT INCUR A LOSS OF TAX REVENUE AS A RESULT OF HURRICANE IRENE AND TROPICAL STORM LEE. The director of the budget may direct and authorize any other state agency to assist in administration and distribution of these funds.

S 5. This act shall take effect immediately.