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

5020

2011-2012 Regular Sessions

I N S E N A T E

May 2, 2011

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the real property tax law, in relation to providing an exemption against real property school taxes for veterans with service connected disabilities

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

Section 1. Paragraph 3 of subdivision 1 of section 458 of the real property tax law, as amended by chapter 733 of the laws of 1959, is amended to read as follows:

(3) If the assessors are satisfied that the applicant is entitled to any exemption, they shall make appropriate entries upon the assessment-roll opposite the description of such property and subtract the total amount of such exemption from the total amount assessed pursuant to the provisions of paragraph one of this subdivision. Such entries shall be made and continued in each assessment of the property so long as it is exempt from taxation for any purpose. Such real property, to the extent of the exemption entered by the assessors, shall be exempt from state, county and general municipal taxation, but, EXCEPT AS PROVIDED IN SECTION FOUR HUNDRED FIFTY-EIGHT-C OF THIS ARTICLE, shall be taxable for local school purposes. The provisions herein, relating to the assessment and exemption of property purchased with eligible funds apply and shall be enforced in each municipal corporation authorized to levy taxes.

S 2. Subparagraph (i) of paragraph (d) of subdivision 2 of section 458-a of the real property tax law, as added by chapter 525 of the laws of 1984, is amended to read as follows:

(i) The exemption from taxation provided by this subdivision shall be applicable to county, city, town and village taxation, but, EXCEPT AS PROVIDED IN SECTION FOUR HUNDRED FIFTY-EIGHT-C OF THIS ARTICLE, shall not be applicable to taxes levied for school purposes.

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

LBD11240-01-1

S 3. The real property tax law is amended by adding a new section 458-c to read as follows:

S 458-C. VETERANS WITH SERVICE CONNECTED DISABILITIES. ANY VETERAN WITH A SERVICE CONNECTED DISABILITY WHO IS OTHERWISE ELIGIBLE FOR THE REAL PROPERTY TAX EXEMPTION SET FORTH IN SECTION FOUR HUNDRED FIFTY-EIGHT OR FOUR HUNDRED FIFTY-EIGHT-A OF THIS ARTICLE SHALL, IN ADDITION TO SUCH EXEMPTION, BE ELIGIBLE FOR AN EXEMPTION AGAINST REAL PROPERTY TAXES FOR LOCAL SCHOOL PURPOSES. APPLICATION FOR SUCH EXEMPTION SHALL BE MADE IN A MANNER AND FORM TO BE DETERMINED AND REQUIRED BY THE COMMISSIONER. THE AMOUNT OF SUCH EXEMPTION SHALL BE COMPUTED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

VETERAN'S DISABILITY RATING	PERCENTAGE OF EXEMPTION
TEN PERCENT	FIVE PERCENT
TWENTY PERCENT	TEN PERCENT
THIRTY PERCENT	FIFTEEN PERCENT
FORTY PERCENT	TWENTY PERCENT
FIFTY PERCENT	TWENTY-FIVE PERCENT
SIXTY PERCENT	THIRTY PERCENT
SEVENTY PERCENT	THIRTY-FIVE PERCENT
EIGHTY PERCENT	FORTY PERCENT
NINETY PERCENT	FORTY-FIVE PERCENT
ONE HUNDRED PERCENT	FIFTY PERCENT

S 4. This act shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.