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

2716

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

Introduced by M. of A. CALHOUN -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to establishing certain practices in connection with real property taxes to include requiring payment of expenses, exemptions, deferments and assessments; providing of state assistance, taxation, method of payment and establishment of equalization rates and to repeal certain provisions thereof relating thereto

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

Section 1. Paragraph (h) of subdivision 1 of section 202 of the real property tax law, as amended by section 6 of part W of chapter 56 of the laws of 2010, is amended to read as follows:

(h) Obtain from state and local officers, bodies or other agencies such information as may be necessary for the proper discharge of the duties conferred upon him or her in relation to real property tax administration, which information shall be furnished on his or her demand, PROVIDED HOWEVER, THAT WITH RESPECT TO ANY SUCH INFORMATION TO BE OBTAINED FROM LOCAL OFFICERS, BODIES OR OTHER LOCAL AGENCIES, THE DEPARTMENT SHALL PAY THE ACTUAL AND NECESSARY EXPENSES OF PROVIDING SUCH INFORMATION;

S 2. Paragraph (d) of subdivision 1 of section 202 of the real property tax law, as amended by section 6 of part W of chapter 56 of the laws of 2010, is amended to read as follows:

(c) [Approve assessments of] ASSESS state lands subject to taxation;

S 3. The real property tax law is amended by adding a new section 306 to read as follows:

S 306. TAXABLE STATUS OF COMMUNITY RESIDENCES. FOR THE PURPOSES OF THIS SECTION, "COMMUNITY RESIDENCE" MEANS ANY FACILITY OPERATED BY OR SUBJECT TO LICENSURE BY THE OFFICE OF MENTAL HEALTH OR THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES WHICH PROVIDES A SUPERVISED RESI-

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

LBD02795-01-1

DENCE OR RESIDENTIAL RESPITE SERVICES FOR MENTALLY DISABLED PERSONS AND A HOMELIKE ENVIRONMENT AND ROOM, BOARD AND RESPONSIBLE SUPERVISION FOR THE HABILITATION OR REHABILITATION OF MENTALLY DISABLED PERSONS AS PART OF AN OVERALL SERVICE DELIVERY SYSTEM. A COMMUNITY RESIDENCE SHALL INCLUDE AN INTERMEDIATE CARE FACILITY WITH FOURTEEN OR FEWER RESIDENTS THAT HAS BEEN APPROVED PURSUANT TO LAW, AND A COMMUNITY RESIDENTIAL FACILITY AS THAT TERM IS DEFINED IN SECTION 1.03 OF THE MENTAL HYGIENE LAW. SUCH TERM DOES NOT INCLUDE FAMILY CARE HOMES.

NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW, ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE REAL PROPERTY TAXES ON ANY REAL PROPERTY THAT IS DEFINED AS A COMMUNITY RESIDENCE PURSUANT TO SUBDIVISION TWENTY-EIGHT OF SECTION 1.03 OF THE MENTAL HYGIENE LAW OR PURSUANT TO THIS SECTION SHALL BE PAID BY THE STATE.

S 4. Paragraph (a) of subdivision 1 of section 420-a of the real property tax law, as amended by chapter 920 of the laws of 1981 and such section as renumbered by chapter 919 of the laws of 1981, is amended to read as follows:

(a) Real property owned by a corporation or association organized or conducted exclusively for religious, charitable, hospital, educational, or moral or mental improvement of men, women or children purposes, or for two or more such purposes, and used exclusively for carrying out thereupon one or more of such purposes either by the owning corporation or association or by another such corporation or association as hereinafter provided shall be exempt from taxation as provided in this section; PROVIDED, HOWEVER, TO BE ELIGIBLE A CORPORATION OR ASSOCIATION ORGANIZED FOR MORAL OR MENTAL IMPROVEMENT OF MEN, WOMEN OR CHILDREN PURPOSES MUST BE INCORPORATED OR ORGANIZED IN THE STATE OF NEW YORK AND ITS CORPORATE OR ORGANIZATIONAL HEADQUARTERS LOCATED THEREIN.

S 5. Subdivision 3 of section 420-a of the real property tax law, such section as renumbered by chapter 919 of the laws of 1981, is amended to read as follows:

3. Such real property from which no revenue is derived shall be exempt though not in actual use therefor by reason of the absence of suitable buildings or improvements thereon if (a) the construction of such buildings or improvements is in progress or is in good faith contemplated by such corporation or association or (b) such real property is held by such corporation or association upon condition that the title thereto shall revert in case any building not intended and suitable for one or more such purposes shall be erected upon such premises or some part thereof. AS USED IN THIS SUBDIVISION: "IN GOOD FAITH CONTEMPLATED" SHALL MEAN HOLDING VACANT LAND FOR FIVE YEARS OR LESS FROM THE DATE THE EXEMPTION HAS BEEN GRANTED AND "ACTIVELY" SHALL MEAN A NON-PASSIVE USE OF THE PROPERTY. ONLY THAT PORTION OF THE LAND WHICH IS USED EXCLUSIVELY AND ACTIVELY FOR THE EXEMPT PURPOSE SHALL BE GRANTED THE EXEMPTION. USES SUCH AS MEDITATION AND HIKING SHALL NOT BE CONSIDERED ACTIVE USES. ACREAGE OWNED BY A CORPORATION OR ASSOCIATION ORGANIZED FOR MORAL OR MENTAL IMPROVEMENT OF MEN, WOMEN OR CHILDREN PURPOSES IN EXCESS OF ONE THOUSAND ACRES WHERE THE ACREAGE IS UNDER THE SAME OWNERSHIP AND SITUATED IN THE SAME ASSESSING UNIT SHALL NOT BE ELIGIBLE FOR EXEMPTION.

