

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:

1 Section 1. Paragraph 3 of subdivision 1 of section 458 of the real
2 property tax law, as amended by chapter 733 of the laws of 1959, is
3 amended to read as follows:
4 (3) If the assessors are satisfied that the applicant is entitled to
5 any exemption, they shall make appropriate entries upon the assessment-
6 roll opposite the description of such property and subtract the total
7 amount of such exemption from the total amount assessed pursuant to the
8 provisions of paragraph one of this subdivision. Such entries shall be
9 made and continued in each assessment of the property so long as it is
10 exempt from taxation for any purpose. Such real property, to the extent
11 of the exemption entered by the assessors, shall be exempt from state,
12 county and general municipal taxation, but, EXCEPT AS PROVIDED IN
13 SECTION FOUR HUNDRED FIFTY-EIGHT-C OF THIS ARTICLE, shall be taxable for
14 local school purposes. The provisions herein, relating to the assessment
15 and exemption of property purchased with eligible funds apply and shall
16 be enforced in each municipal corporation authorized to levy taxes.
17 S 2. Subparagraph (i) of paragraph (d) of subdivision 2 of section
18 458-a of the real property tax law, as added by chapter 525 of the laws
19 of 1984, is amended to read as follows:
20 (i) The exemption from taxation provided by this subdivision shall be
21 applicable to county, city, town and village taxation, but, EXCEPT AS
22 PROVIDED IN SECTION FOUR HUNDRED FIFTY-EIGHT-C OF THIS ARTICLE, shall
23 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.

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1 S 3. The real property tax law is amended by adding a new section
2 458-c to read as follows:
3 S 458-C. VETERANS WITH SERVICE CONNECTED DISABILITIES. ANY VETERAN
4 WITH A SERVICE CONNECTED DISABILITY WHO IS OTHERWISE ELIGIBLE FOR THE
5 REAL PROPERTY TAX EXEMPTION SET FORTH IN SECTION FOUR HUNDRED
6 FIFTY-EIGHT OR FOUR HUNDRED FIFTY-EIGHT-A OF THIS ARTICLE SHALL, IN
7 ADDITION TO SUCH EXEMPTION, BE ELIGIBLE FOR AN EXEMPTION AGAINST REAL
8 PROPERTY TAXES FOR LOCAL SCHOOL PURPOSES. APPLICATION FOR SUCH EXEMPTION
9 SHALL BE MADE IN A MANNER AND FORM TO BE DETERMINED AND REQUIRED BY THE
10 COMMISSIONER. THE AMOUNT OF SUCH EXEMPTION SHALL BE COMPUTED IN ACCORD-
11 ANCE WITH THE FOLLOWING SCHEDULE:

12 VETERAN'S DISABILITY RATING	PERCENTAGE OF EXEMPTION
13 TEN PERCENT	FIVE PERCENT
14 TWENTY PERCENT	TEN PERCENT
15 THIRTY PERCENT	FIFTEEN PERCENT
16 FORTY PERCENT	TWENTY PERCENT
17 FIFTY PERCENT	TWENTY-FIVE PERCENT
18 SIXTY PERCENT	THIRTY PERCENT
19 SEVENTY PERCENT	THIRTY-FIVE PERCENT
20 EIGHTY PERCENT	FORTY PERCENT
21 NINETY PERCENT	FORTY-FIVE PERCENT
22 ONE HUNDRED PERCENT	FIFTY PERCENT

23 S 4. This act shall take effect immediately and shall apply to assess-
24 ment rolls prepared on the basis of taxable status dates occurring on or
25 after such date.