

2210--A

2015-2016 Regular Sessions

I N S E N A T E

January 22, 2015

Introduced by Sens. LARKIN, ADDABBO, AVELLA, BONACIC, CARLUCCI, CROCI, GALLIVAN, MARTINS, RANZENHOFER, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs 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 real property tax law, in relation to authorizing school districts to grant an exemption to Cold War veterans

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

1 Section 1. Paragraph (a) of subdivision 2 of section 458-b of the real  
2 property tax law, as amended by chapter 235 of the laws of 2009, is  
3 amended to read as follows:

4 (a) Each county, city, town or village may adopt a local law, AND EACH  
5 SCHOOL DISTRICT MAY ADOPT A RESOLUTION, to provide that qualifying resi-  
6 dential real property shall be exempt from taxation to the extent of  
7 either: (i) ten percent of the assessed value of such property; provided  
8 however, that such exemption shall not exceed eight thousand dollars or  
9 the product of eight thousand dollars multiplied by the latest state  
10 equalization rate of the assessing unit, or, in the case of a special  
11 assessing unit, the latest class ratio, whichever is less or; (ii)  
12 fifteen percent of the assessed value of such property; provided howev-  
13 er, that such exemption shall not exceed twelve thousand dollars or the  
14 product of twelve thousand dollars multiplied by the latest state equal-  
15 ization rate for the assessing unit, or, in the case of a special  
16 assessing unit, the latest class ratio, whichever is less.

17 S 2. Subparagraphs (i) and (iii) of paragraph (c) of subdivision 2 of  
18 section 458-b of the real property tax law, subparagraph (i) as amended

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

LBD04575-02-6

1 by chapter 235 of the laws of 2009 and subparagraph (iii) as amended by  
2 chapter 381 of the laws of 2015, are amended to read as follows:

3 (i) The exemption from taxation provided by this subdivision shall be  
4 applicable to county, city, town, [and] village, AND SCHOOL DISTRICT  
5 taxation[, but shall not be applicable to taxes levied for school  
6 purposes].

7 (iii) The exemption provided by paragraph (a) of this subdivision  
8 shall be granted for a period of ten years. The commencement of such ten  
9 year period shall be governed pursuant to this subparagraph. Where a  
10 qualified owner owns qualifying residential real property on the effec-  
11 tive date of the local law OR RESOLUTION providing for such exemption,  
12 such ten year period shall be measured from the assessment roll prepared  
13 pursuant to the first taxable status date occurring on or after the  
14 effective date of the local law OR RESOLUTION providing for such  
15 exemption. Where a qualified owner does not own qualifying residential  
16 real property on the effective date of the local law OR RESOLUTION  
17 providing for such exemption, such ten year period shall be measured  
18 from the assessment roll prepared pursuant to the first taxable status  
19 date occurring at least sixty days after the date of purchase of quali-  
20 fying residential real property; provided, however, that should the  
21 veteran apply for and be granted an exemption on the assessment roll  
22 prepared pursuant to a taxable status date occurring within sixty days  
23 after the date of purchase of residential real property, such ten year  
24 period shall be measured from the first assessment roll in which the  
25 exemption occurs. If, before the expiration of such ten year period,  
26 such exempt property is sold and replaced with other residential real  
27 property, such exemption may be granted pursuant to this subdivision for  
28 the unexpired portion of the ten year exemption period. Each county,  
29 city, town or village may adopt a local law, AND EACH SCHOOL DISTRICT  
30 MAY ADOPT A RESOLUTION, to reduce the maximum exemption allowable in  
31 paragraphs (a) and (b) of this subdivision to six thousand dollars, nine  
32 thousand dollars and thirty thousand dollars, respectively, or four  
33 thousand dollars, six thousand dollars and twenty thousand dollars,  
34 respectively. Each county, city, town, or village is also authorized to  
35 adopt a local law, AND EACH SCHOOL DISTRICT MAY ADOPT A RESOLUTION, to  
36 increase the maximum exemption allowable in paragraphs (a) and (b) of  
37 this subdivision to ten thousand dollars, fifteen thousand dollars and  
38 fifty thousand dollars, respectively; twelve thousand dollars, eighteen  
39 thousand dollars and sixty thousand dollars, respectively; fourteen  
40 thousand dollars, twenty-one thousand dollars and seventy thousand  
41 dollars, respectively; sixteen thousand dollars, twenty-four thousand  
42 dollars and eighty thousand dollars, respectively; eighteen thousand  
43 dollars, twenty-seven thousand dollars and ninety thousand dollars,  
44 respectively; twenty thousand dollars, thirty thousand dollars and one  
45 hundred thousand dollars, respectively; twenty-two thousand dollars,  
46 thirty-three thousand dollars and one hundred ten thousand dollars,  
47 respectively; twenty-four thousand dollars, thirty-six thousand dollars  
48 and one hundred twenty thousand dollars, respectively; thirty-nine thou-  
49 sand dollars, twenty-six thousand dollars, and one hundred thirty thou-  
50 sand dollars, respectively; forty-two thousand dollars, twenty-eight  
51 thousand dollars, and one hundred forty thousand dollars, respectively;  
52 and forty-five thousand dollars, thirty thousand dollars and one hundred  
53 fifty thousand dollars, respectively. In addition, a county, city, town  
54 or village which is a "high-appreciation municipality" as defined in  
55 this subparagraph is authorized to adopt a local law, AND EACH SCHOOL  
56 DISTRICT WHICH IS WITHIN A HIGH-APPRECIATION MUNICIPALITY IS AUTHORIZED

