

605

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

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

AN ACT to amend the real property tax law, in relation to granting a real property tax exemption to nonprofit organizations that purchase real property after the taxable status date

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

1 Section 1. Subdivision 13 of section 420-a of the real property tax
2 law, as added by chapter 630 of the laws of 1997, is renumbered subdivi-
3 sion 15 and a new subdivision 16 is added to read as follows:
4 16. (A) (I) FOR THE PURPOSES OF THIS SUBDIVISION, "MUNICIPAL CORPO-
5 RATION" SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE OR SCHOOL DISTRICT
6 WHICH, AFTER PUBLIC HEARING, ADOPTS A LOCAL LAW, ORDINANCE OR RESOL-
7 UTION, PROVIDING THAT THIS SUBDIVISION SHALL BE APPLICABLE TO NONPROFIT
8 ORGANIZATIONS WITHIN ITS JURISDICTION. SUCH LOCAL LAW, ORDINANCE OR
9 RESOLUTION SHALL APPLY TO PROPERTY TRANSFERS OCCURRING ON OR AFTER THE
10 EFFECTIVE DATE OF SUCH LOCAL LAW, ORDINANCE OR RESOLUTION. A COPY OF
11 SUCH LOCAL LAW, ORDINANCE OR RESOLUTION SHALL BE FILED WITH THE COMMIS-
12 SIONER.
13 (II) WHERE A NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR AN
14 EXEMPTION PURSUANT TO THIS SECTION, PURCHASES PROPERTY AFTER THE LEVY OF
15 TAXES, SUCH NONPROFIT ORGANIZATION MAY, IF PERMITTED BY A LOCAL LAW,
16 ORDINANCE OR RESOLUTION OF THE MUNICIPAL CORPORATION IN WHICH THE
17 NONPROFIT ORGANIZATION IS LOCATED, FILE AN APPLICATION FOR EXEMPTION
18 WITH THE ASSESSOR NO LATER THAN THE TIME SPECIFIED IN SUCH LOCAL LAW,
19 ORDINANCE OR RESOLUTION. THE ASSESSOR SHALL MAKE A DETERMINATION OF
20 WHETHER THE PARCEL WOULD HAVE QUALIFIED FOR EXEMPT STATUS ON THE TAX
21 ROLL ON WHICH THE TAXES WERE LEVIED, HAD TITLE TO THE PARCEL BEEN IN THE
22 NAME OF THE APPLICANT ON THE TAXABLE STATUS DATE APPLICABLE TO THE TAX
23 ROLL. THE APPLICATION SHALL BE ON A FORM PRESCRIBED BY THE COMMISSIONER.

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

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1 THE ASSESSOR, NO LATER THAN THIRTY DAYS AFTER RECEIPT OF SUCH APPLICA-
2 TION, SHALL NOTIFY BOTH THE APPLICANT AND THE BOARD OF ASSESSMENT
3 REVIEW, BY FIRST CLASS MAIL, OF THE EXEMPT AMOUNT, IF ANY, AND THE RIGHT
4 OF THE OWNER TO A REVIEW OF THE EXEMPT AMOUNT UPON THE FILING OF A WRIT-
5 TEN COMPLAINT. SUCH COMPLAINT SHALL BE ON A FORM PRESCRIBED BY THE
6 COMMISSIONER AND SHALL BE FILED WITH THE BOARD OF ASSESSMENT REVIEW
7 WITHIN TWENTY DAYS OF THE MAILING OF SUCH NOTICE. IF NO COMPLAINT IS
8 RECEIVED, THE BOARD OF ASSESSMENT REVIEW SHALL SO NOTIFY THE ASSESSOR
9 AND THE EXEMPT AMOUNT DETERMINED BY THE ASSESSOR SHALL BE FINAL. IF THE
10 APPLICANT FILES A COMPLAINT, THE BOARD OF ASSESSMENT REVIEW SHALL SCHED-
11 ULE A TIME AND PLACE FOR A HEARING WITH RESPECT THERETO NO LATER THAN
12 THIRTY DAYS AFTER THE MAILING OF THE NOTICE BY THE ASSESSOR. THE BOARD
13 OF ASSESSMENT REVIEW SHALL MEET AND DETERMINE THE EXEMPT AMOUNT, AND
14 SHALL IMMEDIATELY NOTIFY THE ASSESSOR AND THE APPLICANT, BY FIRST CLASS
15 MAIL, OF ITS DETERMINATION. THE AMOUNT OF EXEMPTION DETERMINED PURSUANT
16 TO THIS PARAGRAPH SHALL BE SUBJECT TO REVIEW AS PROVIDED IN ARTICLE
17 SEVEN OF THIS CHAPTER. SUCH A PROCEEDING SHALL BE COMMENCED WITHIN THIR-
18 TY DAYS OF THE MAILING OF THE NOTICE OF THE BOARD OF ASSESSMENT REVIEW
19 TO THE NEW OWNER AS PROVIDED IN THIS PARAGRAPH.

