

8231

2015-2016 Regular Sessions

I N A S S E M B L Y

June 12, 2015

Introduced by M. of A. WRIGHT, GLICK -- read once and referred to the Committee on Ways and Means

AN ACT to amend the real property tax law, in relation to extending provisions of law relating to tax abatements for certain multiple dwellings (Part A); to amend the real property tax law, in relation to extending certain abatements (Part B); to amend the administrative code of the city of New York, in relation to extending the credit for general corporation tax paid (Part C); to amend the multiple dwelling law, in relation to application for coverage of interim multiple dwellings and residential units; and to repeal subdivision (h) of section 27 of chapter 4 of the laws of 2013 amending the real property tax law, relating to exemption from taxation to alterations and improvements to multiple dwellings to eliminate fire and health hazards relating thereto (Part D); to amend chapter 555 of the laws of 1982 amending the general business law and the administrative code of the city of New York relating to conversion of residential property to cooperative or condominium ownership in the city of New York, in relation to extending the effectiveness thereof; to amend chapter 402 of the laws of 1983 amending the general business law relating to conversion of rental residential property to cooperative or condominium ownership in certain municipalities in the counties of Nassau, Westchester and Rockland, in relation to extending the effectiveness thereof (Part E); and to amend the tax law, in relation to the temporary exemption from sales and use taxes for premises used for commercial office space in Lower Manhattan; and to amend part C of chapter 2 of the laws of 2005 amending the tax law relating to exemptions from sales and use taxes, in relation to the effectiveness thereof (Subpart A); to amend the general city law and the administrative code of the city of New York, in relation to extending the relocation and employment assistance program and the Lower Manhattan relocation and employment assistance program (Subpart B); to amend the general city law and the administrative code of the city of New York, in relation to extending the special rebates and discounts provided pursuant to the energy cost savings program and the Lower Manhattan energy program

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

LBD11640-03-5

(Subpart C); and to amend the administrative code of the city of New York, in relation to the amount of special reduction allowed (Subpart D) (Part F)

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

1 Section 1. This act enacts into law major components of legislation
2 relating to real property tax abatements. Each component is wholly
3 contained within a Part identified as Parts A through F. The effective
4 date for each particular provision contained within such Part is set
5 forth in the last section of such Part. Any provision in any section
6 contained within a Part, including the effective date of the Part, which
7 makes a reference to a section "of this act", when used in connection
8 with that particular component, shall be deemed to mean and refer to the
9 corresponding section of the Part in which it is found. Section three of
10 this act sets forth the general effective date of this act.

11 PART A

12 Section 1. The opening paragraph of paragraph (a) of subdivision 1 of
13 section 489 of the real property tax law, as amended by chapter 4 of the
14 laws of 2013, is amended to read as follows:

15 Any city to which the multiple dwelling law is applicable, acting
16 through its local legislative body or other governing agency, is hereby
17 authorized and empowered, to and including January first, two thousand
18 [fifteen] SEVENTEEN, to adopt and amend local laws or ordinances provid-
19 ing that any increase in assessed valuation of real property shall be
20 exempt from taxation for local purposes, as provided herein, to the
21 extent such increase results from:

22 S 2. The closing paragraph of subparagraph 6 of paragraph (a) of
23 subdivision 1 of section 489 of the real property tax law, as amended by
24 chapter 4 of the laws of 2013, is amended to read as follows:

25 Such conversion, alterations or improvements shall be completed within
26 thirty months after the date on which same shall be started except that
27 such thirty month limitation shall not apply to conversions of residen-
28 tial units which are registered with the loft board in accordance with
29 article seven-C of the multiple dwelling law pursuant to subparagraph
30 one of this paragraph. Notwithstanding the foregoing, a sixty month
31 period for completion shall be available for alterations or improvements
32 undertaken by a housing development fund company organized pursuant to
33 article eleven of the private housing finance law, which are carried out
34 with the substantial assistance of grants, loans or subsidies from any
35 federal, state or local governmental agency or instrumentality or which
36 are carried out in a property transferred from such city if alterations
37 and improvements are completed within seven years after the date of
38 transfer. In addition, the local housing agency is hereby empowered to
39 grant an extension of the period of completion for any project carried
40 out with the substantial assistance of grants, loans or subsidies from
41 any federal, state or local governmental agency or instrumentality, if
42 such alterations or improvements are completed within sixty months from
43 commencement of construction. Provided, further, that such conversion,
44 alterations or improvements shall in any event be completed prior to
45 June thirtieth, two thousand [fifteen] SEVENTEEN. Exemption for conver-
46 sions, alterations or improvements pursuant to subparagraph one, two,

1 three or four of this paragraph shall continue for a period not to
2 exceed fourteen years and begin no sooner than the first quarterly tax
3 bill immediately following the completion of such conversion, alter-
4 ations or improvements. Exemption for alterations or improvements pursu-
5 ant to this subparagraph or subparagraph five of this paragraph shall
6 continue for a period not to exceed thirty-four years and shall begin no
7 sooner than the first quarterly tax bill immediately following the
8 completion of such alterations or improvements. Such exemption shall be
9 equal to the increase in the valuation which is subject to exemption in
10 full or proportionally under this subdivision for ten or thirty years,
11 whichever is applicable. After such period of time, the amount of such
12 exempted assessed valuation of such improvements shall be reduced by
13 twenty percent in each succeeding year until the assessed value of the
14 improvements are fully taxable. Provided, however, exemption for any
15 conversion, alterations or improvements which are aided by a loan or
16 grant under article eight, eight-A, eleven, twelve, fifteen or twenty-
17 two of the private housing finance law, section six hundred ninety-six-a
18 or section ninety-nine-h of the general municipal law, or section three
19 hundred twelve of the housing act of nineteen hundred sixty-four (42
20 U.S.C.A. 1452b), or the Cranston-Gonzalez national affordable housing
21 act (42 U.S.C.A. 12701 et. seq.), or started after July first, nineteen
22 hundred eighty-three by a housing development fund company organized
23 pursuant to article eleven of the private housing finance law which are
24 carried out with the substantial assistance of grants, loans or subsi-
25 dies from any federal, state or local governmental agency or instrumen-
26 tality or which are carried out in a property transferred from any city
27 and where alterations and improvements are completed within seven years
28 after the date of transfer may commence at the beginning of any tax
29 quarter subsequent to the start of such conversion, alterations or
30 improvements and prior to the completion of such conversion, alterations
31 or improvements.

32 S 3. This act shall take effect immediately; provided, however, that
33 if this act shall become law after June 30, 2015, then it shall be
34 deemed to have been in full force and effect on and after June 30, 2015.

35

PART B

36 Section 1. Paragraphs (a) and (b) of subdivision 2 of section 467-a of
37 the real property tax law, as amended by chapter 4 of the laws of 2013,
38 are amended to read as follows:

39 (a) In a city having a population of one million or more, dwelling
40 units owned by unit owners who, as of the applicable taxable status
41 date, own no more than three dwelling units in any one property held in
42 the condominium form of ownership, shall be eligible to receive a
43 partial abatement of real property taxes, as set forth in paragraphs
44 (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivi-
45 sion; provided, however, that a property held in the condominium form of
46 ownership that is receiving complete or partial real property tax
47 exemption or tax abatement pursuant to any other provision of this chap-
48 ter or any other state or local law, except as provided in paragraph (f)
49 of this subdivision, shall not be eligible to receive a partial abate-
50 ment pursuant to this section; and provided, further, that sponsors
51 shall not be eligible to receive a partial abatement pursuant to this
52 section; and provided, further, that in the fiscal [year] YEARS commenc-
53 ing in calendar years two thousand twelve, two thousand thirteen, [or]
54 two thousand fourteen, TWO THOUSAND FIFTEEN, OR TWO THOUSAND SIXTEEN no

1 more than a maximum of three dwelling units owned by any unit owner in a
2 single building, one of which must be the primary residence of such unit
3 owner, shall be eligible to receive a partial abatement pursuant to
4 paragraphs (d-1), (d-2), (d-3) and (d-4) of this [section] SUBDIVISION.

