

3533--A

2015-2016 Regular Sessions

I N S E N A T E

February 12, 2015

Introduced by Sen. PANEPINTO -- 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 real property tax law, in relation to providing state aid to certain public school districts in which tax exempt entities are situated; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The real property tax law is amended by adding a new  
2 section 546-a to read as follows:

3 S 546-A. STATE AID; EXEMPT LANDS OF TAX EXEMPT ENTITIES. 1. IN ANY  
4 PUBLIC SCHOOL DISTRICT IN WHICH MORE THAN TWENTY-FIVE PERCENT OF THE  
5 TOTAL ASSESSED VALUE OF REAL PROPERTY THEREIN, AS DETERMINED BY THE  
6 ASSESSOR OF SUCH DISTRICT, IS OWNED BY TAX EXEMPT ENTITIES, THE STATE  
7 SHALL MAKE PAYMENTS TO THOSE PUBLIC SCHOOL DISTRICTS IN ACCORDANCE WITH  
8 THIS SECTION.

9 2. THE COMPTROLLER SHALL CREATE THE FORM OF APPLICATION A PUBLIC  
10 SCHOOL DISTRICT MUST USE WHEN MAKING A SUBMISSION PURSUANT TO THIS  
11 SECTION. THE COMPTROLLER SHALL ALSO ESTABLISH THE DATE BY WHICH ALL  
12 APPLICATIONS MUST BE SUBMITTED. NO APPLICATIONS FOR PAYMENT SHALL BE  
13 ACCEPTED AFTER THE DATE ESTABLISHED BY THE COMPTROLLER.

14 3. THE COMMISSIONER SHALL MAKE PAYMENTS, THE AGGREGATE OF WHICH SHALL  
15 NOT EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS PER YEAR, TO PUBLIC  
16 SCHOOL DISTRICTS, ELIGIBLE PURSUANT TO SUBDIVISION ONE OF THIS SECTION,  
17 THAT HAVE MADE TIMELY APPLICATION THEREFOR. FOR EACH SUCH PUBLIC SCHOOL  
18 DISTRICT, THE PAYMENT SHALL BE COMPUTED AS FOLLOWS:

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

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1 (A) TAKE THE TOTAL VALUE OF REAL PROPERTY OWNED BY TAX EXEMPT ENTITIES  
2 IN THE PUBLIC SCHOOL DISTRICT MULTIPLIED BY THE APPLICABLE EQUALIZATION  
3 RATE,

4 (B) FROM THAT SUBTRACT TWENTY-FIVE PERCENT OF THE TOTAL VALUE OF ALL  
5 PROPERTY IN THE PUBLIC SCHOOL DISTRICT MULTIPLIED BY THE APPLICABLE  
6 EQUALIZATION RATE,

7 (C) MULTIPLY THE DIFFERENCE BY THE TAX RATE FOR THE APPLICABLE PUBLIC  
8 SCHOOL DISTRICT.

9 4. IF THE TOTAL AGGREGATE AMOUNT OF PAYMENTS REQUESTED BY PUBLIC  
10 SCHOOL DISTRICTS EXCEEDS THE TWO MILLION FIVE HUNDRED THOUSAND DOLLAR  
11 CAP ALLOWED UNDER SUBDIVISION THREE OF THIS SECTION, THE COMPTROLLER  
12 SHALL MAKE THE PAYMENTS TO EACH PUBLIC SCHOOL DISTRICT ON A PROPOR-  
13 TIONATE BASIS.

14 5. THE COMMISSIONER SHALL PROMULGATE ALL RULES AND REGULATIONS NECES-  
15 SARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION.

16 6. WHEN CALCULATING THE ASSESSED VALUE OF ANY PARCEL OF PROPERTY FOR  
17 PURPOSES OF THIS SECTION, THE VALUE IN ANY YEAR MAY NOT BE GREATER THAN  
18 THE BASE YEAR PLUS TWO PERCENT FOR EACH ADDITIONAL YEAR BEYOND THE BASE  
19 YEAR. THE BASE YEAR FOR ALL PROPERTY FOR PURPOSES OF THIS SECTION SHALL  
20 BE THE ASSESSED VALUE OF SUCH PROPERTY FOR THE TWO THOUSAND FIFTEEN--TWO  
21 THOUSAND SIXTEEN ASSESSMENT ROLL.

22 7. THE ASSESSED VALUE OF ANY PROPERTY THAT RECEIVES TAX EXEMPT STATUS  
23 AFTER THE EFFECTIVE DATE OF THIS SECTION MUST BE EQUIVALENT TO SIMILARLY  
24 SITUATED PARCELS. THE COMMISSIONER MAY REFUSE TO INCLUDE A PARCEL IN THE  
25 CALCULATIONS REQUIRED BY THIS SECTION IF THE COMMISSIONER DETERMINES  
26 THAT THE ASSESSED VALUE OF SUCH PARCEL IS ARTIFICIALLY HIGH AND  
27 DISPROPORTIONATE TO THE TAXABLE PARCELS LOCATED WITHIN THE PUBLIC SCHOOL  
28 DISTRICTS.

29 S 2. This act shall take effect on the first of January next succeed-  
30 ing the date on which it shall have become a law and shall apply to  
31 assessment rolls prepared on the basis of taxable status dates occurring  
32 on or after such effective date. This act shall expire and be deemed  
33 repealed following the 2025-26 assessment roll. Effective immediately,  
34 any rules and regulations necessary to implement the provisions of this  
35 act on its effective date are authorized to be made on or before such  
36 date; provided that the commissioner of taxation and finance shall noti-  
37 fy the legislative bill drafting commission following the 2025-26  
38 assessment roll in order that the commission may maintain an accurate  
39 and timely effective data base of the official text of the laws of the  
40 state of New York in furtherance of effectuating the provisions of  
41 section 44 of the legislative law and section 70-b of the public offi-  
42 cers law.