20 (III) UPON RECEIPT OF A DETERMINATION OF THE EXEMPT AMOUNT AS PROVIDED
21 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE ASSESSOR SHALL DETERMINE THE
22 PRO RATA EXEMPTION TO BE CREDITED TOWARD SUCH PROPERTY BY MULTIPLYING
23 THE TAX RATE OR TAX RATES FOR EACH MUNICIPAL CORPORATION WHICH LEVIED
24 TAXES, OR FOR WHICH TAXES WERE LEVIED, ON THE APPROPRIATE TAX ROLL USED
25 FOR THE FISCAL YEAR OR YEARS DURING WHICH THE TRANSFER OCCURRED TIMES
26 THE EXEMPT AMOUNT, AS DETERMINED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,
27 TIMES THE FRACTION OF EACH FISCAL YEAR OR YEARS REMAINING SUBSEQUENT TO
28 THE TRANSFER OF TITLE. THE ASSESSOR SHALL IMMEDIATELY TRANSMIT A STATE-
29 MENT OF THE PRO RATA EXEMPTION CREDIT DUE TO EACH MUNICIPAL CORPORATION
30 WHICH LEVIED TAXES OR FOR WHICH TAXES WERE LEVIED ON THE TAX ROLL USED
31 FOR THE FISCAL YEAR OR YEARS DURING WHICH THE TRANSFER OCCURRED AND TO
32 THE APPLICANT.

33 (IV) EACH MUNICIPAL CORPORATION WHICH RECEIVES NOTICE OF PRO RATA
34 EXEMPTION CREDITS PURSUANT TO THIS SUBDIVISION SHALL INCLUDE AN APPRO-
35 PRIATION IN ITS BUDGET FOR THE NEXT FISCAL YEAR EQUAL TO THE AGGREGATE
36 AMOUNT OF SUCH CREDITS TO BE APPLIED IN THAT FISCAL YEAR. WHERE A
37 PARCEL, THE OWNER OF WHICH IS ENTITLED TO A PRO RATA EXEMPTION CREDIT,
38 IS SUBJECT TO TAXATION IN SAID NEXT FISCAL YEAR, THE RECEIVER OR COLLEC-
39 TOR SHALL APPLY THE CREDIT TO REDUCE THE AMOUNT OF TAXES OWED FOR THE
40 PARCEL IN SUCH FISCAL YEAR. PRO RATA EXEMPTION CREDITS IN EXCESS OF THE
41 AMOUNT OF TAXES, IF ANY, OWED FOR THE PARCEL SHALL BE PAID BY THE TREAS-
42 URER OF A MUNICIPAL CORPORATION WHICH LEVIES SUCH TAXES FOR OR ON BEHALF
43 OF THE MUNICIPAL CORPORATION TO ALL OWNERS OF PROPERTY ENTITLED TO SUCH
44 CREDITS WITHIN THIRTY DAYS OF THE EXPIRATION OF THE WARRANT TO COLLECT
45 TAXES IN SAID NEXT FISCAL YEAR. NOTWITHSTANDING THE FOREGOING, WHERE
46 THE MUNICIPAL CORPORATION HAS BEEN REIMBURSED BY ANOTHER MUNICIPAL
47 CORPORATION FOR THE TAX CREDIT TO BE PAID TO THE OWNER PURSUANT TO THIS
48 SUBDIVISION, SUCH CREDIT SHALL BE PAID TO SUCH MUNICIPAL CORPORATION
49 INSTEAD OF SUCH OWNER.