5 (b) In a city having a population of one million or more, dwelling
6 units owned by tenant-stockholders who, as of the applicable taxable
7 status date, own no more than three dwelling units in any one property
8 held in the cooperative form of ownership, shall be eligible to receive
9 a partial abatement of real property taxes, as set forth in paragraphs
10 (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivi-
11 sion; provided, however, that a property held in the cooperative form of
12 ownership that is receiving complete or partial real property tax
13 exemption or tax abatement pursuant to any other provision of this chap-
14 ter or any other state or local law, except as provided in paragraph (f)
15 of this subdivision, shall not be eligible to receive a partial abate-
16 ment pursuant to this section; and provided, further, that sponsors
17 shall not be eligible to receive a partial abatement pursuant to this
18 section; and provided, further, that in the fiscal [year] YEARS commenc-
19 ing in calendar years two thousand twelve, two thousand thirteen [or],
20 two thousand fourteen, TWO THOUSAND FIFTEEN, OR TWO THOUSAND SIXTEEN no
21 more than a maximum of three dwelling units owned by any tenant-stock-
22 holder in a single building, one of which must be the primary residence
23 of such tenant-stockholder, shall be eligible to receive a partial
24 abatement pursuant to paragraphs (d-1), (d-2), (d-3) and (d-4) of this
25 [section] SUBDIVISION. For purposes of this section, a tenant-stock-
26 holder of a cooperative apartment corporation shall be deemed to own the
27 dwelling unit which is represented by his or her shares of stock in such
28 corporation. Any abatement so granted shall be credited by the appropri-
29 ate taxing authority against the tax due on the property as a whole. The
30 reduction in real property taxes received thereby shall be credited by
31 the cooperative apartment corporation against the amount of such taxes
32 attributable to eligible dwelling units at the time of receipt.

33 S 2. Paragraphs (d-1), (d-2), (d-3) and (d-4) of subdivision 2 of
34 section 467-a of the real property tax law, as added by chapter 4 of the
35 laws of 2013, are amended to read as follows:

36 (d-1) In the fiscal years commencing in calendar [year] YEARS two
37 thousand twelve, two thousand thirteen and two thousand fourteen, eligi-
38 ble dwelling units in property whose average unit assessed value is less
39 than or equal to fifty thousand dollars shall receive a partial abate-
40 ment of the real property taxes attributable to or due on such dwelling
41 units of twenty-five percent, twenty-six and one-half percent and twen-
42 ty-eight and one-tenth percent respectively. IN THE FISCAL YEARS
43 COMMENCING IN CALENDAR YEARS TWO THOUSAND FIFTEEN AND TWO THOUSAND
44 SIXTEEN, ELIGIBLE DWELLING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED
45 VALUE IS LESS THAN OR EQUAL TO FIFTY THOUSAND DOLLARS SHALL RECEIVE A
46 PARTIAL ABATEMENT OF THE REAL PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON
47 SUCH DWELLING UNITS OF TWENTY-EIGHT AND ONE-TENTH PERCENT.

48 (d-2) In the fiscal years commencing in calendar [year] YEARS two
49 thousand twelve, two thousand thirteen and two thousand fourteen, eligi-
50 ble dwelling units in property whose average unit assessed value is more
51 than fifty thousand dollars, but less than or equal to fifty-five thou-
52 sand dollars, shall receive a partial abatement of the real property
53 taxes attributable to or due on such dwelling units of twenty-two and
54 one-half percent, twenty-three and eight-tenths percent and twenty-five
55 and two-tenths percent respectively. IN THE FISCAL YEARS COMMENCING IN
56 CALENDAR YEARS TWO THOUSAND FIFTEEN AND TWO THOUSAND SIXTEEN, ELIGIBLE

1 DWELLING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE
2 THAN FIFTY THOUSAND DOLLARS, BUT LESS THAN OR EQUAL TO FIFTY-FIVE THOU-
3 SAND DOLLARS, SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL PROPERTY
4 TAXES ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF TWENTY-FIVE AND
5 TWO-TENTHS PERCENT.

6 (d-3) In the fiscal years commencing in calendar [year] YEARS two
7 thousand twelve, two thousand thirteen and two thousand fourteen, eligi-
8 ble dwelling units in property whose average unit assessed value is more
9 than fifty-five thousand dollars, but less than or equal to sixty thou-
10 sand dollars, shall receive a partial abatement of the real property
11 taxes attributable to or due on such dwelling units of twenty percent,
12 twenty-one and two-tenths percent, and twenty-two and five-tenths
13 percent respectively. IN THE FISCAL YEARS COMMENCING IN CALENDAR YEARS
14 TWO THOUSAND FIFTEEN AND TWO THOUSAND SIXTEEN, ELIGIBLE DWELLING UNITS
15 IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE THAN FIFTY-FIVE
16 THOUSAND DOLLARS, BUT LESS THAN OR EQUAL TO SIXTY THOUSAND DOLLARS,
17 SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL PROPERTY TAXES ATTRIBUT-
18 ABLE TO OR DUE ON SUCH DWELLING UNITS OF TWENTY-TWO AND FIVE-TENTHS
19 PERCENT.

20 (d-4) In the fiscal years commencing in calendar [year] YEARS two
21 thousand twelve, two thousand thirteen [and], two thousand fourteen, TWO
22 THOUSAND FIFTEEN AND TWO THOUSAND SIXTEEN, eligible dwelling units in
23 property whose average unit assessed value is more than sixty thousand
24 dollars shall receive a partial abatement of the real property taxes
25 attributable to or due on such dwelling units of seventeen and one-half
26 percent.

