

1859--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. MILLMAN, SIMANOWITZ, MILLER, ROSENTHAL, ROBINSON, DINOWITZ, GOLDFEDER, CYMBROWITZ, WEINSTEIN, BROOK-KRASNY -- Multi-Sponsored by -- M. of A. ABBATE, GIGLIO, JACOBS, PERRY -- read once and referred to the Committee on Aging -- ordered to a third reading -- committed to Aging -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property tax law, in relation to outreach, status and time limits relating to the tax abatement program for rent-controlled and rent-regulated property occupied by senior citizens or persons with disabilities

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

1 Section 1. Section 467-b of the real property tax law is amended by
2 adding three new subdivisions 10, 11 and 12 to read as follows:
3 10. AN ENTITY THAT ADMINISTERS THE TAX ABATEMENT PROGRAM PURSUANT TO
4 THIS SECTION SHALL IMPLEMENT AND ADMINISTER A PROGRAM THAT DEVELOPS
5 OUTREACH INITIATIVES TO IDENTIFY INDIVIDUALS WHO MEET THE ELIGIBILITY
6 CRITERIA FOR THE TAX ABATEMENT PROGRAM WHO ARE NOT PARTICIPATING IN THE
7 PROGRAM AND ENSURE THAT THEY HAVE INFORMATION REGARDING THE TAX ABATE-
8 MENT PROGRAM. SUCH OUTREACH PROGRAM MAY INCLUDE, BUT SHALL NOT BE
9 LIMITED TO, MAILINGS, ADVERTISEMENTS, PUBLIC SERVICE ANNOUNCEMENTS,
10 LITERATURE DISSEMINATION, INTERNET TECHNOLOGY, SOCIAL MEDIA, COMMUNITY
11 OUTREACH, AND PARTNERSHIPS WITH OTHER MUNICIPAL ENTITIES AND AGENCIES.
12 AN ENTITY THAT ADMINISTERS THE TAX ABATEMENT PROGRAM MAY CONSULT WITH
13 ANY OTHER PERSON OR ENTITY DEEMED PERTINENT TO DEVELOP THE OUTREACH
14 INITIATIVE.
15 11. ANY MUNICIPALITY THAT ADOPTS A LOCAL LAW, RESOLUTION, OR ORDINANCE
16 PURSUANT TO SUBDIVISION TWO OF THIS SECTION SHALL DEVELOP A PROGRAM TO
17 ALLOW APPLICANTS AND PARTICIPANTS TO ASCERTAIN THE STATUS OF ANY TAX
18 ABATEMENT OR THE STATUS OF ANY FORM THAT HAS BEEN FILED BY SUCH APPLI-

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

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1 CANT OR PARTICIPANT ON THE APPLICANT OR PARTICIPANT'S BEHALF PURSUANT TO
2 THIS SECTION. SUCH PROGRAM SHALL INCLUDE PROVISIONS TO ENSURE THAT
3 APPLICANTS AND PARTICIPANTS WHOSE PRIMARY LANGUAGE IS NOT ENGLISH, WHO
4 MAY HAVE COMMUNICATION RESTRICTIONS DUE TO PARTIAL OR TOTAL BLINDNESS,
5 DEAFNESS, SPEECH IMPEDIMENT, OR COGNITIVE IMPAIRMENT, AND/OR WHO LACK
6 ACCESS TO THE INTERNET MAY ASCERTAIN SUCH STATUS.

7 12. A. WITHIN THREE DAYS OF RECEIVING ANY FORM FOR APPLICATION,
8 RENEWAL, OR ADJUSTMENT OF ABATEMENT FOR THE TAX ABATEMENT PROGRAM, A
9 LETTER ACKNOWLEDGING RECEIPT OF SUCH FORM SHALL BE SENT TO THE APPLI-
10 CANT. SUCH LETTER SHALL INCLUDE THE DATE THE FORM WAS RECEIVED.

11 B. WITHIN THIRTY DAYS OF THE RECEIPT OF AN APPLICATION OR RENEWAL
12 APPLICATION FROM AN APPLICANT, THE ENTITY THAT ADMINISTERS THE TAX
13 ABATEMENT PROGRAM SHALL APPROVE THE APPLICATION OR RENEWAL APPLICATION
14 FOR THE TAX ABATEMENT PROGRAM, DENY THE APPLICATION OR RENEWAL APPLICA-
15 TION FOR THE TAX ABATEMENT PROGRAM, OR REQUEST FURTHER INFORMATION OR
16 DOCUMENTATION FROM THE APPLICANT. IF A REQUEST IS MADE FOR FURTHER
17 INFORMATION OR DOCUMENTATION, THE ENTITY THAT ADMINISTERS THE TAX ABATE-
18 MENT PROGRAM SHALL HAVE FIFTEEN DAYS AFTER SUCH INFORMATION OR DOCUMEN-
19 TATION REQUESTED IS RECEIVED BY THE ENTITY TO EITHER APPROVE OR DENY THE
20 APPLICATION OR RENEWAL APPLICATION.

21 C. WITHIN THIRTY DAYS OF THE RECEIPT OF ANY FORM OTHER THAN AN APPLI-
22 CATION OR RENEWAL APPLICATION FORM FROM AN APPLICANT, THE ENTITY THAT
23 ADMINISTERS THE PROGRAM SHALL ACT ON SUCH FORM.

24 D. WITHIN THREE DAYS OF APPROVING OR REJECTING AN APPLICATION OR
25 RENEWAL APPLICATION PURSUANT TO PARAGRAPH B OF THIS SUBDIVISION OR
26 ACTING UPON ANY OTHER FORM PURSUANT TO PARAGRAPH C OF THIS SUBDIVISION,
27 A WRITTEN NOTIFICATION SHALL BE SENT TO THE INDIVIDUAL WHO MADE SUCH
28 APPLICATION OR RENEWAL APPLICATION OR SENT SUCH FORM. SUCH WRITTEN
29 NOTIFICATION SHALL INCLUDE THE ACTION TAKEN BY THE ENTITY ADMINISTERING
30 THE TAX ABATEMENT PROGRAM, THE DATE SUCH ACTION WAS TAKEN, WHAT RECOURSE
31 IS AVAILABLE SHOULD THE INDIVIDUAL BE DISSATISFIED WITH SUCH ACTION, AND
32 HOW TO PURSUE THE RECOURSE AVAILABLE.

33 S 2. This act shall take effect immediately, provided, however, that
34 the amendments to section 467-b of the real property tax law made by
35 section one of this act shall not affect the expiration of such section
36 and shall be deemed to expire therewith.