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I N   S E N A T E

January 28, 2014

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Introduced by Sen. LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the real property tax law, in relation to authorizing school districts to grant an exemption to Cold War veterans

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

1     Section 1. Paragraph (a) of subdivision 2 of section 458-b of the real  
2     property tax law, as amended by chapter 235 of the laws of 2009, is  
3     amended to read as follows:

4     (a) Each county, city, town or village may adopt a local law, AND EACH  
5     SCHOOL DISTRICT MAY ADOPT A RESOLUTION, to provide that qualifying resi-  
6     dential real property shall be exempt from taxation to the extent of  
7     either: (i) ten percent of the assessed value of such property; provided  
8     however, that such exemption shall not exceed eight thousand dollars or  
9     the product of eight thousand dollars multiplied by the latest state  
10    equalization rate of the assessing unit, or, in the case of a special  
11    assessing unit, the latest class ratio, whichever is less or; (ii)  
12    fifteen percent of the assessed value of such property; provided howev-  
13    er, that such exemption shall not exceed twelve thousand dollars or the  
14    product of twelve thousand dollars multiplied by the latest state equal-  
15    ization rate for the assessing unit, or, in the case of a special  
16    assessing unit, the latest class ratio, whichever is less.

17    S 2. Subparagraphs (i) and (iii) of paragraph (c) of subdivision 2 of  
18    section 458-b of the real property tax law, as amended by chapter 235 of  
19    the laws of 2009, subparagraph (iii) as further amended by subdivision  
20    (b) of section 1 of part W of chapter 56 of the laws of 2010, are  
21    amended to read as follows:

22    (i) The exemption from taxation provided by this subdivision shall be  
23    applicable to county, city, town, [and] village, AND SCHOOL DISTRICT  
24    taxation[, but shall not be applicable to taxes levied for school  
25    purposes].

26    (iii) The exemption provided by paragraph (a) of this subdivision  
27    shall be granted for a period of ten years. The commencement of such ten

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

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1 year period shall be governed pursuant to this subparagraph. Where a  
2 qualified owner owns qualifying residential real property on the effec-  
3 tive date of the local law OR RESOLUTION providing for such exemption,  
4 such ten year period shall be measured from the assessment roll prepared  
5 pursuant to the first taxable status date occurring on or after the  
6 effective date of the local law OR RESOLUTION providing for such  
7 exemption. Where a qualified owner does not own qualifying residential  
8 real property on the effective date of the local law OR RESOLUTION  
9 providing for such exemption, such ten year period shall be measured  
10 from the assessment roll prepared pursuant to the first taxable status  
11 date occurring at least sixty days after the date of purchase of quali-  
12 fying residential real property; provided, however, that should the  
13 veteran apply for and be granted an exemption on the assessment roll  
14 prepared pursuant to a taxable status date occurring within sixty days  
15 after the date of purchase of residential real property, such ten year  
16 period shall be measured from the first assessment roll in which the  
17 exemption occurs. If, before the expiration of such ten year period,  
18 such exempt property is sold and replaced with other residential real  
19 property, such exemption may be granted pursuant to this subdivision for  
20 the unexpired portion of the ten year exemption period. Each county,  
21 city, town or village may adopt a local law, AND SCHOOL DISTRICT MAY  
22 ADOPT A RESOLUTION, to reduce the maximum exemption allowable in para-  
23 graphs (a) and (b) of this subdivision to six thousand dollars, nine  
24 thousand dollars and thirty thousand dollars, respectively, or four  
25 thousand dollars, six thousand dollars and twenty thousand dollars,  
26 respectively. Each county, city, town, or village is also authorized to  
27 adopt a local law, AND SCHOOL DISTRICT MAY ADOPT A RESOLUTION, to  
28 increase the maximum exemption allowable in paragraphs (a) and (b) of  
29 this subdivision to ten thousand dollars, fifteen thousand dollars and  
30 fifty thousand dollars, respectively; twelve thousand dollars, eighteen  
31 thousand dollars and sixty thousand dollars, respectively; fourteen  
32 thousand dollars, twenty-one thousand dollars and seventy thousand  
33 dollars, respectively; sixteen thousand dollars, twenty-four thousand  
34 dollars and eighty thousand dollars, respectively; eighteen thousand  
35 dollars, twenty-seven thousand dollars and ninety thousand dollars,  
36 respectively; twenty thousand dollars, thirty thousand dollars and one  
37 hundred thousand dollars, respectively; twenty-two thousand dollars,  
38 thirty-three thousand dollars and one hundred ten thousand dollars,  
39 respectively; twenty-four thousand dollars, thirty-six thousand dollars  
40 and one hundred twenty thousand dollars, respectively. In addition, a  
41 county, city, town or village which is a "high-appreciation municipi-  
42 pality" as defined in this subparagraph is authorized to adopt a local  
43 law, AND EACH SCHOOL DISTRICT WHICH IS WITHIN A HIGH-APPRECIATION MUNI-  
44 CIPALITY IS AUTHORIZED TO ADOPT A RESOLUTION, to increase the maximum  
45 exemption allowable in paragraphs (a) and (b) of this subdivision to  
46 twenty-six thousand dollars, thirty-nine thousand dollars and one  
47 hundred thirty thousand dollars, respectively; twenty-eight thousand  
48 dollars, forty-two thousand dollars and one hundred forty thousand  
49 dollars, respectively; thirty thousand dollars, forty-five thousand  
50 dollars and one hundred fifty thousand dollars, respectively; thirty-two  
51 thousand dollars, forty-eight thousand dollars and one hundred sixty  
52 thousand dollars, respectively; thirty-four thousand dollars, fifty-one  
53 thousand dollars and one hundred seventy thousand dollars, respectively;  
54 thirty-six thousand dollars, fifty-four thousand dollars and one hundred  
55 eighty thousand dollars, respectively. For purposes of this subpara-  
56 graph, a "high-appreciation municipality" means: (A) a special assessing

1 unit that is a city, (B) a county for which the commissioner has estab-  
2 lished a sales price differential factor for purposes of the STAR  
3 exemption authorized by section four hundred twenty-five of this title  
4 in three consecutive years, and (C) a city, town or village which is  
5 wholly or partly located within such a county.

6 S 3. Subdivision 5 of section 458-b of the real property tax law, as  
7 added by chapter 655 of the laws of 2007, is amended to read as follows:

8 5. A local law OR RESOLUTION adopted pursuant to this section may be  
9 repealed by the governing body of the applicable county, city, town,  
10 [or] village OR SCHOOL DISTRICT. Such repeal shall occur at least nine-  
11 ty days prior to the taxable status date of such county, city, town,  
12 [or] village OR SCHOOL DISTRICT.

13 S 4. This act shall take effect immediately.