50 (B) (I) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, WHERE A
51 NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR AN EXEMPTION
52 PURSUANT TO THIS SECTION, PURCHASES PROPERTY AFTER THE TAXABLE STATUS
53 DATE BUT PRIOR TO THE LEVY OF TAXES, SUCH NONPROFIT ORGANIZATION MAY, IF
54 PERMITTED BY A LOCAL LAW, ORDINANCE OR RESOLUTION OF THE MUNICIPAL
55 CORPORATION IN WHICH THE NONPROFIT ORGANIZATION IS LOCATED, FILE AN
56 APPLICATION FOR AN EXEMPTION WITH THE ASSESSOR WITHIN THIRTY DAYS OF THE

TRANSFER OF TITLE TO SUCH NONPROFIT ORGANIZATION. THE ASSESSOR SHALL MAKE A DETERMINATION WITHIN THIRTY DAYS AFTER RECEIPT OF SUCH APPLICATION OF WHETHER THE APPLICANT WOULD QUALIFY FOR AN EXEMPTION PURSUANT TO THIS SECTION ON THE ASSESSMENT ROLL IF TITLE HAD BEEN IN THE NAME OF THE APPLICANT ON THE TAXABLE STATUS DATE APPLICABLE TO SUCH ASSESSMENT ROLL. THE APPLICATION SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER.

(II) IF THE ASSESSOR'S DETERMINATION IS MADE PRIOR TO THE FILING OF THE TENTATIVE ASSESSMENT ROLL, THE ASSESSOR SHALL ENTER THE EXEMPT AMOUNT, IF ANY, ON THE TENTATIVE ASSESSMENT ROLL AND, WITHIN TEN DAYS AFTER FILING SUCH ROLL, NOTIFY THE APPLICANT OF THE APPROVAL OR DENIAL OF SUCH EXEMPTION, THE EXEMPT AMOUNT, IF ANY, AND THE APPLICANT'S RIGHT TO REVIEW BY THE BOARD OF ASSESSMENT REVIEW.

(III) IF THE ASSESSOR'S DETERMINATION IS MADE AFTER THE FILING OF THE TENTATIVE ASSESSMENT ROLL, THE ASSESSOR SHALL PETITION THE BOARD OF ASSESSMENT REVIEW TO CORRECT THE TENTATIVE OR FINAL ASSESSMENT ROLL IN THE MANNER PROVIDED IN TITLE THREE OF ARTICLE FIVE OF THIS CHAPTER, WITH RESPECT TO UNLAWFUL ENTRIES, IN THE CASE OF WHOLLY EXEMPT PARCELS, AND WITH RESPECT OF CLERICAL ERRORS, IN THE CASE OF PARTIALLY EXEMPT PARCELS, IF THE ASSESSOR DETERMINES THAT AN EXEMPTION SHOULD BE GRANTED AND, WITHIN TEN DAYS OF PETITIONING THE BOARD OF ASSESSMENT REVIEW, NOTIFY THE APPLICANT OF THE APPROVAL OR DENIAL OF SUCH EXEMPTION, THE AMOUNT OF SUCH EXEMPTION, IF ANY, AND THE APPLICANT'S RIGHT TO ADMINISTRATIVE OR JUDICIAL REVIEW OF SUCH DETERMINATION PURSUANT TO ARTICLE FIVE OR SEVEN OF THIS CHAPTER, RESPECTIVELY.

(C) IF, FOR ANY REASON, A DETERMINATION TO EXEMPT PROPERTY FROM TAXATION AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION IS NOT ENTERED ON THE FINAL ASSESSMENT ROLL, THE ASSESSOR SHALL PETITION THE BOARD OF ASSESSMENT REVIEW TO CORRECT THE FINAL ASSESSMENT ROLL.