S 6. Paragraph (a) of subdivision 1 of section 420-b of the real property tax law, as added by chapter 919 of the laws of 1981, is amended to read as follows:

(a) Real property owned by a corporation or association which is organized exclusively for bible, tract, benevolent, missionary, infirmary, public playground, scientific, literary, bar association, medical society, library, patriotic or historical purposes, for the development

of good sportsmanship for persons under the age of eighteen years through the conduct of supervised athletic games, for the enforcement of laws relating to children or animals, or for two or more such purposes, and used exclusively for carrying out thereupon one or more of such purposes either by the owning corporation or association, or by another such corporation or association as hereinafter provided, shall be exempt from taxation; PROVIDED, HOWEVER, TO BE ELIGIBLE A CORPORATION OR ASSOCIATION MUST BE INCORPORATED OR ORGANIZED IN THE STATE OF NEW YORK AND ITS CORPORATE OR ORGANIZATIONAL HEADQUARTERS LOCATED THEREIN; AND provided, FURTHER however, that such property shall be taxable by any municipal corporation within which it is located if the governing board of such municipal corporation, after public hearing, adopts a local law, ordinance or resolution so providing. None of the following subdivisions of this section providing that certain properties shall be exempt under circumstances or conditions set forth in such subdivisions shall exempt such property from taxation by a municipal corporation whose governing board has adopted a local law, ordinance or resolution providing that such property shall be taxable pursuant to this subdivision.

S 7. Subdivision 3 of section 420-b of the real property tax law, as added by chapter 919 of the laws of 1981, is amended to read as follows:

3. Such real property from which no revenue is derived shall be exempt though not in actual use therefor by reason of the absence of suitable buildings or improvements thereon if (a) the construction of such buildings or improvements is in progress or is in good faith contemplated by such corporation or association or (b) such real property is held by such corporation or association upon condition that the title thereto shall revert in case any building not intended and suitable for one or more of such purposes shall be erected upon such premises or some part thereof. AS USED IN THIS SUBDIVISION: "IN GOOD FAITH CONTEMPLATED" SHALL MEAN HOLDING VACANT LAND FOR FIVE YEARS OR LESS FROM THE DATE THE EXEMPTION HAS BEEN GRANTED AND "ACTIVELY" SHALL MEAN A NON-PASSIVE USE OF THE PROPERTY. ONLY THAT PORTION OF THE LAND WHICH IS USED EXCLUSIVELY AND ACTIVELY FOR THE EXEMPT PURPOSE SHALL BE GRANTED THE EXEMPTION. USES SUCH AS MEDITATION AND HIKING SHALL NOT BE CONSIDERED ACTIVE USES. ACREAGE IN EXCESS OF ONE THOUSAND ACRES WHERE THE ACREAGE IS UNDER THE SAME OWNERSHIP AND SITUATED IN THE SAME ASSESSING UNIT SHALL NOT BE ELIGIBLE FOR EXEMPTION.

S 8. The real property tax law is amended by adding a new section 467-g to read as follows:

S 467-G. TAX DEFERMENTS FOR PERSONS SIXTY-FIVE YEARS OF AGE OR OVER. 1. (A) REAL PROPERTY OWNED BY ONE OR MORE PERSONS, EACH OF WHOM IS SIXTY-FIVE YEARS OF AGE OR OVER, OR REAL PROPERTY OWNED BY A HUSBAND AND WIFE, ONE OF WHOM IS OVER SIXTY-FIVE YEARS OF AGE, MAY IN THE ALTERNATIVE TO ANY EXEMPTION PROVIDED FOR PURSUANT TO SECTION FOUR HUNDRED SIXTY-SEVEN OF THIS ARTICLE, RECEIVE A TAX DEFERMENT FROM ANY MUNICIPAL CORPORATION IN WHICH LOCATED, PROVIDED THE GOVERNING BOARD OF SUCH MUNICIPALITY, AFTER PUBLIC HEARING, ADOPTS A LOCAL LAW, ORDINANCE OR RESOLUTION PROVIDING THEREFOR. SUCH DEFERMENT SHALL BE ALL OF THE TAX LEVIED UPON SUBJECT PROPERTIES IN THE APPROPRIATE YEAR. FOR THE PURPOSES OF THIS SUBDIVISION, THE TERM "TAX" SHALL NOT INCLUDE A SPECIAL AD VALOREM LEVY OR SPECIAL ASSESSMENT.

(B) THE REAL PROPERTY TAX DEFERMENT ON REAL PROPERTY OWNED BY HUSBAND AND WIFE, ONE OF WHOM IS SIXTY-FIVE YEARS OF AGE OR OVER, ONCE GRANTED, SHALL NOT BE RESCINDED BY ANY MUNICIPAL CORPORATION SOLELY BECAUSE OF THE DEATH OF THE OLDER SPOUSE SO LONG AS THE SURVIVING SPOUSE IS AT LEAST SIXTY-TWO YEARS OF AGE AND, WITHIN SIXTY DAYS FOLLOWING THE DEATH

OF THE OLDER SPOUSE, ENTERS INTO A TAX DEFERMENT AND RECOVERY AGREEMENT AS DESCRIBED IN SUBDIVISION THREE OF THIS SECTION.

2. DEFERMENT FROM TAXATION FOR SCHOOL PURPOSES SHALL NOT BE GRANTED IN THE CASE OF REAL PROPERTY WHERE A CHILD RESIDES IF SUCH CHILD ATTENDS A PUBLIC SCHOOL OF ELEMENTARY OR SECONDARY EDUCATION.

3. NO DEFERMENT SHALL BE GRANTED:

(A) UNLESS THE OWNER OR ALL OF THE OWNERS OF THE PROPERTY ENTER INTO A TAX DEFERMENT AND RECOVERY AGREEMENT WITH THE MUNICIPALITY IN WHICH THE PROPERTY IS SITUATED. ANY SUCH AGREEMENT SHALL PROVIDE:

(1) THAT PAYMENT TO THE MUNICIPALITY IN FULL SATISFACTION OF THE LIEN DESCRIBED IN PARAGRAPH (B) OF SUBDIVISION EIGHT OF THIS SECTION SHALL BE A CONDITION TO THE SALE, TRANSFER OR OTHER CONVEYANCE OF THE PROPERTY;

(2) THAT PAYMENT TO THE MUNICIPALITY IN FULL SATISFACTION OF SUCH LIEN SHALL BECOME DUE AND PAYABLE WHENEVER THE OWNER OR ALL OF THE OWNERS OF THE SUBJECT PROPERTY SHALL CEASE TO OCCUPY IT, IN WHOLE OR IN PART;

