S T A T E O F N E W Y O R K

5424

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sens. CARLUCCI, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law, in relation to authorizing municipalities to add unpaid housing code violation penalties, costs and fines to the municipality's annual tax levy

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

Section 1. The real property tax law is amended by adding a new section 901 to read as follows:

S 901. COLLECTION OF UNPAID HOUSING CODE VIOLATION PENALTIES; LEVY. 1. NOTWITHSTANDING ANY OTHER PROVISIONS OF ANY GENERAL, SPECIAL, OR LOCAL LAW, CODE OR CHARTER, A MUNICIPALITY, EXCEPT THOSE HAVING A POPULATION OF ONE MILLION OR MORE, MAY COLLECT ANY UNPAID HOUSING CODE VIOLATION PENALTIES, COSTS AND FINES THROUGH PLACEMENT BY THE OFFICIAL AUTHORIZED TO ADMINISTER A MUNICIPALITY'S ANNUAL TAX LEVY.

2. IN ORDER TO BE ELIGIBLE FOR PLACEMENT ON A MUNICIPALITY'S ANNUAL TAX LEVY SUCH UNPAID HOUSING CODE VIOLATION PENALTIES, COSTS AND FINES SHALL HAVE BEEN ADJUDICATED AND IMPOSED THROUGH A JUDGMENT IN A COURT OF COMPETENT JURISDICTION ON AN OWNER OF REAL PROPERTY WITHIN THE MUNICIPALITY AND HAVE REMAINED UNPAID FOR ONE YEAR PRECEDING THE PLACEMENT ON THE MUNICIPALITY'S TAX LEVY.

3. SUCH HOUSING CODE VIOLATION PENALTY, COST OR FINE SHALL BE SET DOWN IN THE ANNUAL TAX LEVY UNDER THE HEADING UNCOLLECTED FINES AND PENALTIES AND SHALL BE LEVIED, ENFORCED AND COLLECTED IN THE SAME MANNER, BY THE SAME PROCEEDINGS, AT THE SAME TIME, UNDER THE SAME PENALTIES AND HAVING THE SAME LIEN UPON THE PROPERTY ASSESSED AS THE GENERAL MUNICIPAL TAX AND AS A PART THEREOF.

S 2. This act shall take effect immediately.

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

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