(D) IF, FOR ANY REASON, THE PRO RATA TAX CREDIT AS PROVIDED IN PARAGRAPH (A) OF THIS SUBDIVISION IS NOT EXTENDED AGAINST THE TAX ROLL IMMEDIATELY SUCCEEDING THE FISCAL YEAR DURING WHICH THE TRANSFER OCCURRED, THE ASSESSOR SHALL IMMEDIATELY NOTIFY THE MUNICIPAL CORPORATION WHICH LEVIED THE TAX OR FOR WHICH THE TAXES WERE LEVIED OF THE AMOUNT OF PRO RATA EXEMPTION CREDITS FOR THE YEAR IN WHICH SUCH TRANSFER OCCURRED. SUCH MUNICIPAL CORPORATION SHALL PROCEED AS PROVIDED IN SUBPARAGRAPH (IV) OF PARAGRAPH (A) OF THIS SUBDIVISION.

(E) IF, FOR ANY REASON, A DETERMINATION TO EXEMPT PROPERTY FROM TAXATION AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION IS NOT ENTERED ON THE TAX ROLL FOR THE YEAR IMMEDIATELY SUCCEEDING THE FISCAL YEAR DURING WHICH THE TRANSFER OCCURRED, THE ASSESSOR SHALL DETERMINE THE PRO RATA TAX EXEMPTION CREDIT FOR SUCH TAX ROLL BY MULTIPLYING THE TAX RATE OR TAX RATES FOR EACH MUNICIPAL CORPORATION WHICH LEVIED TAXES OR FOR WHICH TAXES WERE LEVIED TIMES THE EXEMPT AMOUNT AND SHALL IMMEDIATELY NOTIFY SUCH MUNICIPAL CORPORATION OR CORPORATIONS OF THE PRO RATA EXEMPTION CREDITS FOR SUCH TAX ROLL. SUCH MUNICIPAL CORPORATION SHALL ADD SUCH PRO RATA EXEMPTION CREDITS FOR SUCH PROPERTY TO ANY OUTSTANDING PRO RATA EXEMPTION AMOUNTS AND PROCEED AS PROVIDED IN SUBPARAGRAPH (IV) OF PARAGRAPH (A) OF THIS SUBDIVISION.

S 2. Section 420-b of the real property tax law is amended by adding a new subdivision 8 to read as follows:

8. (A) (I) FOR THE PURPOSES OF THIS SUBDIVISION, "MUNICIPAL CORPORATION" SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE OR SCHOOL DISTRICT WHICH, AFTER PUBLIC HEARING, ADOPTS A LOCAL LAW, ORDINANCE OR RESOLUTION, PROVIDING THAT THIS SUBDIVISION SHALL BE APPLICABLE TO NONPROFIT ORGANIZATIONS WITHIN ITS JURISDICTION. SUCH LOCAL LAW, ORDINANCE OR RESOLUTION SHALL APPLY TO PROPERTY TRANSFERS OCCURRING ON OR AFTER THE

1 EFFECTIVE DATE OF SUCH LOCAL LAW, ORDINANCE OR RESOLUTION. A COPY OF
2 SUCH LOCAL LAW, ORDINANCE OR RESOLUTION SHALL BE FILED WITH THE COMMIS-
3 SIONER.