27 S 3. Paragraph (a) of subdivision 3 of section 467-a of the real prop-
28 erty tax law, as amended by chapter 4 of the laws of 2013, is amended to
29 read as follows:

30 (a) An application for an abatement pursuant to this section for the
31 fiscal year commencing in calendar year nineteen hundred ninety-six
32 shall be made no later than the fifteenth day of September, nineteen
33 hundred ninety-six. An application for an abatement pursuant to this
34 section for the fiscal year commencing in calendar year nineteen hundred
35 ninety-seven shall be made no later than the first day of April, nine-
36 teen hundred ninety-seven. An application for an abatement pursuant to
37 this section for the fiscal year commencing in calendar year nineteen
38 hundred ninety-eight shall be made no later than the first day of April,
39 nineteen hundred ninety-eight. An application for an abatement pursuant
40 to this section for the fiscal year commencing in calendar year nineteen
41 hundred ninety-nine shall be made in accordance with this subdivision
42 and subdivision three-a of this section. An application for an abatement
43 pursuant to this section for the fiscal year commencing in calendar year
44 two thousand shall be made no later than the fifteenth day of February,
45 two thousand. An application for an abatement pursuant to this section
46 for the fiscal year commencing in calendar year two thousand one shall
47 be made in accordance with this subdivision and subdivision three-b of
48 this section. An application for an abatement pursuant to this section
49 for the fiscal year commencing in calendar year two thousand two shall
50 be made no later than the fifteenth day of February, two thousand two.
51 An application for an abatement pursuant to this section for the fiscal
52 year commencing in calendar year two thousand three shall be made no
53 later than the fifteenth day of February, two thousand three. An appli-
54 cation for an abatement pursuant to this section for the fiscal year
55 commencing in calendar year two thousand four shall be made in accord-
56 ance with this subdivision and subdivision three-c of this section. An

1 application for an abatement pursuant to this section for the fiscal
2 year commencing in calendar year two thousand five shall be made no
3 later than the fifteenth day of February, two thousand five. An applica-
4 tion for an abatement pursuant to this section for the fiscal year
5 commencing in calendar year two thousand six shall be made no later than
6 the fifteenth day of February, two thousand six. An application for an
7 abatement pursuant to this section for the fiscal year commencing in
8 calendar year two thousand seven shall be made no later than the
9 fifteenth day of February, two thousand seven. An application for abate-
10 ment pursuant to this section for the fiscal year commencing in calendar
11 year two thousand eight shall be made in accordance with this subdivi-
12 sion and subdivision three-d of this section. An application for an
13 abatement pursuant to this section for the fiscal year commencing in
14 calendar year two thousand nine shall be made no later than the
15 fifteenth day of February, two thousand nine. An application for an
16 abatement pursuant to this section for the fiscal year commencing in
17 calendar year two thousand ten shall be made no later than the fifteenth
18 day of February, two thousand ten. An application for an abatement
19 pursuant to this section for the fiscal year commencing in calendar year
20 two thousand eleven shall be made no later than the fifteenth day of
21 February, two thousand eleven. An application for an abatement pursuant
22 to this section for the fiscal years commencing in calendar years two
23 thousand twelve and two thousand thirteen shall be made in accordance
24 with subdivision three-e of this section. The date or dates by which
25 applications for an abatement pursuant to this section shall be made for
26 the fiscal [year] YEARS beginning in calendar [year] YEARS two thousand
27 fourteen, TWO THOUSAND FIFTEEN AND TWO THOUSAND SIXTEEN shall be estab-
28 lished by the commissioner of finance by rule, provided that such date
29 or dates shall not be later than the fifteenth day of February for such
30 calendar [year] YEARS.

31 S 4. This act shall take effect immediately.

32

PART C

33 Section 1. Subparagraph (A) of paragraph 2 of subdivision (f) of
34 section 11-1706 of the administrative code of the city of New York, as
35 added by chapter 4 of the laws of 2013, is amended to read as follows:

36 (A) Subject to the limitations set forth in subparagraphs (B) and (C)
37 of this paragraph, the credit allowed to a taxpayer for a taxable year
38 under this subdivision shall be determined as follows:

39 (i) For taxable years beginning on or after January first, two thou-
40 sand fourteen and before July first, two thousand [fifteen] SEVENTEEN:

41 (I) If the city taxable income is thirty-five thousand dollars or
42 less, the amount of the credit shall be one hundred percent of the
43 amount determined in paragraph three of this subdivision.

44 (II) If the city taxable income is greater than thirty-five thousand
45 dollars but less than one hundred thousand dollars, the amount of the
46 credit shall be a percentage of the amount determined in paragraph three
47 of this subdivision, such percentage to be determined by subtracting
48 from one hundred percent, a percentage determined by subtracting thir-
49 ty-five thousand dollars from city taxable income, dividing the result
50 by sixty-five thousand dollars and multiplying by one hundred percent.

51 (III) If the city taxable income is one hundred thousand dollars or
52 greater, no credit shall be allowed.

53 (IV) Provided further that for any taxable year of a taxpayer for
54 which this credit is effective that encompasses days occurring after

1 June thirtieth, two thousand [fifteen] SEVENTEEN, the amount of the
2 credit determined in item (I) or (II) of this clause shall be multiplied
3 by a fraction, the numerator of which is the number of days in the
4 taxpayer's taxable year occurring on or before June thirtieth, two thou-
5 sand [fifteen] SEVENTEEN, and the denominator of which is the number of
6 days in the taxpayer's taxable year.

7 S 2. This act shall take effect immediately.

8

PART D

9 Section 1. Section 282-a of the multiple dwelling law, as amended by
10 chapter 159 of the laws of 2011, is amended to read as follows:

11 S 282-a. [Limitation on applications] APPLICATIONS for coverage of
12 interim multiple dwellings and residential units. 1. All applications
13 for registration as an interim multiple dwelling or for coverage of
14 residential units under this article shall be filed with the loft board
15 within six months after the date the loft board shall have adopted all
16 rules or regulations necessary in order to implement the provisions of
17 chapter one hundred forty-seven of the laws of two thousand ten,
18 PROVIDED, HOWEVER, THAT APPLICATIONS FOR REGISTRATION AS AN INTERIM
19 MULTIPLE DWELLING OR FOR COVERAGE OF RESIDENTIAL UNITS UNDER THIS ARTI-
20 CLE MAY ALSO BE FILED BETWEEN SEPTEMBER FIRST, TWO THOUSAND FIFTEEN, AND
21 AUGUST THIRTIETH, TWO THOUSAND SEVENTEEN. The loft board may subse-
22 quently amend such rules and regulations but such amendments shall not
23 recommence the time period in which applications may be filed.
24 [Notwithstanding any other provision of this article, after such date no
25 further applications for registration or coverage as an interim multiple
26 dwelling or for coverage under this article shall be accepted for owners
27 or occupants of buildings that would otherwise qualify as interim multi-
28 ple dwellings or for coverage pursuant to this article.]

29 2. Where any occupant has filed an application for coverage pursuant
30 to this article and has received a docket number from the loft board, it
31 shall be unlawful for an owner to cause or intend to cause such occupant
32 to vacate, surrender or waive any rights in relation to such occupancy,
33 due to repeated interruptions or discontinuances of essential services,
34 or an interruption or discontinuance of an essential service for an
35 extended duration or of such significance as to substantially impair
36 habitability of such unit, at any time before the loft board has made a
37 final determination, including appeals, to approve or deny such applica-
38 tion. This [subdivision] SECTION shall not grant any rights of continued
39 occupancy other than those otherwise granted by law. Any agreement that
40 waives or limits the benefits of this [subdivision] SECTION shall be
41 deemed void as against public policy. In addition to any other remedies
42 provided in this article for failure to be in compliance, in article
43 eight of this chapter, or in the regulations promulgated by the loft
44 board, an occupant who has filed an application with the loft board for
45 coverage under this article may[, no later than thirty-six months after
46 the loft board shall have adopted rules and regulations as set forth in
47 subdivision one of this section,] commence an action or proceeding in a
48 court of competent jurisdiction, which notwithstanding any other
49 provision of law shall include the housing part of the New York city
50 civil court, to enforce the provisions of this [subdivision] SECTION.

