

10126

I N A S S E M B L Y

May 11, 2016

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

AN ACT to amend the real property tax law, in relation to providing state aid to certain public school districts in which tax exempt entities are situated; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The real property tax law is amended by adding a new
2 section 546-a to read as follows:

3 S 546-A. STATE AID; EXEMPT LANDS OF TAX EXEMPT ENTITIES. 1. IN ANY
4 PUBLIC SCHOOL DISTRICT IN WHICH MORE THAN TWENTY-FIVE PERCENT OF THE
5 TOTAL ASSESSED VALUE OF REAL PROPERTY THEREIN, AS DETERMINED BY THE
6 ASSESSOR OF SUCH DISTRICT, IS OWNED BY TAX EXEMPT ENTITIES, THE STATE
7 SHALL MAKE PAYMENTS TO THOSE PUBLIC SCHOOL DISTRICTS IN ACCORDANCE WITH
8 THIS SECTION.

9 2. THE COMMISSIONER SHALL CREATE THE FORM OF APPLICATION A PUBLIC
10 SCHOOL DISTRICT MUST USE WHEN MAKING A SUBMISSION PURSUANT TO THIS
11 SECTION. THE COMMISSIONER SHALL ALSO ESTABLISH THE DATE BY WHICH ALL
12 APPLICATIONS MUST BE SUBMITTED. NO APPLICATIONS FOR PAYMENT SHALL BE
13 ACCEPTED AFTER THE DATE ESTABLISHED BY THE COMMISSIONER.

14 3. THE COMMISSIONER SHALL MAKE PAYMENTS, THE AGGREGATE OF WHICH SHALL
15 NOT EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS PER YEAR, PER
16 PUBLIC SCHOOL DISTRICT, ELIGIBLE PURSUANT TO SUBDIVISION ONE OF THIS
17 SECTION, THAT HAVE MADE TIMELY APPLICATION THEREFOR. FOR EACH SUCH
18 PUBLIC SCHOOL DISTRICT, THE PAYMENT SHALL BE COMPUTED AS FOLLOWS:

19 (A) SCHOOL DISTRICTS WHERE MORE THAN FORTY PERCENT OF THE TOTAL
20 ASSESSED VALUE OF REAL PROPERTY THEREIN IS OWNED BY TAX EXEMPT ENTITIES
21 SHALL RECEIVE A MAXIMUM OF FIVE HUNDRED THOUSAND DOLLARS; SCHOOL
22 DISTRICTS WHERE MORE THAN FORTY-FIVE PERCENT OF THE TOTAL ASSESSED VALUE
23 OF REAL PROPERTY THEREIN IS OWNED BY TAX EXEMPT ENTITIES SHALL RECEIVE A
24 MAXIMUM OF SEVEN HUNDRED FIFTY THOUSAND DOLLARS; SCHOOL DISTRICTS WHERE
25 MORE THAN FIFTY PERCENT OF THE TOTAL ASSESSED VALUE OF REAL PROPERTY
26 THEREIN IS OWNED BY TAX EXEMPT ENTITIES SHALL RECEIVE A MAXIMUM OF ONE

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

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1 MILLION DOLLARS; SCHOOL DISTRICTS WHERE MORE THAN FIFTY-FIVE PERCENT OF
2 THE TOTAL ASSESSED VALUE OF REAL PROPERTY THEREIN IS OWNED BY TAX EXEMPT
3 ENTITIES SHALL RECEIVE A MAXIMUM OF ONE MILLION FIVE HUNDRED THOUSAND
4 DOLLARS; SCHOOL DISTRICTS WHERE MORE THAN SIXTY PERCENT OF THE TOTAL
5 ASSESSED VALUE OF REAL PROPERTY THEREIN IS OWNED BY TAX EXEMPT ENTITIES
6 SHALL RECEIVE A MAXIMUM OF TWO MILLION DOLLARS; AND SCHOOL DISTRICTS
7 WHERE MORE THAN SIXTY-FIVE PERCENT OF THE TOTAL ASSESSED VALUE OF REAL
8 PROPERTY THEREIN IS OWNED BY TAX EXEMPT ENTITIES SHALL RECEIVE A MAXIMUM
9 OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS;

