

6385--A

Cal. No. 16

I N   S E N A T E

January 8, 2016

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Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the real property tax law, relating to exemptions available to veterans, as proposed in legislative bill numbers S.4391-A and A.6223-A, in relation to exemptions available to veterans

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

1     Section 1. Subparagraph (iii) of paragraph (c) of subdivision 2 of  
2     section 458-b of the real property tax law, as amended by section 2 of a  
3     chapter of the laws of 2015, amending the real property tax law relating  
4     to exemptions available to veterans, as proposed in legislative bill  
5     numbers S.4391-A and A.6223-A, is amended to read as follows:  
6     (iii) The exemption provided by paragraph (a) of this subdivision  
7     shall be granted for a period of ten years. The commencement of such ten  
8     year period shall be governed pursuant to this subparagraph. Where a  
9     qualified owner owns qualifying residential real property on the effective  
10    date of the local law providing for such exemption, such ten year  
11    period shall be measured from the assessment roll prepared pursuant to  
12    the first taxable status date occurring on or after the effective date  
13    of the local law providing for such exemption. Where a qualified owner  
14    does not own qualifying residential real property on the effective date  
15    of the local law providing for such exemption, such ten year period  
16    shall be measured from the assessment roll prepared pursuant to the  
17    first taxable status date occurring at least sixty days after the date  
18    of purchase of qualifying residential real property; provided, however,  
19    that should the veteran apply for and be granted an exemption on the  
20    assessment roll prepared pursuant to a taxable status date occurring  
21    within sixty days after the date of purchase of residential real property,  
22    such ten year period shall be measured from the first assessment  
23    roll in which the exemption occurs. If, before the expiration of such

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

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1 ten year period, such exempt property is sold and replaced with other  
2 residential real property, such exemption may be granted pursuant to  
3 this subdivision for the unexpired portion of the ten year exemption  
4 period. Each county, city, town or village may adopt a local law to  
5 reduce the maximum exemption allowable in paragraphs (a) and (b) of this  
6 subdivision to six thousand dollars, nine thousand dollars and thirty  
7 thousand dollars, respectively, or four thousand dollars, six thousand  
8 dollars and twenty thousand dollars, respectively. Each county, city,  
9 town, or village is also authorized to adopt a local law to increase the  
10 maximum exemption allowable in paragraphs (a) and (b) of this subdivi-  
11 sion to ten thousand dollars, fifteen thousand dollars and fifty thou-  
12 sand dollars, respectively; twelve thousand dollars, eighteen thousand  
13 dollars and sixty thousand dollars, respectively; fourteen thousand  
14 dollars, twenty-one thousand dollars and seventy thousand dollars,  
15 respectively; sixteen thousand dollars, twenty-four thousand dollars and  
16 eighty thousand dollars, respectively; eighteen thousand dollars, twen-  
17 ty-seven thousand dollars and ninety thousand dollars, respectively;  
18 twenty thousand dollars, thirty thousand dollars and one hundred thou-  
19 sand dollars, respectively; twenty-two thousand dollars, thirty-three  
20 thousand dollars and one hundred ten thousand dollars, respectively;  
21 twenty-four thousand dollars, thirty-six thousand dollars and one  
22 hundred twenty thousand dollars, respectively; [thirty-nine] TWENTY-SIX  
23 thousand dollars, [twenty-six] THIRTY-NINE thousand dollars, and one  
24 hundred thirty thousand dollars, respectively; [forty-two] TWENTY-EIGHT  
25 thousand dollars, [twenty-eight] FORTY-TWO thousand dollars, and one  
26 hundred forty thousand dollars, respectively; and [forty-five] THIRTY  
27 thousand dollars, [thirty] FORTY-FIVE thousand dollars and one hundred  
28 fifty thousand dollars, respectively. In addition, a county, city, town  
29 or village which is a "high-appreciation municipality" as defined in  
30 this subparagraph is authorized to adopt a local law to increase the  
31 maximum exemption allowable in paragraphs (a) and (b) of this subdivi-  
32 sion to twenty-six thousand dollars, thirty-nine thousand dollars and  
33 one hundred thirty thousand dollars, respectively; twenty-eight thousand  
34 dollars, forty-two thousand dollars and one hundred forty thousand  
35 dollars, respectively; thirty thousand dollars, forty-five thousand  
36 dollars and one hundred fifty thousand dollars, respectively; thirty-two  
37 thousand dollars, forty-eight thousand dollars and one hundred sixty  
38 thousand dollars, respectively; thirty-four thousand dollars, fifty-one  
39 thousand dollars and one hundred seventy thousand dollars, respectively;  
40 thirty-six thousand dollars, fifty-four thousand dollars and one hundred  
41 eighty thousand dollars, respectively; [fifty-seven] THIRTY-EIGHT thou-  
42 sand dollars, [thirty-eight] FIFTY-SEVEN thousand dollars and one  
43 hundred ninety thousand dollars, respectively; [sixty] FORTY thousand  
44 dollars, [forty] SIXTY thousand dollars and two hundred thousand  
45 dollars, respectively; [sixty-three] FORTY-TWO thousand dollars,  
46 [forty-two] SIXTY-THREE thousand dollars and two hundred ten thousand  
47 dollars, respectively; [sixty-six] FORTY-FOUR thousand dollars, [forty-  
48 four] SIXTY-SIX thousand dollars and two hundred twenty thousand  
49 dollars, respectively; [sixty-nine] FORTY-SIX thousand dollars, [forty-  
50 six] SIXTY-NINE thousand dollars and two hundred thirty thousand  
51 dollars, respectively; [seventy-two] FORTY-EIGHT thousand dollars,  
52 [forty-eight] SEVENTY-TWO thousand dollars and two hundred forty thou-  
53 sand dollars, respectively; [seventy-five] FIFTY thousand dollars,  
54 [fifty] SEVENTY-FIVE thousand dollars and two hundred fifty thousand  
55 dollars, respectively. For purposes of this subparagraph, a "high-ap-  
56 preciation municipality" means: (A) a special assessing unit that is a

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

6 S 2. This act shall take effect on the same date and in the same  
7 manner as a chapter of the laws of 2015, amending the real property tax  
8 law relating to exemptions available to veterans, as proposed in legis-  
9 lative bill numbers S.4391-A and A.6223-A, takes effect.