

1151--A

2015-2016 Regular Sessions

I N S E N A T E

January 9, 2015

Introduced by Sens. O'MARA, FUNKE, LATIMER, MARCHIONE, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law and the education law, in relation to payments in lieu of taxes

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

1 Section 1. Subparagraph (i) of paragraph (b) of subdivision 3 of  
2 section 3-c of the general municipal law, as amended by section 2 of  
3 subpart C of part C of chapter 20 of the laws of 2015, is amended to  
4 read as follows:  
5 (i) The commissioner of taxation and finance shall calculate a quanti-  
6 ty change factor for each local government for the coming fiscal year  
7 based upon the physical or quantity change, as defined by section twelve  
8 hundred twenty of the real property tax law, reported to the commission-  
9 er of taxation and finance by the assessor or assessors pursuant to  
10 section five hundred seventy-five of the real property tax law. The  
11 quantity change factor shall show the percentage by which the full value  
12 of the taxable real property in the local government has changed due to  
13 physical or quantity change between the second final assessment roll or  
14 rolls preceding the final assessment roll or rolls upon which taxes are  
15 to be levied, and the final assessment roll or rolls immediately preced-  
16 ing the final assessment roll or rolls upon which taxes are to be  
17 levied. The commissioner of taxation and finance shall, as appropriate,  
18 promulgate rules and regulations regarding the calculation of the quan-  
19 tity change factor which may adjust the calculation based on the devel-  
20 opment on tax exempt land AND INCLUDE THE CHANGE IN ASSESSED VALUE FOR

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

LBD04426-02-6

1 EACH PROPERTY ON THE EXEMPT SIDE OF THE TAX ROLLS UNDER A PAYMENT IN  
2 LIEU OF TAX AGREEMENT.

3 S 2. Paragraph b of subdivision 2-a of section 2023-a of the education  
4 law, as amended by section 3 of subpart C of part C of chapter 20 of the  
5 laws of 2015, is amended to read as follows:

6 b. The commissioner of taxation and finance shall calculate a quantity  
7 change factor for the coming school year for each school district based  
8 upon the physical or quantity change, as defined by section twelve  
9 hundred twenty of the real property tax law, reported to the commission-  
10 er of taxation and finance by the assessor or assessors pursuant to  
11 section five hundred seventy-five of the real property tax law. The  
12 quantity change factor shall show the percentage by which the full value  
13 of the taxable real property in the school district has changed due to  
14 physical or quantity change between the second final assessment roll or  
15 rolls preceding the final assessment roll or rolls upon which taxes are  
16 to be levied, and the final assessment roll or rolls immediately preced-  
17 ing the final assessment roll or rolls upon which taxes are to be  
18 levied. The commissioner of taxation and finance shall, as appropriate,  
19 promulgate rules and regulations regarding the calculation of the quan-  
20 tity change factor which may adjust the calculation based on the devel-  
21 opment on tax exempt land AND INCLUDE THE CHANGE IN ASSESSED VALUE FOR  
22 EACH PROPERTY ON THE EXEMPT SIDE OF THE TAX ROLLS UNDER A PAYMENT IN  
23 LIEU OF TAX AGREEMENT.

24 S 3. This act shall take effect on the one hundred twentieth day after  
25 it shall have become a law, provided, however, that the amendments to  
26 section 3-c of the general municipal law and section 2023-a of the  
27 education law made by sections one and two of this act, respectively,  
28 shall not affect the repeal of such sections and shall be deemed  
29 repealed therewith. Effective immediately, the addition, amendment  
30 and/or repeal of any rules or regulations necessary for the implementa-  
31 tion of this act on its effective date are authorized to be made on or  
32 before such effective date.