10 (B) MULTIPLY THE MAXIMUM ENTITLEMENT FOR EACH HIGH NEEDS RURAL, SUBUR-
11 BAN, OR URBAN SCHOOL DISTRICT, AS DETERMINED BY THE DEPARTMENT OF EDUCA-
12 TION, BY 1; MULTIPLY THE MAXIMUM ENTITLEMENT FOR EACH ROCHESTER,
13 BUFFALO, SYRACUSE, YONKERS, NEW YORK CITY, OR AVERAGE NEEDS SCHOOL
14 DISTRICT, AS DETERMINED BY THE DEPARTMENT OF EDUCATION, BY 0.5; MULTIPLY
15 THE MAXIMUM ENTITLEMENT FOR EACH LOW NEEDS SCHOOL DISTRICT, AS DETER-
16 MINED BY THE DEPARTMENT OF EDUCATION, BY 0;

17 (C) FOR SCHOOL DISTRICTS WITH MORE THAN EIGHT HUNDRED FIFTY STUDENTS,
18 MULTIPLY THAT FIGURE BY 1; FOR SCHOOL DISTRICTS WITH TWO HUNDRED EIGHTY
19 TO EIGHT HUNDRED FORTY-NINE STUDENTS, MULTIPLY THAT FIGURE BY 0.7; FOR
20 SCHOOL DISTRICTS WITH TWO HUNDRED SEVENTY-NINE STUDENTS OR LESS, MULTI-
21 PLY THAT FIGURE BY 0.4;

22 (D) AT THE END OF EACH FISCAL YEAR THE COMMISSIONER SHALL CALCULATE
23 AND ESTABLISH AN ADJUSTED REIMBURSEMENT RATE BY INCREASING THE THEN
24 CURRENT REIMBURSEMENT RATE BY THE RATE OF INFLATION FOR THE MOST RECENT
25 TWELVE MONTH PERIOD USING THE CONSUMER PRICE INDEX-ALL URBAN CONSUMERS,
26 OR A SUCCESSOR INDEX AS CALCULATED BY THE UNITED STATES DEPARTMENT OF
27 LABOR, IF SUCH RATE OF INFLATION IS GREATER THAN ZERO PERCENT, OR, IF
28 GREATER, SUCH OTHER WAGE AS MAY BE ESTABLISHED BY FEDERAL LAW PURSUANT
29 TO 29 U.S.C. SECTION 206 OR ITS SUCCESSORS OR SUCH OTHER WAGE AS MAY BE
30 ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

31 4. THE COMMISSIONER SHALL PROMULGATE ALL RULES AND REGULATIONS NECES-
32 SARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION.

33 5. WHEN CALCULATING THE ASSESSED VALUE OF ANY PARCEL OF PROPERTY FOR
34 PURPOSES OF THIS SECTION, THE VALUE IN ANY YEAR MAY NOT BE GREATER THAN
35 THE BASE YEAR PLUS TWO PERCENT FOR EACH ADDITIONAL YEAR BEYOND THE BASE
36 YEAR. THE BASE YEAR FOR ALL PROPERTY FOR PURPOSES OF THIS SECTION SHALL
37 BE THE ASSESSED VALUE OF SUCH PROPERTY FOR THE TWO THOUSAND FIFTEEN--TWO
38 THOUSAND SIXTEEN ASSESSMENT ROLL.

39 6. THE ASSESSED VALUE OF ANY PROPERTY THAT RECEIVES TAX EXEMPT STATUS
40 AFTER THE EFFECTIVE DATE OF THIS SECTION MUST BE EQUIVALENT TO SIMILARLY
41 SITUATED PARCELS. THE COMMISSIONER MAY REFUSE TO INCLUDE A PARCEL IN THE
42 CALCULATIONS REQUIRED BY THIS SECTION IF THE COMMISSIONER DETERMINES
43 THAT THE ASSESSED VALUE OF SUCH PARCEL IS ARTIFICIALLY HIGH AND
44 DISPROPORTIONATE TO THE TAXABLE PARCELS LOCATED WITHIN THE PUBLIC SCHOOL
45 DISTRICTS.

46 S 2. This act shall take effect on the first of January next succeed-
47 ing the date on which it shall have become a law and shall apply to
48 assessment rolls prepared on the basis of taxable status dates occurring
49 on or after the first of July next succeeding the date on which this act
50 shall have become a law. This act shall expire 5 years after such
51 effective date when upon such date the provisions of this act shall be
52 deemed repealed. Effective immediately, any rules and regulations
53 necessary to implement the provisions of this act on its effective date
54 are authorized to be made on or before such date.