(3) THAT WHEN THE TOTAL AMOUNT OF TAXES DEFERRED WITH RESPECT TO THE SUBJECT PROPERTY REACHES THREE-QUARTERS OF THE FULL AND FAIR MARKET VALUE THEREOF AS SHOWN IN THE RECORDS OF THE APPROPRIATE ASSESSING AUTHORITY, LESS THE TOTAL AMOUNT OF MONEY OWED ON ANY LIEN RECORDED AT THE OFFICE OF THE COUNTY CLERK IN WHICH THE PROPERTY IS SITUATED NO FUTURE DEFERMENT SHALL BE AVAILABLE WITH RESPECT TO TAXES LEVIED THEREAFTER; PROVIDED THAT WITH RESPECT TO A SURVIVING SPOUSE WHO RECEIVES A DEFERMENT DUE SOLELY TO THE APPLICATION OF PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION, THE AMOUNT OF TAXES DEFERRED DURING THE LIFE OF THE OLDER SPOUSE SHALL BE ADDED TO THE AMOUNT OF TAXES DEFERRED TO THE SURVIVOR FOR PURPOSES OF THIS PARAGRAPH;

(4) THAT UPON THE DEATH OF THE OWNER OR, IF MORE THAN ONE, THE SURVIVOR OF THEM, THE TOTAL AMOUNT CONSTITUTING THE LIEN DESCRIBED IN PARAGRAPH (B) OF SUBDIVISION EIGHT OF THIS SECTION, UNLESS THE DEFERMENT IS CONTINUED BY A SURVIVING SPOUSE, SHALL BE DUE AND PAYABLE AND RECOVERABLE FROM THE ESTATE OF SUCH OWNER;

(B) IF THE INCOME OF THE OWNER OR THE COMBINED INCOME OF THE OWNERS OF THE PROPERTY FOR THE INCOME TAX YEAR IMMEDIATELY PRECEDING THE DATE OF MAKING APPLICATION FOR DEFERMENT EXCEEDS THE SUM OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS AS MAY BE PROVIDED BY THE LOCAL LAW, ORDINANCE OR RESOLUTION. INCOME TAX YEAR SHALL MEAN THE TWELVE MONTH PERIOD FOR WHICH THE OWNER OR OWNERS FILED A FEDERAL PERSONAL INCOME TAX RETURN, OR IF NO SUCH RETURN IS FILED, THE CALENDAR YEAR. WHERE TITLE IS VESTED IN EITHER THE HUSBAND OR THE WIFE, THEIR COMBINED INCOME MAY NOT EXCEED SUCH SUM. SUCH INCOME SHALL INCLUDE SOCIAL SECURITY AND RETIREMENT BENEFITS, INTEREST, DIVIDENDS, TOTAL GAIN FROM THE SALE OR EXCHANGE OF A CAPITAL ASSET WHICH MAY BE OFFSET BY A LOSS FROM THE SALE OR EXCHANGE OF A CAPITAL ASSET IN THE SAME INCOME TAX YEAR, NET RENTAL INCOME, SALARY OR EARNINGS, AND NET INCOME FROM SELF-EMPLOYMENT, BUT SHALL NOT INCLUDE A RETURN OF CAPITAL, GIFTS OR INHERITANCES. IN COMPUTING NET RENTAL INCOME AND NET INCOME FROM SELF-EMPLOYMENT NO DEPRECIATION DEDUCTION SHALL BE ALLOWED FOR THE EXHAUSTION, WEAR AND TEAR OF REAL OR PERSONAL PROPERTY HELD FOR THE PRODUCTION OF INCOME;

(C) UNLESS THE TITLE OF THE PROPERTY SHALL HAVE BEEN VESTED IN THE OWNER OR ONE OF THE OWNERS OF THE PROPERTY FOR AT LEAST TWENTY-FOUR CONSECUTIVE MONTHS PRIOR TO THE DATE OF MAKING AN APPLICATION FOR DEFERMENT, PROVIDED, HOWEVER, THAT IN THE EVENT OF THE DEATH OF EITHER A HUSBAND OR WIFE IN WHOSE NAME TITLE OF THE PROPERTY SHALL HAVE BEEN VESTED AT THE TIME OF DEATH AND THEN BECOMES VESTED SOLELY IN THE SURVIVOR BY VIRTUE OF DEVISE BY OR DESCENT FROM THE DECEASED HUSBAND OR WIFE, THE TIME OF OWNERSHIP OF THE PROPERTY BY THE DECEASED HUSBAND OR WIFE

SHALL BE DEEMED ALSO A TIME OF OWNERSHIP BY THE SURVIVOR AND SUCH OWNERSHIP SHALL BE DEEMED CONTINUOUS FOR THE PURPOSES OF COMPUTING SUCH PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS PROVIDED FURTHER, THAT IN THE EVENT OF A TRANSFER BY EITHER A HUSBAND OR WIFE TO THE OTHER SPOUSE OF ALL OR PART OF THE TITLE TO THE PROPERTY, THE TIME OF OWNERSHIP OF THE PROPERTY BY THE TRANSFEROR SPOUSE SHALL BE DEEMED ALSO A TIME OF OWNERSHIP BY THE TRANSFEREE SPOUSE AND SUCH OWNERSHIP SHALL BE DEEMED CONTINUOUS FOR THE PURPOSES OF COMPUTING SUCH PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND PROVIDED FURTHER THAT WHERE PROPERTY OF THE OWNER OR OWNERS HAS BEEN ACQUIRED TO REPLACE PROPERTY FORMERLY OWNED BY SUCH OWNER OR OWNERS AND TAKEN BY EMINENT DOMAIN OR OTHER INVOLUNTARY PROCEEDING, EXCEPT A TAX SALE, THE PERIOD OF OWNERSHIP OF THE FORMER PROPERTY SHALL BE COMBINED WITH THE PERIOD OF OWNERSHIP OF THE PROPERTY FOR WHICH APPLICATION IS MADE FOR DEFERMENT AND SUCH PERIODS OF OWNERSHIP SHALL BE DEEMED TO BE CONSECUTIVE FOR PURPOSES OF THIS SECTION;

(D) UNLESS THE PROPERTY IS USED EXCLUSIVELY FOR RESIDENTIAL PURPOSES;

(E) UNLESS THE REAL PROPERTY IS THE LEGAL RESIDENCE OF AND IS OCCUPIED IN WHOLE OR IN PART BY THE OWNER OR BY ALL OF THE OWNERS OF THE PROPERTY.

