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

10738

I N A S S E M B L Y

June 18, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Cahill) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the state finance law, in relation to providing that municipalities made coterminous may qualify for the citizen empowerment tax credit and the local government citizens re-organization empowerment grant program

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

Section 1. Subparagraph (ii) of paragraph p of subdivision 10 of section 54 of the state finance law, as amended by section 2 of part K of chapter 57 of the laws of 2011, is amended to read as follows:

(ii) Within the annual amounts appropriated therefor, surviving municipalities following a consolidation or dissolution occurring on or after the state fiscal year commencing April first, two thousand seven shall be awarded additional annual aid, starting in the state fiscal year following the state fiscal year in which such consolidation or dissolution took effect, equal to fifteen percent of the combined amount of real property taxes levied by all of the municipalities participating in the consolidation or dissolution in the local fiscal year prior to the local fiscal year in which such consolidation or dissolution took effect. In instances of the dissolution of a village located in more than one town, such additional aid shall equal the sum of fifteen percent of the real property taxes levied by such village in the village fiscal year prior to the village fiscal year in which such dissolution took effect plus fifteen percent of the average amount of real property taxes levied by the towns in which the village was located in the town fiscal year prior to the town fiscal year in which such dissolution took effect, and shall be divided among such towns based on the percentage of such village's population that resided in each such town as of the most recent federal decennial census. In no case shall the additional aid pursuant to this paragraph exceed one million dollars. Such additional aid shall be apportioned and paid to the chief fiscal officer of each eligible municipality on or before September twenty-fifth of each such state fiscal year on audit and warrant of the state comptroller out of

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

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moneys appropriated by the legislature for such purpose to the credit of the local assistance fund. FOR THE PURPOSES OF BEING ELIGIBLE FOR A CITIZEN EMPOWERMENT TAX CREDIT, IN ADDITION TO ANY OTHER MUNICIPALITY WHICH IS ELIGIBLE, A TOWN SHALL BE DEEMED THE SURVIVING MUNICIPALITY IN THE CASE OF A TOWN AND VILLAGE EXISTING AS OF JULY FIRST, TWO THOUSAND TWELVE, WHICH THEREAFTER, BUT NOT BEFORE, SHARE A COTERMINOUS BOUNDARY. IN THE CASE OF A TOWN WHICH QUALIFIES FOR A CITIZEN EMPOWERMENT TAX CREDIT AS A RESULT OF SHARING A COTERMINOUS BOUNDARY WITH A VILLAGE, THE SECRETARY OF STATE IS AUTHORIZED TO MAKE RULES AND REGULATIONS TO IMPLEMENT THE TAX CREDIT IN CIRCUMSTANCES WHERE THE SECRETARY DETERMINES SUCH COTERMINOUS NATURE WILL RESULT IN SAVINGS TO TAXPAYERS.

S 2. Clause 2 of subparagraph (i) of paragraph q of subdivision 10 of section 54 of the state finance law, as added by section 3 of part K of chapter 57 of the laws of 2011, is amended to read as follows:

(2) For the purposes of this paragraph, "local government re-organization" shall mean the consolidation or dissolution of a local government entity in accordance with article seventeen-A of the general municipal law OR THE MAKING OF THE BOUNDARIES OF A TOWN AND VILLAGE EXISTING ON JULY FIRST, TWO THOUSAND TWELVE COTERMINOUS IN A MANNER WHICH WOULD QUALIFY THE TOWN FOR A CITIZEN EMPOWERMENT TAX CREDIT.

S 3. This act shall take effect immediately.