

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:

- 1 Section 1. The real property tax law is amended by adding a new
2 section 901 to read as follows:
3 S 901. COLLECTION OF UNPAID HOUSING CODE VIOLATION PENALTIES; LEVY. 1.
4 NOTWITHSTANDING ANY OTHER PROVISIONS OF ANY GENERAL, SPECIAL, OR LOCAL
5 LAW, CODE OR CHARTER, A MUNICIPALITY, EXCEPT THOSE HAVING A POPULATION
6 OF ONE MILLION OR MORE, MAY COLLECT ANY UNPAID HOUSING CODE VIOLATION
7 PENALTIES, COSTS AND FINES THROUGH PLACEMENT BY THE OFFICIAL AUTHORIZED
8 TO ADMINISTER A MUNICIPALITY'S ANNUAL TAX LEVY.
9 2. IN ORDER TO BE ELIGIBLE FOR PLACEMENT ON A MUNICIPALITY'S ANNUAL
10 TAX LEVY SUCH UNPAID HOUSING CODE VIOLATION PENALTIES, COSTS AND FINES
11 SHALL HAVE BEEN ADJUDICATED AND IMPOSED THROUGH A JUDGMENT IN A COURT OF
12 COMPETENT JURISDICTION ON AN OWNER OF REAL PROPERTY WITHIN THE MUNICI-
13 PALITY AND HAVE REMAINED UNPAID FOR ONE YEAR PRECEDING THE PLACEMENT ON
14 THE MUNICIPALITY'S TAX LEVY.
15 3. SUCH HOUSING CODE VIOLATION PENALTY, COST OR FINE SHALL BE SET DOWN
16 IN THE ANNUAL TAX LEVY UNDER THE HEADING UNCOLLECTED FINES AND PENALTIES
17 AND SHALL BE LEVIED, ENFORCED AND COLLECTED IN THE SAME MANNER, BY THE
18 SAME PROCEEDINGS, AT THE SAME TIME, UNDER THE SAME PENALTIES AND HAVING
19 THE SAME LIEN UPON THE PROPERTY ASSESSED AS THE GENERAL MUNICIPAL TAX
20 AND AS A PART THEREOF.
21 S 2. This act shall take effect immediately.

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

LBD11109-01-5