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

3629

2015-2016 Regular Sessions

I N A S S E M B L Y

January 27, 2015

Introduced by M. of A. LALOR, SKARTADOS, PALUMBO, GOODELL, McDONOUGH, DiPIETRO, GRAF, RAIA, WALTER, GIGLIO -- Multi-Sponsored by -- M. of A. ARROYO, BARCLAY, CERETTO, HAWLEY, McLAUGHLIN, SIMANOWITZ -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to making the yearly renewals of the enhanced STAR exemption automatic

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

Section 1. Subparagraph (iv) of paragraph (b) of subdivision 4 of section 425 of the real property tax law, as amended by section 10 of part W of chapter 56 of the laws of 2010, is amended to read as follows:

(iv) Effective with applications for the enhanced exemption on final assessment rolls to be completed in two thousand [three] SIXTEEN, the application form shall [indicate that] NOTIFY the owners of the property and any owners' spouses residing on the premises [may] THAT BY SUBMITTING THE APPLICATION, THEY authorize the assessor to have their income eligibility verified annually thereafter by the state department of taxation and finance[, in lieu of furnishing copies of the applicable income tax return or returns with the application. If the]. THE owners of the property and any owners' spouses residing on the premises [elect to participate in this program, which shall be known as the STAR income verification program, they must] SHALL furnish their taxpayer identification numbers in order to facilitate matching with records of the department. Thereafter, their income eligibility shall be verified annually by the department and the assessor shall not request income documentation OR A RENEWAL APPLICATION from them, unless such department advises the assessor that they do not satisfy the applicable income eligibility requirements, or that it is unable to determine whether they satisfy those requirements.

S 2. Subparagraph (vi) of paragraph (b) of subdivision 4 of section 425 of the real property tax law, as amended by section 3 of part E of

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

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chapter 83 of the laws of 2002, clause (E) as further amended by subdivision (b) of section 1 of part W of chapter 56 of the laws of 2010, is amended to read as follows:

(vi) Notwithstanding the provisions of subparagraphs (iv) and (v) of this paragraph, which establish a STAR income verification program, income documentation must be submitted to the assessor in connection with each of the following:

(A) Initial applications for the enhanced STAR exemption;

(B) [Renewal applications submitted by a person or persons who have not elected to participate in the STAR income verification program;

(C)] Applications that would allow an enhanced exemption to resume after having been discontinued;

[(D)] (C) Applications submitted by a person or persons who had previously qualified for the enhanced exemption but not in the assessing unit in question; and

[(E)] (D) Applications with respect to which the department of taxation and finance has advised the assessor through the commissioner that it is unable to determine whether a participant or participants in the STAR income verification program satisfy the income eligibility requirements.

S 3. This act shall take effect on the first of January next succeeding the date upon which it shall have become a law and shall apply to all taxable years commencing on and after such date.