51 S 2. Paragraph (vi) of subdivision 1 of section 284 of the multiple
52 dwelling law, as amended by chapter 4 of the laws of 2013, is amended to
53 read as follows:

1 (vi) Notwithstanding the provisions of paragraphs (i) through (v) of
2 this subdivision the owner of an interim multiple dwelling made subject
3 to this article by subdivision five of section two hundred eighty-one of
4 this article (A) shall file an alteration application [within nine
5 months from the effective date of the chapter of the laws of two thou-
6 sand ten which amended this subparagraph] ON OR BEFORE MARCH
7 TWENTY-FIRST, TWO THOUSAND ELEVEN, or, for units that became subject to
8 this article pursuant to the chapter of the laws of two thousand thir-
9 teen which amended this paragraph, [within nine months of the promulga-
10 tion of all necessary rules and regulations pursuant to section two
11 hundred eighty-two-a of this article] ON OR BEFORE JUNE ELEVENTH, TWO
12 THOUSAND FOURTEEN, OR, FOR UNITS IN AN INTERIM MULTIPLE DWELLING THAT
13 WERE LISTED ON AN APPLICATION FOR COVERAGE OR REGISTRATION FILED WITH
14 THE LOFT BOARD PURSUANT TO THIS ARTICLE OR IN A COURT PLEADING AFTER
15 MARCH ELEVENTH, TWO THOUSAND FOURTEEN, WITHIN NINE MONTHS OF EITHER THE
16 DATE OF THE INITIAL APPLICATION FOR COVERAGE OR THE DATE OF THE LOFT
17 BOARD'S ISSUANCE OF AN INTERIM MULTIPLE DWELLING NUMBER OR THE DATE OF
18 THE SERVICE OF THE PLEADING, WHICHEVER IS EARLIER, and (B) shall take
19 all reasonable and necessary action to obtain an approved alteration
20 permit [within twelve months from such effective date] ON OR BEFORE JUNE
21 TWENTY-FIRST, TWO THOUSAND ELEVEN, or, for units that became subject to
22 this article pursuant to the chapter of the laws of two thousand thir-
23 teen which amended this paragraph, [within twelve months of the promul-
24 gation of all necessary rules and regulations pursuant to section two
25 hundred eighty-two-a of this article] ON OR BEFORE SEPTEMBER ELEVENTH,
26 TWO THOUSAND FOURTEEN, OR, FOR UNITS IN AN INTERIM MULTIPLE DWELLING
27 THAT WERE LISTED ON AN APPLICATION FOR COVERAGE OR REGISTRATION FILED
28 WITH THE LOFT BOARD PURSUANT TO THIS ARTICLE OR IN A COURT PLEADING
29 AFTER MARCH ELEVENTH, TWO THOUSAND FOURTEEN, WITHIN TWELVE MONTHS OF
30 EITHER THE DATE OF THE INITIAL APPLICATION FOR COVERAGE OR THE DATE OF
31 THE LOFT BOARD'S ISSUANCE OF AN INTERIM MULTIPLE DWELLING NUMBER OR THE
32 DATE OF THE SERVICE OF THE PLEADING, WHICHEVER IS EARLIER, and (C) shall
33 achieve compliance with the standards of safety and fire protection set
34 forth in article seven-B of this chapter for the residential portions of
35 the building within eighteen months from obtaining such alteration
36 permit, and (D) shall take all reasonable and necessary action to obtain
37 a certificate of occupancy as a class A multiple dwelling for the resi-
38 dential portions of the building or structure [within thirty months from
39 such effective date] ON OR BEFORE DECEMBER TWENTY-FIRST, TWO THOUSAND
40 TWELVE, or for units that became subject to this article pursuant to the
41 chapter of the laws of two thousand thirteen which amended this para-
42 graph [within thirty months of the promulgation of all necessary rules
43 and regulations pursuant to section two hundred eighty-two-a of this
44 article] ON OR BEFORE MARCH ELEVENTH, TWO THOUSAND SIXTEEN, OR, FOR
45 UNITS IN AN INTERIM MULTIPLE DWELLING THAT WERE LISTED ON AN APPLICATION
46 FOR COVERAGE OR REGISTRATION FILED WITH THE LOFT BOARD PURSUANT TO THIS
47 ARTICLE OR IN A COURT PLEADING AFTER MARCH ELEVENTH, TWO THOUSAND
48 SIXTEEN, WITHIN THIRTY MONTHS OF EITHER THE DATE OF THE INITIAL APPLICA-
49 TION FOR COVERAGE OR THE DATE OF THE LOFT BOARD'S ISSUANCE OF AN INTERIM
50 MULTIPLE DWELLING NUMBER OR THE DATE OF THE SERVICE OF THE PLEADING,
51 WHICHEVER IS EARLIER. The loft board may, upon good cause shown, and
52 upon proof of compliance with the standards of safety and fire
53 protection set forth in article seven-B of this chapter, twice extend
54 the time of compliance with the requirement to obtain a residential
55 certificate of occupancy for periods not to exceed twelve months each.

1 S 3. Subdivision (h) of section 27 of chapter 4 of the laws of 2013
2 amending the real property tax law relating to exemption from taxation
3 to alterations and improvements to multiple dwellings to eliminate fire
4 and health hazards, is REPEALED.

5 S 4. This act shall take effect immediately, provided, however, that
6 if this act shall become law after June 29, 2015, then it shall be
7 deemed to have been in full force and effect on and after June 30, 2015.

8

PART E

9 Section 1. Section 10 of chapter 555 of the laws of 1982 amending the
10 general business law and the administrative code of the city of New York
11 relating to conversion of residential property to cooperative or condo-
12 minium ownership in the city of New York, as amended by section 4 of
13 part B of chapter 97 of the laws of 2011, is amended to read as follows:

14 S 10. This act shall take effect immediately; provided, that the
15 provisions of sections one, two and nine of this act shall remain in
16 full force and effect only until and including June 15, [2015] 2017;
17 provided further that the provisions of section three of this act shall
18 remain in full force and effect only so long as the public emergency
19 requiring the regulation and control of residential rents and evictions
20 continues as provided in subdivision 3 of section 1 of the local emer-
21 gency housing rent control act; provided further that the provisions of
22 sections four, five, six and seven of this act shall expire in accord-
23 ance with the provisions of section 26-520 of the administrative code of
24 the city of New York as such section of the administrative code is, from
25 time to time, amended; provided further that the provisions of section
26 26-511 of the administrative code of the city of New York, as amended by
27 this act, which the New York City Department of Housing Preservation and
28 Development must find are contained in the code of the real estate
29 industry stabilization association of such city in order to approve it,
30 shall be deemed contained therein as of the effective date of this act;
31 and provided further that any plan accepted for filing by the department
32 of law on or before the effective date of this act shall continue to be
33 governed by the provisions of section 352-eeee of the general business
34 law as they had existed immediately prior to the effective date of this
35 act.

36 S 2. Section 4 of chapter 402 of the laws of 1983 amending the general
37 business law relating to conversion of rental residential property to
38 cooperative or condominium ownership in certain municipalities in the
39 counties of Nassau, Westchester and Rockland, as amended by section 5 of
40 part B of chapter 97 of the laws of 2011, is amended to read as follows:

41 S 4. This act shall take effect immediately; provided, that the
42 provisions of sections one and three of this act shall remain in full
43 force and effect only until and including June 15, [2015] 2017; and
44 provided further that any plan accepted for filing by the department of
45 law on or before the effective date of this act shall continue to be
46 governed by the provisions of section 352-eee of the general business
47 law as they had existed immediately prior to the effective date of this
48 act.