4. THE MUNICIPALITY IN WHICH SUCH REAL PROPERTY IS LOCATED, SHALL NOTIFY, OR CAUSE TO BE NOTIFIED, EACH PERSON OWNING RESIDENTIAL REAL PROPERTY IN SUCH MUNICIPALITY OF THE PROVISIONS OF THIS SECTION. THE PROVISIONS OF THIS SUBDIVISION MAY BE MET BY A NOTICE OR LEGEND SENT ON OR WITH EACH TAX BILL TO SUCH PERSONS READING "YOU MAY BE ELIGIBLE FOR SENIOR CITIZEN TAX DEFERMENTS. FOR INFORMATION PLEASE CALL OR WRITE.....," FOLLOWED BY THE NAME, TELEPHONE NUMBER AND/OR ADDRESS OF A PERSON OR DEPARTMENT SELECTED BY THE MUNICIPALITY TO EXPLAIN THE PROVISIONS OF THIS SECTION. FAILURE TO NOTIFY, OR CAUSE TO BE NOTIFIED ANY PERSON WHO IS IN FACT, ELIGIBLE TO RECEIVE THE DEFERMENTS PROVIDED BY THIS SECTION OR THE FAILURE OF SUCH PERSON TO RECEIVE THE SAME SHALL NOT PREVENT THE LEVY, COLLECTION AND ENFORCEMENT OF THE PAYMENT OF THE TAXES ON PROPERTY OWNED BY SUCH PERSON.

5. APPLICATION FOR SUCH DEFERMENT MUST BE MADE BY THE OWNER, OR ALL OF THE OWNERS OF THE PROPERTY, ON FORMS PRESCRIBED BY THE STATE BOARD TO BE FURNISHED BY THE APPROPRIATE ASSESSING AUTHORITY AND SHALL FURNISH THE INFORMATION AND BE EXECUTED IN THE MANNER REQUIRED OR PRESCRIBED IN SUCH FORMS, AND SHALL BE FILED IN SUCH ASSESSOR'S OFFICE ON OR BEFORE THE APPROPRIATE TAXABLE STATUS DATE.

6. AT LEAST SIXTY DAYS PRIOR TO THE APPROPRIATE TAXABLE STATUS DATE, THE ASSESSING AUTHORITY SHALL MAIL TO EACH PERSON WHO WAS GRANTED DEFERMENT PURSUANT TO THIS SECTION ON THE LATEST COMPLETED ASSESSMENT ROLL AN APPLICATION FORM, A NOTICE THAT SUCH APPLICATION MUST BE FILED ON OR BEFORE SUCH TAXABLE STATUS DATE AND BE APPROVED IN ORDER FOR THE DEFERMENT TO BE GRANTED, AND A COPY OF A TAX DEFERMENT AND RECOVERY AGREEMENT TO BE EXECUTED BY SUCH PERSON. FAILURE TO MAIL ANY SUCH APPLICATION FORM, NOTICE OR AGREEMENT OR THE FAILURE OF SUCH PERSON TO RECEIVE THE SAME SHALL NOT PREVENT THE LEVY, COLLECTION AND ENFORCEMENT OF THE PAYMENT OF THE TAXES ON PROPERTY OWNED BY SUCH PERSON.

7. WHEN THE OWNER OR OWNERS OF REAL PROPERTY HAVE RECEIVED A TAX DEFERMENT PURSUANT TO THIS SECTION, THE TAX BILL FURNISHED TO SUCH OWNER OR OWNERS SHALL CONTAIN A STATEMENT OF THE AMOUNT OF TAXES DEFERRED FOR THE FISCAL YEAR FOR WHICH THE BILL IS RENDERED, AND SHALL ALSO CONTAIN A STATEMENT OF THE CUMULATIVE AMOUNT OF TAXES DEFERRED, INCLUDING THE FISCAL YEAR FOR WHICH THE TAX BILL IS RENDERED.

8. (A) ANY MUNICIPAL CORPORATION IN WHICH PROPERTY GRANTED DEFERMENT AS HEREBY PROVIDED IS LOCATED, WITHIN THIRTY DAYS FOLLOWING THE APPRO-

PRIATE TAXABLE STATUS DATE, SHALL SUBMIT, FOR THE PURPOSES OF RECORDING, TO THE CLERK OF THE COUNTY WHERE THE SUBJECT PROPERTY IS SITUATED A COPY OF THE TAX DEFERMENT AND RECOVERY AGREEMENT PERTAINING TO EACH SUCH DEFERMENT AND ENTERED INTO UNDER SUBDIVISION THREE OF THIS SECTION. FOR THE PURPOSES OF THIS PARAGRAPH, SUCH A TAX DEFERMENT AND RECOVERY AGREEMENT MAY BE RECORDED IN THE SAME MANNER AS CONVEYANCES OF REAL PROPERTY UNDER THE REAL PROPERTY LAW.

(B) THE AMOUNT OF ANY TAXES DEFERRED UNDER THIS SECTION WITH RESPECT TO PARTICULAR REAL PROPERTY, TOGETHER WITH INTEREST THEREON AT THE PREVAILING RATE AT WHICH THE STATE OF NEW YORK MORTGAGE AGENCY LAST FUNDED MORTGAGES ANYWHERE WITHIN THE STATE APPLICABLE TO REAL PROPERTY MORTGAGES ON THE APPROPRIATE TAXABLE STATUS DATE, SHALL, AS OF THE DAY ON WHICH THE TAX AS TO WHICH THE DEFERMENT IS GRANTED BECOMES A LIEN AND UNTIL PAID, CONSTITUTE A LIEN AGAINST SUCH PROPERTY IN FAVOR OF THE APPROPRIATE MUNICIPAL CORPORATION, WHICH LIEN SHALL HAVE PRIORITY AS AGAINST ALL OTHER LIENS OF ANY NATURE OR KIND; PROVIDED, THAT SUCH LIEN SHALL BE DUE AND PAYABLE ONLY UNDER THOSE CIRCUMSTANCES IN WHICH AN AMOUNT EQUAL TO THE AMOUNT OF TAXES DEFERRED, PLUS INTEREST, MUST BE PAID OR IS RECOVERABLE PURSUANT TO PARAGRAPH (A) OF SUBDIVISION THREE OF THIS SECTION.

(C) UPON THE OCCURRENCE OF ANY CIRCUMSTANCE IN WHICH THE AMOUNT CONSTITUTING A LIEN UNDER PARAGRAPH (B) OF THIS SUBDIVISION EQUAL TO THE AMOUNT OF TAXES DEFERRED, PLUS INTEREST, MUST BE PAID OR IS RECOVERABLE UNDER PARAGRAPH (A) OF SUBDIVISION THREE OF THIS SECTION THE APPROPRIATE MUNICIPAL CORPORATION SHALL BRING AN ACTION TO ENFORCE THE LIEN DESCRIBED IN PARAGRAPH (B) OF THIS SUBDIVISION OR TO RECOVER THE AMOUNT OF SUCH LIEN, AS MAY BE APPROPRIATE IN THE PARTICULAR CASE.

