

1712--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. GUNTHER -- Multi-Sponsored by -- M. of A. STEC --
read once and referred to the Committee on Real Property Taxation --
recommitted to the Committee on Real Property Taxation in accordance
with Assembly Rule 3, sec. 2 -- 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 the assessment
of private forest lands and to provide state assistance to municipal
corporations relating thereto

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

1 Section 1. Section 480 of the real property tax law is amended by
2 adding a new subdivision 10 to read as follows:
3 10. (A) THE CHIEF EXECUTIVE OFFICER OF A MUNICIPAL CORPORATION IN
4 WHICH THERE ARE PRIVATELY OWNED FOREST LANDS WHICH ARE ASSESSED IN
5 ACCORDANCE WITH THE PROVISIONS OF SUBDIVISION THREE OF THIS SECTION MAY
6 MAKE APPLICATION FOR STATE ASSISTANCE AS PROVIDED IN THIS SUBDIVISION.
7 (B) APPLICATION FOR STATE ASSISTANCE PURSUANT TO THIS SUBDIVISION
8 SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER AND SHALL CONTAIN
9 SUCH INFORMATION AND DOCUMENTATION AS MAY BE REQUIRED BY THE COMMISSION-
10 ER AND THE COMMISSIONER MAY PROMULGATE RULES AND REGULATIONS NECESSARY
11 TO THE IMPLEMENTATION OF THIS SUBDIVISION.
12 (C) UPON RECEIPT OF THE APPLICATION FOR STATE ASSISTANCE, SUCH PRIVATE
13 FOREST LANDS SHALL BE VALUED BY THE COMMISSIONER AND THE CUMULATIVE
14 VALUE OF ALL SUCH LANDS SHALL BE EQUALIZED BY APPLYING THERETO THE
15 APPROPRIATE STATE EQUALIZATION RATE OR SPECIAL EQUALIZATION RATE ESTAB-
16 LISHED IN ACCORDANCE WITH THE RULES OF THE COMMISSIONER.
17 (D) IF THE CUMULATIVE VALUE DETERMINED AND EQUALIZED PURSUANT TO PARA-
18 GRAPH (C) OF THIS SUBDIVISION EXCEEDS THE TAXABLE ASSESSED VALUATION OF
19 SUCH PROPERTY ON THE PRECEDING ASSESSMENT ROLL, AS REQUIRED BY SUBDIVI-
20 SION THREE OF THIS SECTION THE COMMISSIONER SHALL COMPUTE THE AMOUNT OF

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

LBD01128-03-4

1 STATE ASSISTANCE PAYABLE TO OR FOR THE BENEFIT OF EACH MUNICIPAL CORPO-
2 RATION BY APPLYING TO THE AMOUNT OF THE EXCESS THE APPROPRIATE TAX RATE
3 OF THE MUNICIPAL CORPORATION AND SUCH AMOUNT SHALL BE PAID ON AUDIT AND
4 WARRANT OF THE COMPTROLLER OUT OF MONEYS APPROPRIATED BY THE LEGISLA-
5 TURE.

6 S 2. Section 480-a of the real property tax law is amended by adding a
7 new subdivision 11 to read as follows:

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

12 (B) APPLICATION FOR STATE ASSISTANCE PURSUANT TO THIS SUBDIVISION
13 SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER AND SHALL CONTAIN
14 SUCH INFORMATION AND DOCUMENTATION AS MAY BE REQUIRED BY THE COMMISSION-
15 ER AND THE COMMISSIONER MAY PROMULGATE RULES AND REGULATIONS NECESSARY
16 TO THE IMPLEMENTATION OF THIS SUBDIVISION.

17 (C) UPON RECEIPT OF THE APPLICATION FOR STATE ASSISTANCE, SUCH PRIVATE
18 FOREST LANDS SHALL BE VALUED BY THE COMMISSIONER AND THE CUMULATIVE
19 VALUE OF ALL SUCH LANDS SHALL BE EQUALIZED BY APPLYING THERETO THE
20 APPROPRIATE STATE EQUALIZATION RATE OR SPECIAL EQUALIZATION RATE ESTAB-
21 LISHED IN ACCORDANCE WITH THE RULES OF THE COMMISSIONER.

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

30 S 3. This act shall take effect immediately and shall apply to taxes
31 levied upon assessment rolls prepared on the basis of taxable status
32 dates occurring on or after January 1, 2016.