4 (II) WHERE A NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR AN
5 EXEMPTION PURSUANT TO THIS SECTION, PURCHASES PROPERTY AFTER THE LEVY OF
6 TAXES, SUCH NONPROFIT ORGANIZATION MAY FILE, IF PERMITTED BY A LOCAL
7 LAW, ORDINANCE OR RESOLUTION OF THE MUNICIPAL CORPORATION IN WHICH THE
8 NONPROFIT ORGANIZATION IS LOCATED, AN APPLICATION FOR EXEMPTION WITH THE
9 ASSESSOR NO LATER THAN THE TIME SPECIFIED IN SUCH LOCAL LAW, ORDINANCE
10 OR RESOLUTION. THE ASSESSOR SHALL MAKE A DETERMINATION OF WHETHER THE
11 PARCEL WOULD HAVE QUALIFIED FOR EXEMPT STATUS ON THE TAX ROLL ON WHICH
12 THE TAXES WERE LEVIED, HAD TITLE TO THE PARCEL BEEN IN THE NAME OF THE
13 APPLICANT ON THE TAXABLE STATUS DATE APPLICABLE TO THE TAX ROLL. THE
14 APPLICATION SHALL BE ON A FORM PRESCRIBED BY THE COMMISSIONER. THE
15 ASSESSOR, NO LATER THAN THIRTY DAYS AFTER RECEIPT OF SUCH APPLICATION,
16 SHALL NOTIFY BOTH THE APPLICANT AND THE BOARD OF ASSESSMENT REVIEW, BY
17 FIRST CLASS MAIL, OF THE EXEMPT AMOUNT, IF ANY, AND THE RIGHT OF THE
18 OWNER TO A REVIEW OF THE EXEMPT AMOUNT UPON THE FILING OF A WRITTEN
19 COMPLAINT. SUCH COMPLAINT SHALL BE ON A FORM PRESCRIBED BY THE COMMIS-
20 SIONER AND SHALL BE FILED WITH THE BOARD OF ASSESSMENT REVIEW WITHIN
21 TWENTY DAYS OF THE MAILING OF SUCH NOTICE. IF NO COMPLAINT IS RECEIVED,
22 THE BOARD OF ASSESSMENT REVIEW SHALL SO NOTIFY THE ASSESSOR AND THE
23 EXEMPT AMOUNT DETERMINED BY THE ASSESSOR SHALL BE FINAL. IF THE APPLI-
24 CANT FILES A COMPLAINT, THE BOARD OF ASSESSMENT REVIEW SHALL SCHEDULE A
25 TIME AND PLACE FOR A HEARING WITH RESPECT THERETO NO LATER THAN THIRTY
26 DAYS AFTER THE MAILING OF THE NOTICE BY THE ASSESSOR. THE BOARD OF
27 ASSESSMENT REVIEW SHALL MEET AND DETERMINE THE EXEMPT AMOUNT, AND SHALL
28 IMMEDIATELY NOTIFY THE ASSESSOR AND THE APPLICANT, BY FIRST CLASS MAIL,
29 OF ITS DETERMINATION. THE AMOUNT OF EXEMPTION DETERMINED PURSUANT TO
30 THIS PARAGRAPH SHALL BE SUBJECT TO REVIEW AS PROVIDED IN ARTICLE SEVEN
31 OF THIS CHAPTER. SUCH A PROCEEDING SHALL BE COMMENCED WITHIN THIRTY DAYS
32 OF THE MAILING OF THE NOTICE OF THE BOARD OF ASSESSMENT REVIEW TO THE
33 NEW OWNER AS PROVIDED IN THIS PARAGRAPH.

34 (III) UPON RECEIPT OF A DETERMINATION OF THE EXEMPT AMOUNT AS PROVIDED
35 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE ASSESSOR SHALL DETERMINE THE
36 PRO RATA EXEMPTION TO BE CREDITED TOWARD SUCH PROPERTY BY MULTIPLYING
37 THE TAX RATE OR TAX RATES FOR EACH MUNICIPAL CORPORATION WHICH LEVIED
38 TAXES, OR FOR WHICH TAXES WERE LEVIED, ON THE APPROPRIATE TAX ROLL USED
39 FOR THE FISCAL YEAR OR YEARS DURING WHICH THE TRANSFER OCCURRED TIMES
40 THE EXEMPT AMOUNT, AS DETERMINED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,
41 TIMES THE FRACTION OF EACH FISCAL YEAR OR YEARS REMAINING SUBSEQUENT TO
42 THE TRANSFER OF TITLE. THE ASSESSOR SHALL IMMEDIATELY TRANSMIT A STATE-
43 MENT OF THE PRO RATA EXEMPTION CREDIT DUE TO EACH MUNICIPAL CORPORATION
44 WHICH LEVIED TAXES OR FOR WHICH TAXES WERE LEVIED ON THE TAX ROLL USED
45 FOR THE FISCAL YEAR OR YEARS DURING WHICH THE TRANSFER OCCURRED AND TO
46 THE APPLICANT.

