

2283

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. LAVINE, WEISENBERG, SIMOTAS, WEPRIN, CUSICK, THIELE, COLTON, MAYER, SANTABARBARA, SKARTADOS, REILICH, STEC, CURRAN, CERETTO, LUPINACCI, MARKEY -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the real property tax law, in relation to the real property exemption for certain portions of property owned by veterans' organizations

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

1 Section 1. Subdivision 2 of section 452 of the real property tax law
2 is amended to read as follows:
3 2. (A) Such real property shall be so exempt although it or a portion
4 thereof is used by another corporation or association whose real proper-
5 ty would be entitled to an exemption pursuant to any section in titles
6 one or two of this article except sections four hundred eight, four
7 hundred forty, four hundred sixty-six or four hundred seventy-eight, if
8 such corporation or association itself owned such real property, as long
9 as any moneys paid to the owning corporation, association or post by the
10 using corporation or association do not exceed the amount of carrying,
11 maintenance and depreciation charges of the property or portion thereof,
12 as the case may be.
13 (B) If a portion of such real property is actually and exclusively
14 used by any person whose real property would not be so entitled to an
15 exemption, such portion shall be subject to taxation, special ad valorem
16 levies and special assessments and the remaining portion only shall be
17 exempt as provided herein SUBJECT TO THE PROVISIONS OF PARAGRAPH (C) OF
18 THIS SUBDIVISION.
19 (C) THE PORTION OF REAL PROPERTY WHICH WOULD OTHERWISE BE SUBJECT TO
20 TAXATION, SPECIAL AD VALOREM LEVIES AND SPECIAL ASSESSMENTS UNDER PARA-
21 GRAPH (B) OF THIS SUBDIVISION SHALL BE EXEMPT THEREFROM FOR PURPOSES OF

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

LBD04511-01-3

1 ANY MUNICIPAL CORPORATION IN WHICH SUCH PROPERTY IS LOCATED ONLY IF THE
2 GOVERNING BODY OF SUCH MUNICIPAL CORPORATION, AFTER A PUBLIC HEARING,
3 ADOPTS A LOCAL LAW, ORDINANCE OR RESOLUTION SO PROVIDING.
4 S 2. This act shall take effect on the second of January, next
5 succeeding the date on which it shall have become a law and shall apply
6 to assessment rolls prepared on the basis of taxable status dates occur-
7 ring on and after such date.