49 S 3. This act shall take effect immediately, provided, however, that
50 if this act shall become a law after June 15, 2015, then it shall be
51 deemed to have been in full force and effect on and after June 15, 2015.

52

PART F

1 Section 1. This act enacts into law major components of legislation
2 relating to Lower Manhattan and the city of New York. Each component is
3 wholly contained within a Subpart identified as Subparts A through D.
4 The effective date for each particular provision contained within such
5 Subpart is set forth in the last section of such Subpart. Any provision
6 in any section contained within a Subpart, including the effective date
7 of the Subpart, which makes a reference to a section "of this act", when
8 used in connection with that particular component, shall be deemed to
9 mean and refer to the corresponding section of the Subpart in which it
10 is found.

11 SUBPART A

12 Section 1. Subparagraph (A) of paragraph 7 of subdivision (ee) of
13 section 1115 of the tax law, as amended by section 1 of subpart A of
14 part GG of chapter 59 of the laws of 2014, is amended to read as
15 follows:

16 (A) "Tenant" means a person who, as lessee, enters into a space lease
17 with a landlord for a term of ten years or more commencing on or after
18 September first, two thousand five, but not later than, in the case of a
19 space lease with respect to leased premises located in eligible areas as
20 defined in clause (i) of subparagraph (D) of this paragraph, September
21 first, two thousand [fifteen] NINETEEN and, in the case of a space lease
22 with respect to leased premises located in eligible areas as defined in
23 clause (ii) of subparagraph (D) of this paragraph not later than Septem-
24 ber first, two thousand [seventeen] NINETEEN, of premises for use as
25 commercial office space in buildings located or to be located in the
26 eligible areas. A person who currently occupies premises for use as
27 commercial office space under an existing lease in a building in the
28 eligible areas shall not be eligible for exemption under this subdivi-
29 sion unless such existing lease, in the case of a space lease with
30 respect to leased premises located in eligible areas as defined in
31 clause (i) of subparagraph (D) of this paragraph expires according to
32 its terms before September first, two thousand [fifteen] SEVENTEEN or
33 such existing lease, in the case of a space lease with respect to leased
34 premises located in eligible areas as defined in clause (ii) of subpara-
35 graph (D) of this paragraph and such person enters into a space lease,
36 for a term of ten years or more commencing on or after September first,
37 two thousand five, of premises for use as commercial office space in a
38 building located or to be located in the eligible areas, provided that
39 such space lease with respect to leased premises located in eligible
40 areas as defined in clause (i) of subparagraph (D) of this paragraph
41 commences no later than September first, two thousand [fifteen] SEVEN-
42 TEEN, and provided that such space lease with respect to leased premises
43 located in eligible areas as defined in clause (ii) of subparagraph (D)
44 of this paragraph commences no later than September first, two thousand
45 [seventeen] NINETEEN and provided, further, that such space lease shall
46 expire no earlier than ten years after the expiration of the original
47 lease.

48 S 2. Section 2 of part C of chapter 2 of the laws of 2005 amending
49 the tax law relating to exemptions from sales and use taxes, as amended
50 by section 2 of subpart A of part GG of chapter 59 of the laws of 2014,
51 is amended to read as follows:

52 S 2. This act shall take effect September 1, 2005 and shall expire and
53 be deemed repealed on December 1, [2018] 2020, and shall apply to sales
54 made, uses occurring and services rendered on or after such effective

1 date, in accordance with the applicable transitional provisions of
2 sections 1106 and 1217 of the tax law; except that clause (i) of subpar-
3 agraph (D) of paragraph seven of subdivision (ee) of section 1115 of the
4 tax law, as added by section one of this act, shall expire and be deemed
5 repealed December 1, [2016] 2018.

6 S 3. This act shall take effect immediately and shall be deemed to
7 have been in full force and effect after June 30, 2015; provided, howev-
8 er, that the amendment to subparagraph (A) of paragraph 7 of subdivision
9 (ee) of section 1115 of the tax law made by section one of this act
10 shall not affect the repeal of such subdivision and shall be deemed
11 repealed therewith.

12 SUBPART B

13 Section 1. Subdivision (b) of section 25-z of the general city law, as
14 amended by section 1 of subpart D of part GG of chapter 59 of the laws
15 of 2014, is amended to read as follows:

16 (b) No eligible business shall be authorized to receive a credit under
17 any local law enacted pursuant to this article until the premises with
18 respect to which it is claiming the credit meet the requirements in the
19 definition of eligible premises and until it has obtained a certifi-
20 cation of eligibility from the mayor of such city or an agency desig-
21 nated by such mayor, and an annual certification from such mayor or an
22 agency designated by such mayor as to the number of eligible aggregate
23 employment shares maintained by such eligible business that may qualify
24 for obtaining a tax credit for the eligible business' taxable year. Any
25 written documentation submitted to such mayor or such agency or agencies
26 in order to obtain any such certification shall be deemed a written
27 instrument for purposes of section 175.00 of the penal law. Such local
28 law may provide for application fees to be determined by such mayor or
29 such agency or agencies. No such certification of eligibility shall be
30 issued under any local law enacted pursuant to this article to an eligi-
31 ble business on or after July first, two thousand [fifteen] SEVENTEEN
32 unless:

33 (1) prior to such date such business has purchased, leased or entered
34 into a contract to purchase or lease particular premises or a parcel on
35 which will be constructed such premises or already owned such premises
36 or parcel;

37 (2) prior to such date improvements have been commenced on such prem-
38 ises or parcel, which improvements will meet the requirements of subdivi-
39 sion (e) of section twenty-five-y of this article relating to expendi-
40 tures for improvements;

41 (3) prior to such date such business submits a preliminary application
42 for a certification of eligibility to such mayor or such agency or agen-
43 cies with respect to a proposed relocation to such particular premises;
44 and

45 (4) such business relocates to such particular premises not later than
46 thirty-six months or, in a case in which the expenditures made for the
47 improvements specified in paragraph two of this subdivision are in
48 excess of fifty million dollars within seventy-two months from the date
49 of submission of such preliminary application.

50 S 2. Subdivision (b) of section 25-ee of the general city law, as
51 amended by section 2 of subpart D of part GG of chapter 59 of the laws
52 of 2014, is amended to read as follows:

53 (b) No eligible business or special eligible business shall be author-
54 ized to receive a credit against tax under any local law enacted pursu-

1 ant to this article until the premises with respect to which it is
2 claiming the credit meet the requirements in the definition of eligible
3 premises and until it has obtained a certification of eligibility from
4 the mayor of such city or any agency designated by such mayor, and an
5 annual certification from such mayor or an agency designated by such
6 mayor as to the number of eligible aggregate employment shares main-
7 tained by such eligible business or such special eligible business that
8 may qualify for obtaining a tax credit for the eligible business' taxa-
9 ble year. No special eligible business shall be authorized to receive a
10 credit against tax under the provisions of this article unless the
11 number of relocated employee base shares calculated pursuant to subdivi-
12 sion (o) of section twenty-five-dd of this article is equal to or great-
13 er than the lesser of twenty-five percent of the number of New York city
14 base shares calculated pursuant to subdivision (p) of such section and
15 two hundred fifty employment shares. Any written documentation submitted
16 to such mayor or such agency or agencies in order to obtain any such
17 certification shall be deemed a written instrument for purposes of
18 section 175.00 of the penal law. Such local law may provide for applica-
19 tion fees to be determined by such mayor or such agency or agencies. No
20 certification of eligibility shall be issued under any local law enacted
21 pursuant to this article to an eligible business on or after July first,
22 two thousand [fifteen] SEVENTEEN unless:

23 (1) prior to such date such business has purchased, leased or entered
24 into a contract to purchase or lease premises in the eligible Lower
25 Manhattan area or a parcel on which will be constructed such premises;

26 (2) prior to such date improvements have been commenced on such prem-
27 ises or parcel, which improvements will meet the requirements of subdivi-
28 sion (e) of section twenty-five-dd of this article relating to expend-
29 itures for improvements;

30 (3) prior to such date such business submits a preliminary application
31 for a certification of eligibility to such mayor or such agency or agen-
32 cies with respect to a proposed relocation to such premises; and

33 (4) such business relocates to such premises as provided in subdivi-
34 sion (j) of section twenty-five-dd of this article not later than thir-
35 ty-six months or, in a case in which the expenditures made for the
36 improvements specified in paragraph two of this subdivision are in
37 excess of fifty million dollars within seventy-two months from the date
38 of submission of such preliminary application.

39 S 3. Subdivision (b) of section 22-622 of the administrative code of
40 the city of New York, as amended by section 3 of subpart D of part GG of
41 chapter 59 of the laws of 2014, is amended to read as follows:

42 (b) No eligible business shall be authorized to receive a credit
43 against tax or a reduction in base rent subject to tax under the
44 provisions of this chapter, and of title eleven of the code as described
45 in subdivision (a) of this section, until the premises with respect to
46 which it is claiming the credit meet the requirements in the definition
47 of eligible premises and until it has obtained a certification of eligi-
48 bility from the mayor or an agency designated by the mayor, and an annu-
49 al certification from the mayor or an agency designated by the mayor as
50 to the number of eligible aggregate employment shares maintained by such
51 eligible business that may qualify for obtaining a tax credit for the
52 eligible business' taxable year. Any written documentation submitted to
53 the mayor or such agency or agencies in order to obtain any such certif-
54 ication shall be deemed a written instrument for purposes of section
55 175.00 of the penal law. Application fees for such certifications shall
56 be determined by the mayor or such agency or agencies. No certification

1 of eligibility shall be issued to an eligible business on or after July
2 first, two thousand [fifteen] SEVENTEEN unless:

3 (1) prior to such date such business has purchased, leased or entered
4 into a contract to purchase or lease particular premises or a parcel on
5 which will be constructed such premises or already owned such premises
6 or parcel;

7 (2) prior to such date improvements have been commenced on such prem-
8 ises or parcel which improvements will meet the requirements of subdivi-
9 sion (e) of section 22-621 of this chapter relating to expenditures for
10 improvements;

11 (3) prior to such date such business submits a preliminary application
12 for a certification of eligibility to such mayor or such agency or agen-
13 cies with respect to a proposed relocation to such particular premises;
14 and

15 (4) such business relocates to such particular premises not later than
16 thirty-six months or, in a case in which the expenditures made for
17 improvements specified in paragraph two of this subdivision are in
18 excess of fifty million dollars within seventy-two months from the date
19 of submission of such preliminary application.

20 S 4. Subdivision (b) of section 22-624 of the administrative code of
21 the city of New York, as amended by section 4 of subpart D of part GG of
22 chapter 59 of the laws of 2014, is amended to read as follows:

23 (b) No eligible business or special eligible business shall be author-
24 ized to receive a credit against tax under the provisions of this chap-
25 ter, and of title eleven of the code as described in subdivision (a) of
26 this section, until the premises with respect to which it is claiming
27 the credit meet the requirements in the definition of eligible premises
28 and until it has obtained a certification of eligibility from the mayor
29 or an agency designated by the mayor, and an annual certification from
30 the mayor or an agency designated by the mayor as to the number of
31 eligible aggregate employment shares maintained by such eligible busi-
32 ness or special eligible business that may qualify for obtaining a tax
33 credit for the eligible business' taxable year. No special eligible
34 business shall be authorized to receive a credit against tax under the
35 provisions of this chapter and of title eleven of the code unless the
36 number of relocated employee base shares calculated pursuant to subdivi-
37 sion (o) of section 22-623 of this chapter is equal to or greater than
38 the lesser of twenty-five percent of the number of New York city base
39 shares calculated pursuant to subdivision (p) of such section 22-623,
40 and two hundred fifty employment shares. Any written documentation
41 submitted to the mayor or such agency or agencies in order to obtain any
42 such certification shall be deemed a written instrument for purposes of
43 section 175.00 of the penal law. Application fees for such certifi-
44 cations shall be determined by the mayor or such agency or agencies. No
45 certification of eligibility shall be issued to an eligible business on
46 or after July first, two thousand [fifteen] SEVENTEEN unless:

47 (1) prior to such date such business has purchased, leased or entered
48 into a contract to purchase or lease premises in the eligible Lower
49 Manhattan area or a parcel on which will be constructed such premises;

50 (2) prior to such date improvements have been commenced on such prem-
51 ises or parcel, which improvements will meet the requirements of subdivi-
52 sion (e) of section 22-623 of this chapter relating to expenditures
53 for improvements;

54 (3) prior to such date such business submits a preliminary application
55 for a certification of eligibility to such mayor or such agency or agen-
56 cies with respect to a proposed relocation to such premises; and

1 (4) such business relocates to such premises not later than thirty-six
2 months or, in a case in which the expenditures made for the improvements
3 specified in paragraph two of this subdivision are in excess of fifty
4 million dollars within seventy-two months from the date of submission of
5 such preliminary application.

6 S 5. This act shall take effect immediately and shall be deemed to
7 have been in full force and effect after June 30, 2015.

8

SUBPART C

9 Section 1. Paragraph 1 of subdivision (b) of section 25-s of the
10 general city law, as amended by section 1 of subpart E of part GG of
11 chapter 59 of the laws of 2014, is amended to read as follows:

12 (1) non-residential premises that are wholly contained in property
13 that is eligible to obtain benefits under title two-D or two-F of arti-
14 cle four of the real property tax law, or would be eligible to receive
15 benefits under such article except that such property is exempt from
16 real property taxation and the requirements of paragraph (b) of subdivi-
17 sion seven of section four hundred eighty-nine-dddd of such title two-D,
18 or the requirements of subparagraph (ii) of paragraph (b) of subdivision
19 five of section four hundred eighty-nine-cccccc of such title two-F,
20 whichever is applicable, have not been satisfied, provided that applica-
21 tion for such benefits was made after May third, nineteen hundred eight-
22 y-five and prior to July first, two thousand [fifteen] SEVENTEEN, that
23 construction or renovation of such premises was described in such appli-
24 cation, that such premises have been substantially improved by such
25 construction or renovation so described, that the minimum required
26 expenditure as defined in such title two-D or two-F, whichever is appli-
27 cable, has been made, and that such real property is located in an
28 eligible area; or

29 S 2. Paragraph 3 of subdivision (b) of section 25-s of the general
30 city law, as amended by section 2 of subpart E of part GG of chapter 59
31 of the laws of 2014, is amended to read as follows:

