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I N A S S E M B L Y

May 11, 2016

Introduced by M. of A. RICHARDSON, O'DONNELL -- read once and referred to the Committee on Aging

AN ACT to amend the real property tax law, in relation to the income level for the applicability of the senior citizens' rent increase exemption

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

1 Section 1. Subdivision 2 and subparagraph 3 of paragraph d of subdivi-
2 sion 3 of section 467-b of the real property tax law, subdivision 2 as
3 amended by chapter 747 of the laws of 1985, paragraph (c) of subdivision
4 2 as added and subparagraph 3 of paragraph d of subdivision 3 as amended
5 by chapter 553 of the laws of 2015, are amended to read as follows:
6 2. The governing body of any municipal corporation is hereby author-
7 ized and empowered to adopt, after public hearing, in accordance with
8 the provisions of this section, a local law, ordinance or resolution
9 providing for the abatement of taxes of said municipal corporation
10 imposed on real property containing a dwelling unit as defined herein by
11 one of the following amounts:
12 (a) where the head of the household does not receive a monthly allow-
13 ance for shelter pursuant to the social services law, an amount not in
14 excess of that portion of any increase in maximum rent or legal regu-
15 lated rent which causes such maximum rent or legal regulated rent to
16 exceed [one-third] ONE-FOURTH of the combined income of all members of
17 the household; or
18 (b) where the head of the household receives a monthly allowance for
19 shelter pursuant to the social services law, an amount not in excess of
20 that portion of any increase in maximum rent or legal regulated rent
21 which is not covered by the maximum allowance for shelter which such
22 person is entitled to receive pursuant to the social services law.
23 (c) Provided, however, that in a city of a population of one million
24 or more, where the head of household has been granted a rent increase
25 exemption order that is in effect as of January first, two thousand
26 fifteen or takes effect on or before July first, two thousand fifteen,
27 the amount determined by paragraph (a) of this subdivision shall be an

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

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1 amount not in excess of the difference between the maximum rent or legal
2 regulated rent and the amount specified in such order, as adjusted by
3 any other provision of this section.

4 (3) where the head of the household does not receive a monthly allow-
5 ance for shelter pursuant to the social services law, the amount by
6 which the maximum rent or legal regulated rent of the subsequent dwell-
7 ing unit exceeds [one-third] ONE-FOURTH of the combined income of all
8 members of the household, except that this subparagraph shall not apply
9 to a head of the household who has been granted a rent increase
10 exemption order that is in effect as of January first, two thousand
11 fifteen or takes effect on or before July first, two thousand fifteen.

12 S 2. This act shall take effect immediately; provided that the amend-
13 ments made to section 467-b of the real property tax law by section one
14 of this act shall not affect the expiration of such section and shall
15 expire therewith.