

1859--B

Cal. No. 792

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. MILLMAN, SIMANOWITZ, MILLER, ROSENTHAL, ROBINSON, DINOWITZ, GOLDFEDER, CYMBROWITZ, WEINSTEIN, BROOK-KRASNY, GOTTFRIED -- 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 -- reported and referred to the Committee on Ways and Means -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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.

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

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1 11. ANY MUNICIPALITY THAT ADOPTS A LOCAL LAW, RESOLUTION, OR ORDINANCE  
2 PURSUANT TO SUBDIVISION TWO OF THIS SECTION SHALL DEVELOP A PROGRAM TO  
3 ALLOW APPLICANTS AND PARTICIPANTS TO ASCERTAIN THE STATUS OF ANY TAX  
4 ABATEMENT OR THE STATUS OF ANY FORM THAT HAS BEEN FILED BY SUCH APPLI-  
5 CANT OR PARTICIPANT ON THE APPLICANT OR PARTICIPANT'S BEHALF PURSUANT TO  
6 THIS SECTION. SUCH PROGRAM SHALL INCLUDE PROVISIONS TO ENSURE THAT  
7 APPLICANTS AND PARTICIPANTS WHOSE PRIMARY LANGUAGE IS NOT ENGLISH, WHO  
8 MAY HAVE COMMUNICATION RESTRICTIONS DUE TO PARTIAL OR TOTAL BLINDNESS,  
9 DEAFNESS, SPEECH IMPEDIMENT, OR COGNITIVE IMPAIRMENT, AND/OR WHO LACK  
10 ACCESS TO THE INTERNET MAY ASCERTAIN SUCH STATUS.

11 12. A. WITHIN TEN DAYS OF RECEIVING ANY FORM FOR APPLICATION, RENEWAL,  
12 OR ADJUSTMENT OF ABATEMENT FOR THE TAX ABATEMENT PROGRAM, A LETTER  
13 ACKNOWLEDGING RECEIPT OF SUCH FORM SHALL BE SENT TO THE APPLICANT. SUCH  
14 LETTER SHALL INCLUDE THE DATE THE FORM WAS RECEIVED.

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

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

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

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