32 (3) non-residential premises that are wholly contained in real proper-
33 ty that has obtained approval after October thirty-first, two thousand
34 and prior to July first, two thousand [fifteen] SEVENTEEN for financing
35 by an industrial development agency established pursuant to article
36 eighteen-A of the general municipal law, provided that such financing
37 has been used in whole or in part to substantially improve such premises
38 (by construction or renovation), and that expenditures have been made
39 for improvements to such real property in excess of ten per centum of
40 the value at which such real property was assessed for tax purposes for
41 the tax year in which such improvements commenced, that such expendi-
42 tures have been made within thirty-six months after the earlier of (i)
43 the issuance by such agency of bonds for such financing, or (ii) the
44 conveyance of title to such property to such agency, and that such real
45 property is located in an eligible area; or

46 S 3. Paragraph 5 of subdivision (b) of section 25-s of the general
47 city law, as amended by section 3 of subpart E of part GG of chapter 59
48 of the laws of 2014, is amended to read as follows:

49 (5) non-residential premises that are wholly contained in real proper-
50 ty owned by such city or the New York state urban development corpo-
51 ration, or a subsidiary thereof, a lease for which was approved in
52 accordance with the applicable provisions of the charter of such city or
53 by the board of directors of such corporation, and such approval was
54 obtained after October thirty-first, two thousand and prior to July

1 first, two thousand [fifteen] SEVENTEEN, provided, however, that such
2 premises were constructed or renovated subsequent to such approval, that
3 expenditures have been made subsequent to such approval for improvements
4 to such real property (by construction or renovation) in excess of ten
5 per centum of the value at which such real property was assessed for tax
6 purposes for the tax year in which such improvements commenced, that
7 such expenditures have been made within thirty-six months after the
8 effective date of such lease, and that such real property is located in
9 an eligible area; or

10 S 4. Paragraph 2 of subdivision (c) of section 25-t of the general
11 city law, as amended by section 4 of subpart E of part GG of chapter 59
12 of the laws of 2014, is amended to read as follows:

13 (2) No eligible energy user, qualified eligible energy user, on-site
14 cogenerator, or clean on-site cogenerator shall receive a rebate pursu-
15 ant to this article until it has obtained a certification from the
16 appropriate city agency in accordance with a local law enacted pursuant
17 to this section. No such certification for a qualified eligible energy
18 user shall be issued on or after November first, two thousand. No such
19 certification of any other eligible energy user, on-site cogenerator, or
20 clean on-site cogenerator shall be issued on or after July first, two
21 thousand [fifteen] SEVENTEEN.

22 S 5. Paragraph 1 of subdivision (a) of section 25-aa of the general
23 city law, as amended by section 5 of subpart E of part GG of chapter 59
24 of the laws of 2014, is amended to read as follows:

25 (1) is eligible to obtain benefits under title two-D or two-F of arti-
26 cle four of the real property tax law, or would be eligible to receive
27 benefits under such title except that such property is exempt from real
28 property taxation and the requirements of paragraph (b) of subdivision
29 seven of section four hundred eighty-nine-dddd of such title two-D, or
30 the requirements of subparagraph (ii) of paragraph (b) of subdivision
31 five of section four hundred eighty-nine-cccccc of such title two-F,
32 whichever is applicable, of the real property tax law have not been
33 satisfied, provided that application for such benefits was made after
34 the thirtieth day of June, nineteen hundred ninety-five and before the
35 first day of July, two thousand [fifteen] SEVENTEEN, that construction
36 or renovation of such building or structure was described in such appli-
37 cation, that such building or structure has been substantially improved
38 by such construction or renovation, and (i) that the minimum required
39 expenditure as defined in such title has been made, or (ii) where there
40 is no applicable minimum required expenditure, the building was
41 constructed within such period or periods of time established by title
42 two-D or two-F, whichever is applicable, of article four of the real
43 property tax law for construction of a new building or structure; or

44 S 6. Paragraphs 2 and 3 of subdivision (a) of section 25-aa of the
45 general city law, as amended by section 6 of subpart E of part GG of
46 chapter 59 of the laws of 2014, are amended to read as follows:

47 (2) has obtained approval after the thirtieth day of June, nineteen
48 hundred ninety-five and before the first day of July, two thousand
49 [fifteen] SEVENTEEN, for financing by an industrial development agency
50 established pursuant to article eighteen-A of the general municipal law,
51 provided that such financing has been used in whole or in part to
52 substantially improve such building or structure by construction or
53 renovation, that expenditures have been made for improvements to such
54 real property in excess of twenty per centum of the value at which such
55 real property was assessed for tax purposes for the tax year in which
56 such improvements commenced, and that such expenditures have been made

1 within thirty-six months after the earlier of (i) the issuance by such
2 agency of bonds for such financing, or (ii) the conveyance of title to
3 such building or structure to such agency; or

4 (3) is owned by the city of New York or the New York state urban
5 development corporation, or a subsidiary corporation thereof, a lease
6 for which was approved in accordance with the applicable provisions of
7 the charter of such city or by the board of directors of such corpo-
8 ration, as the case may be, and such approval was obtained after the
9 thirtieth day of June, nineteen hundred ninety-five and before the first
10 day of July, two thousand [fifteen] SEVENTEEN, provided that expendi-
11 tures have been made for improvements to such real property in excess of
12 twenty per centum of the value at which such real property was assessed
13 for tax purposes for the tax year in which such improvements commenced,
14 and that such expenditures have been made within thirty-six months after
15 the effective date of such lease; or

16 S 7. Subdivision (f) of section 25-bb of the general city law, as
17 amended by section 7 of subpart E of part GG of chapter 59 of the laws
18 of 2014, is amended to read as follows:

19 (f) Application and certification. An owner or lessee of a building or
20 structure located in an eligible revitalization area, or an agent of
21 such owner or lessee, may apply to such department of small business
22 services for certification that such building or structure is an eligi-
23 ble building or targeted eligible building meeting the criteria of
24 subdivision (a) or (q) of section twenty-five-aa of this article.
25 Application for such certification must be filed after the thirtieth day
26 of June, nineteen hundred ninety-five and before a building permit is
27 issued for the construction or renovation required by such subdivisions
28 and before the first day of July, two thousand [fifteen] SEVENTEEN,
29 provided that no certification for a targeted eligible building shall be
30 issued after October thirty-first, two thousand. Such application shall
31 identify expenditures to be made that will affect eligibility under such
32 subdivision (a) or (q). Upon completion of such expenditures, an appli-
33 cant shall supplement such application to provide information (i) estab-
34 lishing that the criteria of such subdivision (a) or (q) have been met;
35 (ii) establishing a basis for determining the amount of special rebates,
36 including a basis for an allocation of the special rebate among eligible
37 revitalization area energy users purchasing or otherwise receiving ener-
38 gy services from an eligible redistributor of energy or a qualified
39 eligible redistributor of energy; and (iii) supporting an allocation of
40 charges for energy services between eligible charges and other charges.
41 Such department shall certify a building or structure as an eligible
42 building or targeted eligible building after receipt and review of such
43 information and upon a determination that such information establishes
44 that the building or structure qualifies as an eligible building or
45 targeted eligible building. Such department shall mail such certifi-
46 cation or notice thereof to the applicant upon issuance. Such certifi-
47 cation shall remain in effect provided the eligible redistributor of
48 energy or qualified eligible redistributor of energy reports any changes
49 that materially affect the amount of the special rebates to which it is
50 entitled or the amount of reduction required by subdivision (c) of this
51 section in an energy services bill of an eligible revitalization area
52 energy user and otherwise complies with the requirements of this arti-
53 cle. Such department shall notify the private utility or public utility
54 service required to make a special rebate to such redistributor of the
55 amount of such special rebate established at the time of certification
56 and any changes in such amount and any suspension or termination by such

1 department of certification under this subdivision. Such department may
2 require some or all of the information required as part of an applica-
3 tion or other report be provided by a licensed engineer.

