

5872

2011-2012 Regular Sessions

I N S E N A T E

August 17, 2011

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Rules

AN ACT to amend the real property tax law, in relation to payment in
lieu of taxes agreements

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

1 Section 1. The real property tax law is amended by adding a new arti-
2 cle 3-A to read as follows:

3 ARTICLE 3-A

4 PAYMENT IN LIEU OF TAXES AGREEMENTS

5 SECTION 370. PAYMENT IN LIEU OF TAXES AGREEMENTS.

6 S 370. PAYMENT IN LIEU OF TAXES AGREEMENTS. 1. FOR THE PURPOSES OF
7 THIS SECTION:

8 (A) "LOCAL GOVERNMENT" SHALL MEAN ANY MUNICIPAL CORPORATION AS DEFINED
9 PURSUANT TO SECTION TWO OF THE GENERAL MUNICIPAL LAW OR ANY SCHOOL
10 DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES.

11 (B) "PAYMENT IN LIEU OF TAXES AGREEMENT" OR "PILOT AGREEMENT" SHALL
12 MEAN AN AGREEMENT ENTERED INTO BETWEEN A LOCAL GOVERNMENT AND ANOTHER
13 PARTY WHEREBY SUCH OTHER PARTY COMPENSATES SUCH LOCAL GOVERNMENT FOR
14 SOME OR ALL OF THE TAX REVENUE LOST DUE TO THE NATURE OF THE USE OR
15 OWNERSHIP OF A PARCEL OF REAL PROPERTY BY SUCH OTHER PARTY. THE AMOUNT
16 OF SUCH PAYMENT IN LIEU OF TAXES IS BASED ON AN ASSESSMENT OF SUCH
17 PARCEL OF REAL PROPERTY.

18 2. IF THE AMOUNT OF ANY PAYMENT IN LIEU OF TAXES IS REDUCED, DUE TO A
19 REASSESSMENT OF THE PARCEL OF REAL PROPERTY SUCH AGREEMENT IS RELATED
20 TO, AND SUCH REDUCTION WOULD NEGATIVELY IMPACT THE TOTAL REVENUE OF ANY
21 LOCAL GOVERNMENT BY MORE THAN FIVE PERCENT, SUCH REDUCTION IN PAYMENTS
22 IN LIEU OF TAXES SHALL BE PHASED IN OVER A TEN YEAR PERIOD.

23 S 2. This act shall take effect immediately.

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

LBD13325-01-1