47 (IV) EACH MUNICIPAL CORPORATION WHICH RECEIVES NOTICE OF PRO RATA
48 EXEMPTION CREDITS PURSUANT TO THIS SUBDIVISION SHALL INCLUDE AN APPRO-
49 PRIATION IN ITS BUDGET FOR THE NEXT FISCAL YEAR EQUAL TO THE AGGREGATE
50 AMOUNT OF SUCH CREDITS TO BE APPLIED IN THAT FISCAL YEAR. WHERE A
51 PARCEL, THE OWNER OF WHICH IS ENTITLED TO A PRO RATA EXEMPTION CREDIT,
52 IS SUBJECT TO TAXATION IN SAID NEXT FISCAL YEAR, THE RECEIVER OR COLLEC-
53 TOR SHALL APPLY THE CREDIT TO REDUCE THE AMOUNT OF TAXES OWED FOR THE
54 PARCEL IN SUCH FISCAL YEAR. PRO RATA EXEMPTION CREDITS IN EXCESS OF THE
55 AMOUNT OF TAXES, IF ANY, OWED FOR THE PARCEL SHALL BE PAID BY THE TREAS-
56 URER OF A MUNICIPAL CORPORATION WHICH LEVIES SUCH TAXES FOR OR ON BEHALF

1 OF THE MUNICIPAL CORPORATION TO ALL OWNERS OF PROPERTY ENTITLED TO SUCH
2 CREDITS WITHIN THIRTY DAYS OF THE EXPIRATION OF THE WARRANT TO COLLECT
3 TAXES IN SAID NEXT FISCAL YEAR. NOTWITHSTANDING THE FOREGOING, WHERE
4 THE MUNICIPAL CORPORATION HAS BEEN REIMBURSED BY ANOTHER MUNICIPAL
5 CORPORATION FOR THE TAX CREDIT TO BE PAID TO THE OWNER PURSUANT TO THIS
6 SUBDIVISION, SUCH CREDIT SHALL BE PAID TO SUCH MUNICIPAL CORPORATION
7 INSTEAD OF SUCH OWNER.

8 (B) (I) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, WHERE A
9 NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR AN EXEMPTION
10 PURSUANT TO THIS SECTION, PURCHASES PROPERTY AFTER THE TAXABLE STATUS
11 DATE BUT PRIOR TO THE LEVY OF TAXES, SUCH NONPROFIT ORGANIZATION MAY, IF
12 PERMITTED BY A LOCAL LAW, ORDINANCE OR RESOLUTION OF THE MUNICIPAL
13 CORPORATION IN WHICH THE NONPROFIT ORGANIZATION IS LOCATED, FILE AN
14 APPLICATION FOR AN EXEMPTION WITH THE ASSESSOR WITHIN THIRTY DAYS OF THE
15 TRANSFER OF TITLE TO SUCH NONPROFIT ORGANIZATION. THE ASSESSOR SHALL
16 MAKE A DETERMINATION WITHIN THIRTY DAYS AFTER RECEIPT OF SUCH APPLICA-
17 TION OF WHETHER THE APPLICANT WOULD QUALIFY FOR AN EXEMPTION PURSUANT TO
18 THIS SECTION ON THE ASSESSMENT ROLL IF TITLE HAD BEEN IN THE NAME OF THE
19 APPLICANT ON THE TAXABLE STATUS DATE APPLICABLE TO SUCH ASSESSMENT ROLL.
20 THE APPLICATION SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER.

21 (II) IF THE ASSESSOR'S DETERMINATION IS MADE PRIOR TO THE FILING OF
22 THE TENTATIVE ASSESSMENT ROLL, THE ASSESSOR SHALL ENTER THE EXEMPT
23 AMOUNT, IF ANY, ON THE TENTATIVE ASSESSMENT ROLL AND, WITHIN TEN DAYS
24 AFTER FILING SUCH ROLL, NOTIFY THE APPLICANT OF THE APPROVAL OR DENIAL
25 OF SUCH EXEMPTION, THE EXEMPT AMOUNT, IF ANY, AND THE APPLICANT'S RIGHT
26 TO REVIEW BY THE BOARD OF ASSESSMENT REVIEW.