4 S 8. Paragraph 1 of subdivision (i) of section 22-601 of the adminis-
5 trative code of the city of New York, as amended by section 8 of subpart
6 E of part GG of chapter 59 of the laws of 2014, is amended to read as
7 follows:

8 (1) Non-residential premises that are wholly contained in property
9 that is eligible to obtain benefits under part four or part five of
10 subchapter two of chapter two of title eleven of this code, or would be
11 eligible to receive benefits under such chapter except that such proper-
12 ty is exempt from real property taxation and the requirements of para-
13 graph two of subdivision g of section 11-259 of this code, or the
14 requirements of subparagraph (b) of paragraph two of subdivision e of
15 section 11-270 of this code, whichever is applicable, have not been
16 satisfied, provided that application for such benefits was made after
17 May third, nineteen hundred eighty-five and prior to July first, two
18 thousand [fifteen] SEVENTEEN, that construction or renovation of such
19 premises was described in such application, that such premises have been
20 substantially improved by such construction or renovation so described,
21 that the minimum required expenditure as defined in such part four or
22 part five, whichever is applicable, has been made, and that such real
23 property is located in an eligible area; or

24 S 9. Paragraph 3 of subdivision (i) of section 22-601 of the adminis-
25 trative code of the city of New York, as amended by section 9 of subpart
26 E of part GG of chapter 59 of the laws of 2014, is amended to read as
27 follows:

28 (3) non-residential premises that are wholly contained in real proper-
29 ty that has obtained approval after October thirty-first, two thousand
30 and prior to July first, two thousand [fifteen] SEVENTEEN for financing
31 by an industrial development agency established pursuant to article
32 eighteen-A of the general municipal law, provided that such financing
33 has been used in whole or in part to substantially improve such premises
34 (by construction or renovation), and that expenditures have been made
35 for improvements to such real property in excess of ten per centum of
36 the value at which such real property was assessed for tax purposes for
37 the tax year in which such improvements commenced, that such expendi-
38 tures have been made within thirty-six months after the earlier of (i)
39 the issuance by such agency of bonds for such financing, or (ii) the
40 conveyance of title to such property to such agency, and that such real
41 property is located in an eligible area; or

42 S 10. Paragraph 5 of subdivision (i) of section 22-601 of the adminis-
43 trative code of the city of New York, as amended by section 10 of
44 subpart E of part GG of chapter 59 of the laws of 2014, is amended to
45 read as follows:

46 (5) non-residential premises that are wholly contained in real proper-
47 ty owned by such city or the New York state urban development corpo-
48 ration, or a subsidiary thereof, a lease for which was approved in
49 accordance with the applicable provisions of the charter of such city or
50 by the board of directors of such corporation, and such approval was
51 obtained after October thirty-first, two thousand and prior to July
52 first, two thousand [fifteen] SEVENTEEN, provided, however, that such
53 premises were constructed or renovated subsequent to such approval, that
54 expenditures have been made subsequent to such approval for improvements
55 to such real property (by construction or renovation) in excess of ten
56 per centum of the value at which such real property was assessed for tax

1 purposes for the tax year in which such improvements commenced, that
2 such expenditures have been made within thirty-six months after the
3 effective date of such lease, and that such real property is located in
4 an eligible area; or

5 S 11. Paragraph 1 of subdivision (c) of section 22-602 of the adminis-
6 trative code of the city of New York, as amended by section 11 of
7 subpart E of part GG of chapter 59 of the laws of 2014, is amended to
8 read as follows:

9 (1) No eligible energy user, qualified eligible energy user, on-site
10 cogenerator, clean on-site cogenerator or special eligible energy user
11 shall receive a rebate pursuant to this chapter until it has obtained a
12 certification as an eligible energy user, qualified eligible energy
13 user, on-site cogenerator, clean on-site cogenerator or special eligible
14 energy user, respectively, from the commissioner of small business
15 services. No such certification for a qualified eligible energy user
16 shall be issued on or after July first, two thousand three. No such
17 certification of any other eligible energy user, on-site cogenerator or
18 clean on-site cogenerator shall be issued on or after July first, two
19 thousand [fifteen] SEVENTEEN. The commissioner of small business
20 services, after notice and hearing, may revoke a certification issued
21 pursuant to this subdivision where it is found that eligibility criteria
22 have not been met or that compliance with conditions for continued
23 eligibility has not been maintained. The corporation counsel may main-
24 tain a civil action to recover an amount equal to any benefits improper-
25 ly obtained.

26 S 12. This act shall take effect immediately and shall be deemed to
27 have been in full force and effect after June 30, 2015.

28

SUBPART D

29 Section 1. Subparagraph (b-2) of paragraph 2 of subdivision i of
30 section 11-704 of the administrative code of the city of New York, as
31 amended by section 1 of subpart F of part GG of chapter 59 of the laws
32 of 2014, is amended to read as follows:

33 (b-2) The amount of the special reduction allowed by this subdivision
34 with respect to a lease other than a sublease commencing between July
35 first, two thousand five and June thirtieth, two thousand [fifteen]
36 SEVENTEEN with an initial or renewal lease term of at least five years
37 shall be determined as follows:

38 (i) For the base year the amount of such special reduction shall be
39 equal to the base rent for the base year.

40 (ii) For the first, second, third and fourth twelve-month periods
41 following the base year the amount of such special reduction shall be
42 equal to the lesser of (A) the base rent for each such twelve-month
43 period or (B) the base rent for the base year.

44 S 2. This act shall take effect immediately and shall be deemed to
45 have been in full force and effect after June 30, 2015.

46 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
47 sion, section or part of this act shall be adjudged by any court of
48 competent jurisdiction to be invalid, such judgment shall not affect,
49 impair, or invalidate the remainder thereof, but shall be confined in
50 its operation to the clause, sentence, paragraph, subdivision, section
51 or part thereof directly involved in the controversy in which such judg-
52 ment shall have been rendered. It is hereby declared to be the intent of
53 the legislature that this act would have been enacted even if such
54 invalid provisions had not been included herein.

1 S 3. This act shall take effect immediately provided, however, that
2 the applicable effective date of Subparts A through D of this act shall
3 be as specifically set forth in the last section of such Subparts.

4 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
5 sion, section or part of this act shall be adjudged by any court of
6 competent jurisdiction to be invalid, such judgment shall not affect,
7 impair, or invalidate the remainder thereof, but shall be confined in
8 its operation to the clause, sentence, paragraph, subdivision, section
9 or part thereof directly involved in the controversy in which such judg-
10 ment shall have been rendered. It is hereby declared to be the intent of
11 the legislature that this act would have been enacted even if such
12 invalid provisions had not been included herein.

13 S 3. This act shall take effect immediately provided, however, that
14 the applicable effective date of Parts A through F of this act shall be
15 as specifically set forth in the last section of such Parts.