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

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I N A S S E M B L Y

March 20, 2012

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

AN ACT to authorize the town of Friendship, in the county of Allegany, to correct its 2012 tax roll and grant a real property tax refund or credit

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

Section 1. Notwithstanding any provision of the town law, the general municipal law or the real property tax law to the contrary, the town of Friendship, in the county of Allegany, is hereby authorized to recalculate its 2012 tax levy. Before the final recalculation of the tax levy, the town board of such town shall hold a public hearing on the recalculation in the manner specified in section 108 of the town law. As part of the initial recalculation and prior to the public hearing, the budget officer shall prepare documents showing: (i) basis of the miscalculations leading to the twenty-three percent overcharge in the 2012 tax levy pertaining to the general fund and highway department budgets; and (ii) the necessary reductions and/or changes in appropriations to the town general fund and highway department. After the public hearing and upon the adoption of a resolution, specifying the final amount of the tax levy and amended appropriations, the town may issue an order setting forth the corrected taxes, direct the officer having jurisdiction of the tax roll to correct such roll, refund any excess taxes paid or credit any outstanding tax obligations due; provided, however, that interest and penalties on delinquent 2012 town taxes, whether accruing before or after the effective date of this act, shall only be computed on the amount of corrected taxes, and any payment of interest in excess of that amount so computed shall be added to a refund made pursuant to this section.

S 2. This act shall take effect immediately; provided, however, if the town of Friendship does not hold the public hearing required pursuant to section one of this act within 45 days of such effective date, this act shall expire and be deemed repealed 45 days after it shall take effect.

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

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