9. ANY CONVICTION OF HAVING MADE ANY WILFUL FALSE STATEMENT IN THE APPLICATION FOR SUCH DEFERMENT, SHALL BE PUNISHABLE BY A FINE OF NOT MORE THAN ONE HUNDRED DOLLARS AND SHALL DISQUALIFY THE APPLICANT OR APPLICANTS FROM FURTHER DEFERMENT UNDER THIS SECTION FOR A PERIOD OF FIVE YEARS.

S 9. Section 480 of the real property tax law is amended by adding a new subdivision 10 to read as follows:

10. (A) THE CHIEF EXECUTIVE OFFICER OF A MUNICIPAL CORPORATION IN WHICH THERE ARE PRIVATELY OWNED FOREST LANDS WHICH ARE ASSESSED IN ACCORDANCE WITH THE PROVISIONS OF SUBDIVISION THREE OF THIS SECTION MAY MAKE APPLICATION FOR STATE ASSISTANCE AS PROVIDED IN THIS SUBDIVISION.

(B) APPLICATION FOR STATE ASSISTANCE PURSUANT TO THIS SUBDIVISION SHALL BE MADE ON A FORM PRESCRIBED BY THE STATE BOARD AND SHALL CONTAIN SUCH INFORMATION AND DOCUMENTATION AS MAY BE REQUIRED BY THE STATE BOARD AND THE STATE BOARD MAY PROMULGATE RULES AND REGULATIONS NECESSARY TO THE IMPLEMENTATION OF THIS SUBDIVISION.

(C) UPON RECEIPT OF THE APPLICATION FOR STATE ASSISTANCE, SUCH PRIVATE FOREST LANDS SHALL BE VALUED BY THE STATE BOARD AND THE CUMULATIVE VALUE OF ALL SUCH LANDS SHALL BE EQUALIZED BY APPLYING THERETO THE APPROPRIATE STATE EQUALIZATION RATE OR SPECIAL EQUALIZATION RATE ESTABLISHED IN ACCORDANCE WITH THE RULES OF THE STATE BOARD.

(D) IF THE CUMULATIVE VALUE DETERMINED AND EQUALIZED PURSUANT TO PARAGRAPH (C) OF THIS SUBDIVISION EXCEEDS THE TAXABLE ASSESSED VALUATION OF SUCH PROPERTY ON THE PRECEDING ASSESSMENT ROLL, AS REQUIRED BY SUBDIVISION THREE OF THIS SECTION THE STATE BOARD SHALL COMPUTE THE AMOUNT OF STATE ASSISTANCE PAYABLE TO OR FOR THE BENEFIT OF EACH MUNICIPAL CORPORATION BY APPLYING TO THE AMOUNT OF THE EXCESS THE APPROPRIATE TAX RATE OF THE MUNICIPAL CORPORATION AND SUCH AMOUNT SHALL BE PAID ON AUDIT AND

WARRANT OF THE COMPTROLLER OUT OF MONEYS APPROPRIATED BY THE LEGISLATURE.

S 10. Section 480-a of the real property tax law is amended by adding a new subdivision 11 to read as follows:

11. (A) THE CHIEF EXECUTIVE OFFICER OF A MUNICIPAL CORPORATION IN WHICH THERE ARE PRIVATELY OWNED FOREST LANDS WHICH ARE ASSESSED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION MAY MAKE APPLICATION FOR STATE ASSISTANCE AS PROVIDED IN THIS SUBDIVISION.

(B) APPLICATION FOR STATE ASSISTANCE PURSUANT TO THIS SUBDIVISION SHALL BE MADE ON A FORM PRESCRIBED BY THE STATE BOARD AND SHALL CONTAIN SUCH INFORMATION AND DOCUMENTATION AS MAY BE REQUIRED BY THE STATE BOARD AND THE STATE BOARD MAY PROMULGATE RULES AND REGULATIONS NECESSARY TO THE IMPLEMENTATION OF THIS SUBDIVISION.

(C) UPON RECEIPT OF THE APPLICATION FOR STATE ASSISTANCE, SUCH PRIVATE FOREST LANDS SHALL BE VALUED BY THE STATE BOARD AND THE CUMULATIVE VALUE OF ALL SUCH LANDS SHALL BE EQUALIZED BY APPLYING THERETO THE APPROPRIATE STATE EQUALIZATION RATE OR SPECIAL EQUALIZATION RATE ESTABLISHED IN ACCORDANCE WITH THE RULES OF THE STATE BOARD.

(D) IF THE CUMULATIVE VALUE DETERMINED AND EQUALIZED PURSUANT TO PARAGRAPH (C) OF THIS SUBDIVISION EXCEEDS THE TAXABLE ASSESSED VALUATION OF SUCH PROPERTY ON THE PRECEDING ASSESSMENT ROLL, AS REQUIRED BY THIS SECTION THE STATE BOARD SHALL COMPUTE THE AMOUNT OF STATE ASSISTANCE PAYABLE TO OR FOR THE BENEFIT OF EACH MUNICIPAL CORPORATION BY APPLYING TO THE AMOUNT OF THE EXCESS THE APPROPRIATE TAX RATE OF THE MUNICIPAL CORPORATION AND SUCH AMOUNT SHALL BE PAID ON AUDIT AND WARRANT OF THE COMPTROLLER OUT OF MONEYS APPROPRIATED BY THE LEGISLATURE.

