

844--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 7, 2015

Introduced by M. of A. GUNTHER -- Multi-Sponsored by -- M. of A. STEC --
read once and referred to the Committee on Real Property Taxation --
recommitted to the Committee on Real Property Taxation 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 assessment
of private forest lands and to provide state assistance to municipal
corporations relating thereto

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

1 Section 1. Section 480 of the real property tax law is amended by
2 adding a new subdivision 10 to read as follows:
3 10. (A) THE CHIEF EXECUTIVE OFFICER OF A MUNICIPAL CORPORATION IN
4 WHICH THERE ARE PRIVATELY OWNED FOREST LANDS WHICH ARE ASSESSED IN
5 ACCORDANCE WITH THE PROVISIONS OF SUBDIVISION THREE OF THIS SECTION MAY
6 MAKE APPLICATION FOR STATE ASSISTANCE AS PROVIDED IN THIS SUBDIVISION.
7 (B) APPLICATION FOR STATE ASSISTANCE PURSUANT TO THIS SUBDIVISION
8 SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER AND SHALL CONTAIN
9 SUCH INFORMATION AND DOCUMENTATION AS MAY BE REQUIRED BY THE COMMISSION-
10 ER AND THE COMMISSIONER MAY PROMULGATE RULES AND REGULATIONS NECESSARY
11 TO THE IMPLEMENTATION OF THIS SUBDIVISION.
12 (C) UPON RECEIPT OF THE APPLICATION FOR STATE ASSISTANCE, SUCH PRIVATE
13 FOREST LANDS SHALL BE VALUED BY THE COMMISSIONER AND THE CUMULATIVE
14 VALUE OF ALL SUCH LANDS SHALL BE EQUALIZED BY APPLYING THERETO THE
15 APPROPRIATE STATE EQUALIZATION RATE OR SPECIAL EQUALIZATION RATE ESTAB-
16 LISHED IN ACCORDANCE WITH THE RULES OF THE COMMISSIONER.
17 (D) IF THE CUMULATIVE VALUE DETERMINED AND EQUALIZED PURSUANT TO PARA-
18 GRAPH (C) OF THIS SUBDIVISION EXCEEDS THE TAXABLE ASSESSED VALUATION OF
19 SUCH PROPERTY ON THE PRECEDING ASSESSMENT ROLL, AS REQUIRED BY SUBDIVI-
20 SION THREE OF THIS SECTION THE COMMISSIONER SHALL COMPUTE THE AMOUNT OF
21 STATE ASSISTANCE PAYABLE TO OR FOR THE BENEFIT OF EACH MUNICIPAL CORPO-

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

LBD01669-03-6

1 RATION BY APPLYING TO THE AMOUNT OF THE EXCESS THE APPROPRIATE TAX RATE
2 OF THE MUNICIPAL CORPORATION AND SUCH AMOUNT SHALL BE PAID ON AUDIT AND
3 WARRANT OF THE COMPTROLLER OUT OF MONEYS APPROPRIATED BY THE LEGISLA-
4 TURE.

5 S 2. Section 480-a of the real property tax law is amended by adding a
6 new subdivision 11 to read as follows:

7 11. (A) THE CHIEF EXECUTIVE OFFICER OF A MUNICIPAL CORPORATION IN
8 WHICH THERE ARE PRIVATELY OWNED FOREST LANDS WHICH ARE ASSESSED IN
9 ACCORDANCE WITH THE PROVISIONS OF THIS SECTION MAY MAKE APPLICATION FOR
10 STATE ASSISTANCE AS PROVIDED IN THIS SUBDIVISION.

11 (B) APPLICATION FOR STATE ASSISTANCE PURSUANT TO THIS SUBDIVISION
12 SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER AND SHALL CONTAIN
13 SUCH INFORMATION AND DOCUMENTATION AS MAY BE REQUIRED BY THE COMMISSION-
14 ER AND THE COMMISSIONER MAY PROMULGATE RULES AND REGULATIONS NECESSARY
15 TO THE IMPLEMENTATION OF THIS SUBDIVISION.

16 (C) UPON RECEIPT OF THE APPLICATION FOR STATE ASSISTANCE, SUCH PRIVATE
17 FOREST LANDS SHALL BE VALUED BY THE COMMISSIONER AND THE CUMULATIVE
18 VALUE OF ALL SUCH LANDS SHALL BE EQUALIZED BY APPLYING THERETO THE
19 APPROPRIATE STATE EQUALIZATION RATE OR SPECIAL EQUALIZATION RATE ESTAB-
20 LISHED IN ACCORDANCE WITH THE RULES OF THE COMMISSIONER.

21 (D) IF THE CUMULATIVE VALUE DETERMINED AND EQUALIZED PURSUANT TO PARA-
22 GRAPH (C) OF THIS SUBDIVISION EXCEEDS THE TAXABLE ASSESSED VALUATION OF
23 SUCH PROPERTY ON THE PRECEDING ASSESSMENT ROLL, AS REQUIRED BY THIS
24 SECTION THE COMMISSIONER SHALL COMPUTE THE AMOUNT OF STATE ASSISTANCE
25 PAYABLE TO OR FOR THE BENEFIT OF EACH MUNICIPAL CORPORATION BY APPLYING
26 TO THE AMOUNT OF THE EXCESS THE APPROPRIATE TAX RATE OF THE MUNICIPAL
27 CORPORATION AND SUCH AMOUNT SHALL BE PAID ON AUDIT AND WARRANT OF THE
28 COMPTROLLER OUT OF MONEYS APPROPRIATED BY THE LEGISLATURE.

29 S 3. This act shall take effect immediately and shall apply to taxes
30 levied upon assessment rolls prepared on the basis of taxable status
31 dates occurring on or after January 1, 2018.