S T A T E O F N E W Y O R K

S. 5777 A. 8009

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

June 14, 2013

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to certification standards for green buildings

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

Section 1. Subdivisions 1 and 2 of section 470 of the real property tax law, subdivision 1 as added by chapter 188 of the laws of 2012 and subdivision 2 as amended by chapter 14 of the laws of 2013, are amended to read as follows:

1. Construction of improvements to real property initiated on or after the first day of January, two thousand thirteen, meeting [LEED] certification standards for green buildings as provided in this section, INCLUDING LEED, the green building initiative's green globes rating system, THE NATIONAL GREEN BUILDING STANDARDS AS APPROVED BY the American National Standards Institute, or substantially equivalent standards for certification using a similar program for green buildings as determined by the municipal corporation, shall be exempt from taxation by any municipal corporation in which such property is located to the extent provided in this section, provided the governing board of such municipal corporation, after conducting a public hearing, adopts a local law, ordinance or resolution providing therefor.

2. Such real property, or portion thereof, which is certified under a LEED, GREEN GLOBES RATING SYSTEM, NATIONAL GREEN BUILDING STANDARDS OR SIMILAR PROGRAM USING A certification standard [for] WHICH IS EQUIVALENT TO the categories of certified, silver, gold or platinum as meeting green building standards, as determined by [a LEED] AN accredited

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

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professional shall be exempt as provided below for the respective percentages provided that a municipal corporation may establish a maximum exemption amount in its local law, ordinance or resolution, and provided further, a copy of the [LEED] certification for a qualified category is filed with the assessor's office and is approved by the assessor as meeting the requirements of this section and the municipal corporation's local law, ordinance or resolution. Such exemption shall be to the extent of any increase in assessed value resulting from the construction or reconstruction of a property meeting LEED, GREEN GLOBES RATING SYSTEM, NATIONAL GREEN BUILDING STANDARDS OR SIMILAR PROGRAM certification.

	LEED EXEMPTION		
YEAR	CERTIFIED/SILVER	GOLD	PLATINUM
1	100%	100%	100%
2	100%	100%	100%
3	100%	100%	100%
4	80%	100%	100%
5	60%	80%	100%
6	40%	60%	100%
7	20%	40%	80%
8	0%	20%	60%
9	0%	0%	40%
10	0%	0%	20%

S 2. This act shall take effect immediately.