S 11. The real property tax law is amended by adding a new section 531 to read as follows:

S 531. STATE LANDS SUBJECT TO TAXATION. 1. ANY OTHER PROVISION OF LAW NOTWITHSTANDING, LANDS OWNED BY THE STATE OF NEW YORK SHALL BE SUBJECT TO TAXATION FOR ALL PURPOSES, EXCEPT FOR THE FOLLOWING STATE LANDS:

(A) BUILDINGS AND OTHER ARTICLES AND STRUCTURES, SUBSTRUCTURES AND SUPERSTRUCTURES ERECTED UPON, UNDER OR ABOVE THE LAND OR AFFIXED THERETO;

(B) LANDS OWNED BY OR UNDER THE JURISDICTION AND CONTROL OF PUBLIC AUTHORITIES ENUMERATED IN THE PUBLIC AUTHORITIES LAW;

(C) LANDS OWNED BY OR UNDER THE JURISDICTION AND CONTROL OF THE DEPARTMENT OF TRANSPORTATION PURSUANT TO THE CANAL LAW; AND

(D) LANDS USED BY THE STATE FOR HIGHWAY OR PARKWAY PURPOSES OR LANDS ACQUIRED FOR SUCH PURPOSES THOUGH NOT IN ACTUAL USE THEREFOR IF CONSTRUCTION OF A HIGHWAY OR PARKWAY THEREON IS IN GOOD FAITH CONTEMPLATED.

2. STATE LANDS SUBJECT TO TAXATION PURSUANT TO THE PROVISIONS OF THIS SECTION SHALL BE VALUED BY THE STATE BOARD AS IF PRIVATELY OWNED AND SHALL BE ASSESSED BY THE STATE BOARD IN ACCORDANCE WITH THE PROVISIONS OF SECTION FIVE HUNDRED FORTY-TWO OF THIS ARTICLE. STATE LANDS SHALL BE VALUED FOR PURPOSES OF THIS SECTION AS OF THE VALUATION DATE, AS THAT TERM IS DEFINED IN SECTION TWELVE HUNDRED SIXTY OF THIS CHAPTER, ON THE BASIS OF WHICH THE STATE BOARD DETERMINED THE STATE EQUALIZATION RATE REQUIRED TO BE APPLIED THERETO PURSUANT TO SUBDIVISION ONE OF SECTION FIVE HUNDRED FORTY-TWO OF THIS ARTICLE.

S 12. The section heading and subdivision 2 of section 534 of the real property tax law, the section heading as amended by chapter 736 of the laws of 1962 and subdivision 2 as amended by chapter 610 of the laws of 1992, are amended to read as follows:

[Certain] VALUATION AND ASSESSMENT OF state lands [subject to taxation for all purposes except county purposes].

[2. Such] STATE lands shall be valued as if privately owned and SHALL BE assessed BY THE STATE BOARD in accordance with THE PROVISIONS OF subdivision one of section five hundred forty-two of this article. STATE LANDS SHALL BE VALUED FOR PURPOSES OF THIS SECTION AS OF THE VALUATION DATE, AS THAT TERM IS DEFINED IN SECTION TWELVE HUNDRED SIXTY OF THIS CHAPTER, ON THE BASIS OF THE STATE EQUALIZATION RATE AS DETERMINED BY THE STATE BOARD AND AS REQUIRED TO BE APPLIED THERETO BY SUCH BOARD PURSUANT TO SUBDIVISION ONE OF SECTION FIVE HUNDRED FORTY-TWO OF THIS ARTICLE.

S 13. Section 538 of the real property tax law is REPEALED and a new section 538 is added to read as follows:

S 538. NEWLY ACQUIRED STATE LAND. ANY AGENCY, OFFICER OR INSTRUMENTALITY OF THE STATE AUTHORIZED TO ACQUIRE REAL PROPERTY SHALL NOTIFY THE STATE BOARD OF THE ACQUISITION OF ANY REAL PROPERTY WHICH IS DEFINED AS SUBJECT TO TAXATION UNDER THIS TITLE WITHIN THIRTY DAYS OF SUCH ACQUISITION. SUCH NOTIFICATION SHALL ALSO BE SENT TO ALL ASSESSING UNITS IN WHICH THE PROPERTY IS SITUATED. THE ASSESSOR SHALL FORWARD TO THE STATE BOARD WITHIN THIRTY DAYS OF RECEIPT OF SUCH NOTICE, ON A FORM PRESCRIBED BY THE STATE BOARD, THE AMOUNT OF THE ASSESSMENT OF THE NEWLY ACQUIRED REAL PROPERTY APPEARING ON THE LAST COMPLETED ASSESSMENT ROLL AND ANY OTHER INFORMATION REQUIRED BY THE STATE BOARD. NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS TITLE, THE STATE BOARD MAY, FOR NOT MORE THAN TWO CONSECUTIVE ASSESSMENT ROLLS, DETERMINE THE ASSESSMENT OF THE NEWLY ACQUIRED REAL PROPERTY IN THE SAME AMOUNT AS APPEARING ON SUCH LAST COMPLETED ASSESSMENT ROLL AND SUCH ASSESSMENT SHALL BE TRANSMITTED TO THE ASSESSOR AS PROVIDED IN SECTION FIVE HUNDRED FORTY-TWO OF THIS ARTICLE, PROVIDED THAT THE AMOUNT OF THE FINAL ASSESSMENT MAY BE ADJUSTED FOR ANY CHANGE IN LEVEL OF ASSESSMENT AS THAT TERM IS DEFINED IN SECTION FIVE HUNDRED FORTY-TWO OF THIS ARTICLE.

S 14. Section 540 of the real property tax law is REPEALED and a new section 540 is added to read as follows:

S 540. INVENTORY OF STATE LANDS. THE OFFICE OF GENERAL SERVICES SHALL ANNUALLY SUPPLY THE STATE BOARD WITH AN INVENTORY OF STATE LANDS ON OR BEFORE THE THIRTY-FIRST DAY OF DECEMBER.

S 15. Section 542 of the real property tax law is REPEALED and a new section 542 is added to read as follows:

S 542. ASSESSMENT OF STATE LANDS. 1. (A) NOTWITHSTANDING THE PROVISIONS OF SECTION THREE HUNDRED FIVE OF THIS CHAPTER, IN DETERMINING THE ASSESSMENT OF TAXABLE STATE OWNED LANDS THE STATE BOARD SHALL APPLY THE LATEST STATE EQUALIZATION RATE ESTABLISHED FOR THE ASSESSING UNIT IN WHICH SUCH LAND IS LOCATED TO THE VALUATION THEREOF AS DETERMINED IN ACCORDANCE WITH THE PROVISIONS OF SUBDIVISION TWO OF SECTION FIVE HUNDRED THIRTY-ONE OR SECTION FIVE HUNDRED THIRTY-FOUR OF THIS ARTICLE.

