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

4575--A

2015-2016 Regular Sessions

I N A S S E M B L Y

February 3, 2015

Introduced by M. of A. CLARK -- read once and referred to the Committee on Aging -- recommitted to the Committee on Aging in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Subdivision 2 and subparagraph 3 of paragraph d of subdivision 3 of section 467-b of the real property tax law, subdivision 2 as amended by chapter 747 of the laws of 1985, paragraph (c) of subdivision 2 as added and subparagraph 3 of paragraph d of subdivision 3 as amended by chapter 553 of the laws of 2015, are amended to read as follows:

2. The governing body of any municipal corporation is hereby authorized and empowered to adopt, after public hearing, in accordance with the provisions of this section, a local law, ordinance or resolution providing for the abatement of taxes of said municipal corporation imposed on real property containing a dwelling unit as defined herein by one of the following amounts:

(a) where the head of the household does not receive a monthly allowance for shelter pursuant to the social services law, an amount not in excess of that portion of any increase in maximum rent or legal regulated rent which causes such maximum rent or legal regulated rent to exceed [one-third] *ONE-FOURTH* of the combined income of all members of the household; or

(b) where the head of the household receives a monthly allowance for shelter pursuant to the social services law, an amount not in excess of that portion of any increase in maximum rent or legal regulated rent which is not covered by the maximum allowance for shelter which such person is entitled to receive pursuant to the social services law.

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

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(c) Provided, however, that in a city of a population of one million or more, where the head of household has been granted a rent increase exemption order that is in effect as of January first, two thousand fifteen or takes effect on or before July first, two thousand fifteen, the amount determined by paragraph (a) of this subdivision shall be an amount not in excess of the difference between the maximum rent or legal regulated rent and the amount specified in such order, as adjusted by any other provision of this section.

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

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