27 (III) IF THE ASSESSOR'S DETERMINATION IS MADE AFTER THE FILING OF THE
28 TENTATIVE ASSESSMENT ROLL, THE ASSESSOR SHALL PETITION THE BOARD OF
29 ASSESSMENT REVIEW TO CORRECT THE TENTATIVE OR FINAL ASSESSMENT ROLL IN
30 THE MANNER PROVIDED IN TITLE THREE OF ARTICLE FIVE OF THIS CHAPTER, WITH
31 RESPECT TO UNLAWFUL ENTRIES, IN THE CASE OF WHOLLY EXEMPT PARCELS, AND
32 WITH RESPECT OF CLERICAL ERRORS, IN THE CASE OF PARTIALLY EXEMPT
33 PARCELS, IF THE ASSESSOR DETERMINES THAT AN EXEMPTION SHOULD BE GRANTED
34 AND, WITHIN TEN DAYS OF PETITIONING THE BOARD OF ASSESSMENT REVIEW,
35 NOTIFY THE APPLICANT OF THE APPROVAL OR DENIAL OF SUCH EXEMPTION, THE
36 AMOUNT OF SUCH EXEMPTION, IF ANY, AND THE APPLICANT'S RIGHT TO ADMINIS-
37 TRATIVE OR JUDICIAL REVIEW OF SUCH DETERMINATION PURSUANT TO ARTICLE
38 FIVE OR SEVEN OF THIS CHAPTER, RESPECTIVELY.

39 (C) IF, FOR ANY REASON, A DETERMINATION TO EXEMPT PROPERTY FROM TAXA-
40 TION AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION IS NOT ENTERED ON
41 THE FINAL ASSESSMENT ROLL, THE ASSESSOR SHALL PETITION THE BOARD OF
42 ASSESSMENT REVIEW TO CORRECT THE FINAL ASSESSMENT ROLL.

43 (D) IF, FOR ANY REASON, THE PRO RATA TAX CREDIT AS PROVIDED IN PARA-
44 GRAPH (A) OF THIS SUBDIVISION IS NOT EXTENDED AGAINST THE TAX ROLL IMME-
45 DIATELY SUCCEEDING THE FISCAL YEAR DURING WHICH THE TRANSFER OCCURRED,
46 THE ASSESSOR SHALL IMMEDIATELY NOTIFY THE MUNICIPAL CORPORATION WHICH
47 LEVIED THE TAX OR FOR WHICH THE TAXES WERE LEVIED OF THE AMOUNT OF PRO
48 RATA EXEMPTION CREDITS FOR THE YEAR IN WHICH SUCH TRANSFER OCCURRED.
49 SUCH MUNICIPAL CORPORATION SHALL PROCEED AS PROVIDED IN SUBPARAGRAPH
50 (IV) OF PARAGRAPH (A) OF THIS SUBDIVISION.

51 (E) IF, FOR ANY REASON, A DETERMINATION TO EXEMPT PROPERTY FROM TAXA-
52 TION AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION IS NOT ENTERED ON
53 THE TAX ROLL FOR THE YEAR IMMEDIATELY SUCCEEDING THE FISCAL YEAR DURING
54 WHICH THE TRANSFER OCCURRED, THE ASSESSOR SHALL DETERMINE THE PRO RATA
55 TAX EXEMPTION CREDIT FOR SUCH TAX ROLL BY MULTIPLYING THE TAX RATE OR
56 TAX RATES FOR EACH MUNICIPAL CORPORATION WHICH LEVIED TAXES OR FOR WHICH

1 TAXES WERE LEVIED TIMES THE EXEMPT AMOUNT AND SHALL IMMEDIATELY NOTIFY
2 SUCH MUNICIPAL CORPORATION OR CORPORATIONS OF THE PRO RATA EXEMPTION
3 CREDITS FOR SUCH TAX ROLL. SUCH MUNICIPAL CORPORATION SHALL ADD SUCH PRO
4 RATA EXEMPTION CREDITS FOR SUCH PROPERTY TO ANY OUTSTANDING PRO RATA
5 EXEMPTION AMOUNTS AND PROCEED AS PROVIDED IN SUBPARAGRAPH (IV) OF PARA-
6 GRAPH (A) OF THIS SUBDIVISION.

7 S 3. This act shall take effect on the ninetieth day after it shall
8 have become a law.