(B) THE STATE BOARD SHALL ANNUALLY TRANSMIT TO THE ASSESSOR OF EACH ASSESSING UNIT CONTAINING STATE LANDS SUBJECT TO TAXATION, ON OR BEFORE THE DATE ESTABLISHED BY LAW FOR THE PUBLICATION OF THE TENTATIVE ASSESSMENT ROLL, A LIST OF ALL SUCH LANDS THEREIN, CONTAINING THE INDICATED ASSESSMENTS OF SUCH LANDS, AND THE ASSESSOR SHALL ENTER THESE ASSESSMENTS ON THE TENTATIVE ASSESSMENT ROLL.

(C) NOT LATER THAN TEN DAYS AFTER THE COMPLETION OF THE TENTATIVE ASSESSMENT ROLL IN ANY ASSESSING UNIT CONTAINING STATE LAND SUBJECT TO TAXATION, THE ASSESSOR SHALL NOTIFY THE STATE BOARD THAT THE ASSESSMENTS CONTAINED ON THE LIST DESCRIBED IN PARAGRAPH (B) OF THIS SUBDIVISION HAVE BEEN ENTERED ON THE TENTATIVE ASSESSMENT ROLL.

(D) SHOULD ANY TAXABLE STATE LANDS NOT APPEAR ON THE LIST DESCRIBED IN PARAGRAPH (B) OF THIS SUBDIVISION, THE ASSESSOR SHALL ENTER SUCH LANDS IN THE PORTION OF THE ROLL FOR WHOLLY EXEMPT PROPERTY AND IMMEDIATELY NOTIFY THE STATE BOARD. IF THE STATE BOARD DETERMINES THAT ANY OR ALL OF SUCH LANDS ARE SUBJECT TO TAXATION, IT SHALL DIRECT THE ASSESSOR TO ENTER SUCH LAND AND THE PROPER ASSESSMENT THEREOF AS AN OMISSION ON THE NEXT ASSESSMENT ROLL, PURSUANT TO TITLE THREE OF THIS ARTICLE.

2. AT THE TIME THE INDICATED ASSESSMENTS OF STATE LANDS ARE TRANSMITTED TO THE ASSESSOR PURSUANT TO SUBDIVISION ONE OF THIS SECTION, THE STATE BOARD SHALL NOTIFY THE ASSESSOR THAT WRITTEN STATEMENTS IN RELATION TO SUCH ASSESSMENTS MAY BE FILED WITH THE STATE BOARD NOT LATER THAN THIRTY DAYS AFTER THE COMPLETION OF THE TENTATIVE ASSESSMENT ROLL.

3. (A) AFTER CONSIDERING ANY WRITTEN STATEMENTS FILED PURSUANT TO SUBDIVISION TWO OF THIS SECTION, THE STATE BOARD SHALL DETERMINE THE FINAL ASSESSMENTS OF STATE LANDS.

(B) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, THE STATE BOARD MAY ESTABLISH A SPECIAL EQUALIZATION RATE FOR THE PURPOSE OF DETERMINING THE FINAL ASSESSMENTS OF STATE LANDS WHEN THERE HAS BEEN A CHANGE IN LEVEL OF ASSESSMENT ON THE ASSESSMENT ROLL FOR WHICH THE FINAL ASSESSMENTS OF STATE LANDS ARE BEING DETERMINED. AS USED IN THIS SUBDIVISION, THE TERM "CHANGE IN LEVEL OF ASSESSMENT" MEANS A NET INCREASE OR DECREASE OF NOT LESS THAN TWO PERCENT IN THE TOTAL ASSESSED VALUATION OF THE TAXABLE REAL PROPERTY ON THE ASSESSMENT ROLL, OTHER THAN AN INCREASE OR DECREASE ATTRIBUTABLE TO A PHYSICAL OR QUANTITY CHANGE OR A CHANGE IN EXEMPT STATUS, AS COMPUTED IN ACCORDANCE WITH THE RULES PROMULGATED BY THE STATE BOARD IN RELATION TO ASSESSOR'S ANNUAL REPORTS FOR EQUALIZATION PURPOSES.

(C) THE STATE BOARD SHALL CERTIFY TO THE ASSESSOR THE FINAL ASSESSMENTS OF STATE LANDS AND NO ASSESSMENT OF STATE LANDS SHALL BE VALID FOR ANY PURPOSE WITHOUT SUCH CERTIFICATION.

(D) UPON RECEIPT OF SUCH CERTIFICATION, THE ASSESSOR IS AUTHORIZED AND DIRECTED TO ENTER THE FINAL ASSESSMENTS OF STATE LANDS UPON THE FINAL ASSESSMENT ROLL. IN THE EVENT THE CERTIFICATION IS RECEIVED AFTER THE FINAL COMPLETION, VERIFICATION AND FILING OF THE FINAL ASSESSMENT ROLL, THE ASSESSOR OR OTHER LOCAL OFFICIALS, INCLUDING SCHOOL AUTHORITIES, HAVING CUSTODY AND CONTROL OF SUCH ROLL ARE ALSO AUTHORIZED AND DIRECTED TO ENTER THE FINAL ASSESSMENTS ON THE ROLL.

4. NOTWITHSTANDING ANY PROVISION OF THIS TITLE TO THE CONTRARY, THE AGGREGATE ASSESSED VALUATION OF TAXABLE STATE LANDS IN ANY ASSESSING UNIT SHALL NOT, EXCEPT FOR CHANGES IN QUANTITY OR A CHANGE IN LEVEL OF ASSESSMENT, BE LESS THAN THAT WHICH WAS DETERMINED BY THE STATE BOARD FOR THE ASSESSMENT ROLL FINALLY COMPLETED AND FILED IN THE YEAR NINETEEN HUNDRED EIGHTY-THREE.

5. THE FINAL ASSESSMENT OF STATE LANDS AS DETERMINED BY THE STATE BOARD PURSUANT TO THIS SECTION SHALL BE CONCLUSIVE AND BINDING UPON THE ASSESSING UNIT CONTAINING SUCH STATE LANDS FOR ALL PURPOSES.

S 16. Section 532, subdivisions 1 and 3 of section 534 and section 536 of the real property tax law are REPEALED.

S 17. Within 60 days of the effective date of this act, the office of general services shall forward to the state board of real property services an inventory of all state lands.

