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

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2015-2016 Regular Sessions

I N A S S E M B L Y

March 25, 2015

Introduced by M. of A. OAKS, KOLB, CORWIN, HAWLEY, WALTER -- Multi-Sponsored by -- M. of A. BARCLAY, DUPREY, FINCH, LALOR, RAIA, SALADINO, TENNEY -- read once and referred to the Committee on Real Property Taxation

AN ACT in relation to authorizing the commissioner of taxation and finance to study the feasibility of reducing the number of assessing units and equalization rates

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

Section 1. The commissioner of taxation and finance shall study the feasibility of reducing the number of assessing units and equalization rates. Such study shall include, but not be limited to, a review and the impact of the following steps:

1. The elimination of all villages (except coterminous) as assessing units, which now requires approximately two hundred seventy-five additional equalization rates from being calculated each year.

2. The realignment of school district boundaries to more closely agree with town, city and county boundaries; however, taking appropriate geographical hindrances into consideration. The study shall consider the grandfathering of existing primary and secondary school children living in one and two family residences until property is transferred. For the purposes of this study, taxes are paid to the new district, with "tuition money" (taxes collected by grandfathered properties), transferred from the new district to the old district in accordance with the appropriate change in the education law. This would eliminate approximately fifty special segment rates currently being performed if fully implemented.

3. The requirement of the commissioner of taxation and finance to use the current assessment roll as the base year roll for its sampling of appraisals to increase the accuracy of special equalization rates.

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

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4. The requirement that the school tax roll be based on the previous year's assessment roll instead of the current year. This would give the state four months to complete all special rates instead of four weeks. This would allow for subdivision three of this section to be accomplished.

5. The requirement that all towns not of first class size as defined by the most current federal census and article 2 of the town law consolidate with one or more towns or cities within the same county to be of sufficient size (at least four thousand parcels combined). Any town not of first class size as defined by the federal census, but having at least four thousand parcels of properties as indicated by the latest final assessment roll would also be exempt from being required to consolidate. If a required town fails to consolidate by a designated date or if a town drops out of a consolidated assessing unit and does not rejoin another consolidation, the following year, the state may withhold the appropriate state aid monies until such time as the municipality complies. All cities would be exempt from this provision; however, other cities or towns could form a consolidated assessing unit with a city. Counties which are authorized to assess properties within their boundaries (Nassau and Tompkins) would be exempt from the consolidation requirement.

6. The requirement that periodic assessment updates be completed every six years unless the coefficient of dispersion (a statistical measure of uniformity) based on a current year of sales, is within acceptable ranges as currently defined for maintenance aid. (Less than twenty, seventeen, or fifteen depending on population per square mile as defined by federal census.) If the coefficient of dispersion is within acceptable ranges the maximum allowed time could be extended to ten years.

7. The review of current procedures in use by the commissioner of taxation and finance in regards to the valuation of utility properties. Evaluate the current split in responsibilities of special franchise and private property valuations and recommend a determination of same. Conduct additional training if necessary to allow for competency at the local level.

8. The requirement that assessor positions will be designated as sole assessor. The assessing unit would retain the option to make this position elected or appointed.

S 2. A report of the study, outlining the impact of each of the above steps, shall be filed with the governor, the temporary president of the senate, the minority leader of the senate, the speaker of the assembly and the minority leader of the assembly on or before December 31, 2016.

S 3. This act shall take effect immediately.