

3350

2011-2012 Regular Sessions

I N   S E N A T E

February 17, 2011

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Introduced by Sens. BONACIC, GRIFFO, LARKIN, SEWARD, VALESKY -- 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, in relation to the process for local disciplinary actions against assessors

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

1     Section 1. The real property tax law is amended by adding a new  
2     section 324 to read as follows:  
3     S 324. LOCAL DISCIPLINARY ACTIONS. AN ASSESSOR MAY BE REMOVED FROM  
4     OFFICE FOR JUST CAUSE BY THE APPOINTING AUTHORITY AFTER A HEARING UPON  
5     NOTICE. A DETERMINATION TO REMOVE AN ASSESSOR OR TAKE OTHER DISCIPLINARY  
6     ACTION AS A RESULT OF THE REMOVAL PROCEEDING AGAINST AN ASSESSOR SHALL  
7     BE SUBJECT TO REVIEW BY THE STATE BOARD UPON APPLICATION FILED WITH SUCH  
8     BOARD BY THE ASSESSOR WITHIN THIRTY DAYS AFTER RECEIPT BY HIM OR HER OF  
9     WRITTEN NOTICE OF SUCH DETERMINATION. THE REVIEW BY THE STATE BOARD  
10    SHALL BE BASED UPON THE RECORD AND A TRANSCRIPT OF THE HEARING HELD BY  
11    THE APPOINTING AUTHORITY AND SUCH ORAL OR WRITTEN ARGUMENT AS MAY BE  
12    PRESENTED TO SUCH BOARD BY THE PARTIES TO THE PROCEEDING. UPON  
13    COMPLETION OF SUCH REVIEW THE STATE BOARD SHALL AFFIRM, REVERSE OR MODI-  
14    FY THE DETERMINATION OF THE APPOINTING AUTHORITY. THE DETERMINATION OF  
15    THE STATE BOARD SHALL BE SUBJECT TO JUDICIAL REVIEW IN ACCORDANCE WITH  
16    THE PROVISIONS OF ARTICLE SEVENTY-EIGHT OF THE CIVIL PRACTICE LAW AND  
17    RULES.  
18    S 2. This act shall take effect immediately.

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

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