S 18. The real property tax law is amended by adding a new section 929 to read as follows:

S 929. PAYMENT OF TAXES BY CREDIT CARD. 1. THE FOLLOWING TERMS, WHEN USED OR REFERRED TO IN THIS SECTION, SHALL HAVE THE FOLLOWING MEANINGS:

(A) "CREDIT CARD" MEANS ANY CREDIT CARD, CREDIT PLATE, CHARGE PLATE, COURTESY CARD, DEBIT CARD OR OTHER IDENTIFICATION CARD OR DEVICE ISSUED BY A PERSON TO ANOTHER PERSON WHICH MAY BE USED TO OBTAIN A CASH ADVANCE OR A LOAN OR CREDIT, OR TO PURCHASE OR LEASE PROPERTY OR SERVICES ON THE CREDIT OF THE PERSON ISSUING THE CREDIT CARD OR A PERSON WHO HAS AGREED WITH THE ISSUER TO PAY OBLIGATIONS ARISING FROM THE USE OF A CREDIT CARD ISSUED TO ANOTHER PERSON.

(B) "FINANCING AGENCY" MEANS ANY AGENCY DEFINED AS SUCH IN SUBDIVISION EIGHTEEN OF SECTION FOUR HUNDRED ONE OF THE PERSONAL PROPERTY LAW.

(C) "LOCAL LAW" MEANS A LOCAL LAW, ORDINANCE, RESOLUTION OR SIMILAR ACT.

(D) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION OR ANY OTHER LEGAL OR COMMERCIAL ENTITY.

2. ANY MUNICIPAL CORPORATION MAY, BY THE ENACTMENT OF A LOCAL LAW OR IN THE CASE OF A MUNICIPAL CORPORATION WHICH IS NOT SO EMPOWERED TO ACT BY LOCAL LAW, BY THE ADOPTION OF A RESOLUTION, AUTHORIZE SUCH MUNICIPAL CORPORATION TO ENTER INTO AGREEMENTS WITH ONE OR MORE FINANCING AGENCIES TO PROVIDE FOR THE ACCEPTANCE BY SUCH MUNICIPAL CORPORATION, OF CREDIT CARDS AS A MEANS OF PAYMENT OF TAXES. ANY SUCH AGREEMENT SHALL GOVERN THE TERMS AND CONDITIONS UPON WHICH A CREDIT CARD PROFFERED AS A MEANS OF PAYMENT OF TAXES SHALL BE ACCEPTED OR DECLINED AND THE MANNER IN AND CONDITIONS UPON WHICH THE FINANCING AGENCY SHALL PAY TO SUCH MUNICIPAL CORPORATION THE AMOUNT OF TAXES PAID BY MEANS OF A CREDIT CARD PURSUANT TO SUCH AGREEMENT. ANY SUCH AGREEMENT MAY PROVIDE FOR THE PAYMENT BY SUCH MUNICIPAL CORPORATION TO SUCH FINANCING AGENCY OF FEES FOR THE SERVICES PROVIDED BY SUCH FINANCING AGENCY PURSUANT TO SUCH AGREEMENT, WHICH FEES MAY CONSIST OF A DISCOUNT DEDUCTED FROM OR PAYABLE IN RESPECT OF THE AMOUNT OF EACH PAYMENT OF TAXES OR OTHERWISE AS THE AGREEMENT MAY PROVIDE.

3. ANY MUNICIPAL CORPORATION WHICH HAS ENTERED INTO AN AGREEMENT WITH A FINANCING AGENCY AS AUTHORIZED BY THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION MAY ACCEPT CREDIT CARDS AS A MEANS OF PAYMENT OF TAXES AS PROVIDED IN SUCH AGREEMENT AND MAY PAY SUCH FEES AS ARE SPECIFIED IN SUCH AGREEMENT TO SUCH FINANCING AGENCY IN CONSIDERATION OF THE SERVICES RENDERED BY SUCH FINANCING AGENCY THEREUNDER.

S 19. Section 1200 of the real property tax law is amended by adding a new subdivision 6 to read as follows:

6. NOTWITHSTANDING ANYTHING CONTAINED IN THIS TITLE TO THE CONTRARY, THE STATE BOARD MAY NOT PROMULGATE EQUALIZATION RATES RELYING UPON TRENDING OF PRE-EXISTING MARKET VALUE SURVEYS, UNLESS SUCH TRENDING BRINGS THE RATES UP TO THE PERIOD ENDING JANUARY FIRST, NINETEEN HUNDRED NINETY-TWO. IN THE EVENT THAT THE STATE BOARD IS UNABLE TO PERFORM NEW MARKET VALUE SURVEYS PURSUANT TO THE TERMS OF THIS TITLE IT SHALL ONLY PROMULGATE NEW EQUALIZATION RATES IN ACCORDANCE WITH THE PRECEDING SENTENCE, OR SHALL RE-PROMULGATE RATES BASED UPON THE MOST RECENT MARKET VALUE SURVEYS BASED UPON THE VALUES CONTAINED IN SUCH SURVEYS.

S 20. Subdivision 5 of section 1202 of the real property tax law is amended by adding a new paragraph (e) to read as follows:

(E) NOTWITHSTANDING ANYTHING CONTAINED IN THIS TITLE TO THE CONTRARY, THE DETERMINATION OF STATE EQUALIZATION RATES MAY NOT BE BASED UPON A TRENDING OF PRE-EXISTING APPRAISAL DATA WITHOUT NEW MARKET VALUE SURVEYS BASED UPON APPRAISALS OF NEW RANDOMLY SELECTED PARCELS OF REAL ESTATE, UNLESS SUCH TRENDING IS BROUGHT TO VALUES PROJECTED AS OF JANUARY FIRST, NINETEEN HUNDRED NINETY-TWO OR LATER.

S 21. This act shall take effect on the one hundred eightieth day after it shall have become a law, except that section sixteen of this

act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to taxes levied on assessment rolls with taxable status dates on or after the second of January next succeeding the date on which it shall have become a law.

REPEAL NOTE.--Section 532, subdivisions 1 and 3 of section 534 and section 536 of the real property tax law, repealed by section sixteen of this act, section 538 of the real property tax law, repealed by section thirteen of this act, provide for the taxation of certain state lands and are replaced by a new section 531. Section 540 of the real property tax law, repealed by section fourteen of this act, provides for the annual transmittal to assessors by the state board of real property services of a list of state lands subject to taxation; this requirement is being incorporated in new section 542. Section 542 of the real property tax law, repealed by section fifteen of this act, provides the procedure for the assessment by the state board of real property services of taxable state lands and is replaced by a new section 542.