1 TO ADOPT A RESOLUTION, to increase the maximum exemption allowable in  
2 paragraphs (a) and (b) of this subdivision to twenty-six thousand  
3 dollars, thirty-nine thousand dollars and one hundred thirty thousand  
4 dollars, respectively; twenty-eight thousand dollars, forty-two thousand  
5 dollars and one hundred forty thousand dollars, respectively; thirty  
6 thousand dollars, forty-five thousand dollars and one hundred fifty  
7 thousand dollars, respectively; thirty-two thousand dollars, forty-eight  
8 thousand dollars and one hundred sixty thousand dollars, respectively;  
9 thirty-four thousand dollars, fifty-one thousand dollars and one hundred  
10 seventy thousand dollars, respectively; thirty-six thousand dollars,  
11 fifty-four thousand dollars and one hundred eighty thousand dollars,  
12 respectively; fifty-seven thousand dollars, thirty-eight thousand  
13 dollars and one hundred ninety thousand dollars, respectively; sixty  
14 thousand dollars, forty thousand dollars and two hundred thousand  
15 dollars, respectively; sixty-three thousand dollars, forty-two thousand  
16 dollars and two hundred ten thousand dollars, respectively; sixty-six  
17 thousand dollars, forty-four thousand dollars and two hundred twenty  
18 thousand dollars, respectively; sixty-nine thousand dollars, forty-six  
19 thousand dollars and two hundred thirty thousand dollars, respectively;  
20 seventy-two thousand dollars, forty-eight thousand dollars and two  
21 hundred forty thousand dollars, respectively; seventy-five thousand  
22 dollars, fifty thousand dollars and two hundred fifty thousand dollars,  
23 respectively. For purposes of this subparagraph, a "high-appreciation  
24 municipality" means: (A) a special assessing unit that is a city, (B) a  
25 county for which the commissioner has established a sales price differ-  
26 ential factor for purposes of the STAR exemption authorized by section  
27 four hundred twenty-five of this title in three consecutive years, and  
28 (C) a city, town or village which is wholly or partly located within  
29 such a county.

30 S 3. Subdivision 5 of section 458-b of the real property tax law, as  
31 added by chapter 655 of the laws of 2007, is amended to read as follows:

32 5. A local law OR RESOLUTION adopted pursuant to this section may be  
33 repealed by the governing body of the applicable county, city, town,  
34 [or] village OR SCHOOL DISTRICT. Such repeal shall occur at least nine-  
35 ty days prior to the taxable status date of such county, city, town,  
36 [or] village OR SCHOOL DISTRICT.

37 S 4. This act shall take effect immediately.