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

6028

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law and the administrative code of the city of New York, in relation to enacting the "sewage flooding prevention act"

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

Section 1. Short title. This act shall be known and may be cited as the "sewage flooding prevention act".

S 2. The real property tax law is amended by adding a new section 470 to read as follows:

S 470. TAX CREDIT FOR THE INSTALLATION OF CHECK VALVES FOR SEWER IMPROVEMENTS IN CITIES WITH A POPULATION OF ONE MILLION OR MORE. 1. IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, ANY OWNER OF A DWELLING WHO INSTALLS A CHECK VALVE DEVICE TO PREVENT SEWAGE FROM BACKFLOWING INTO SUCH DWELLING SHALL RECEIVE A CREDIT AGAINST THE REAL PROPERTY TAXES ON SUCH REAL PROPERTY EQUALING ONE-HALF OF THE COST OF PURCHASING AND INSTALLING SUCH DEVICE, PROVIDED THAT SUCH CREDIT SHALL NOT EXCEED TWO THOUSAND DOLLARS.

2. ANY NOT-FOR-PROFIT ENTITY WHICH OWNS A BUILDING OF ANY TYPE OR A DWELLING IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, AND WHICH INSTALLS A CHECK VALVE DEVICE TO PREVENT SEWAGE FROM BACKFLOWING INTO SUCH BUILDING OR DWELLING SHALL RECEIVE AN ABATEMENT OF WATER AND SEWER CHARGES EQUALING ONE-HALF OF THE COST OF PURCHASING AND INSTALLING SUCH DEVICE, UP TO TWO THOUSAND DOLLARS.

3. FOR THE PURPOSES OF THIS SECTION, THE TERM "DWELLING" SHALL MEAN ANY BUILDING, STRUCTURE OR PORTION THEREOF WHICH IS OCCUPIED IN WHOLE OR IN PART AS A HOME, RESIDENCE OR SLEEPING PLACE FOR ONE OR MORE HUMAN BEINGS.

4. THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF THE CITY OF NEW YORK SHALL PROMULGATE ANY RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION, INCLUDING BUT NOT LIMITED TO, IDENTIFYING APPROPRIATE CHECK VALVE SYSTEMS.

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

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S 3. Subdivision e of section 24-514 of the administrative code of the city of New York is amended to read as follows:

e. Exemptions from sewer rents or charges. Any real property which is entitled to an exemption from the payment of water rents or charges shall also be exempt from payment of the sewer rents or charges imposed hereunder. IN ADDITION, ANY NOT-FOR-PROFIT ENTITY WHICH OWNS A BUILDING OF ANY TYPE OR A DWELLING WHICH INSTALLS A CHECK VALVE DEVICE TO PREVENT SEWAGE FROM BACKFLOWING INTO SUCH BUILDING OR DWELLING SHALL RECEIVE AN ABATEMENT OF WATER AND SEWER CHARGES EQUALING ONE-HALF OF THE COST OF PURCHASING AND INSTALLING SUCH DEVICE, UP TO TWO THOUSAND DOLLARS. FOR THE PURPOSES OF THIS SUBDIVISION, THE TERM "DWELLING" SHALL MEAN ANY BUILDING, STRUCTURE OR PORTION THEREOF WHICH IS OCCUPIED IN WHOLE OR IN PART AS A HOME, RESIDENCE OR SLEEPING PLACE FOR ONE OR MORE HUMAN BEINGS.

S 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.