

605

2015-2016 Regular Sessions

I N   S E N A T E

(PREFILED)

January 7, 2015

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Introduced by Sen. HANNON -- 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 granting a real property tax exemption to nonprofit organizations that purchase real property after the taxable status date

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

1     Section 1.     Subdivision 13 of section 420-a of the real property tax  
2     law, as added by chapter 630 of the laws of 1997, is renumbered subdivi-  
3     sion 15 and a new subdivision 16 is added to read as follows:  
4     16. (A) (I) FOR THE PURPOSES OF THIS SUBDIVISION, "MUNICIPAL CORPO-  
5     RATION" SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE OR SCHOOL DISTRICT  
6     WHICH, AFTER PUBLIC HEARING, ADOPTS A LOCAL LAW, ORDINANCE OR RESOL-  
7     UTION, PROVIDING THAT THIS SUBDIVISION SHALL BE APPLICABLE TO NONPROFIT  
8     ORGANIZATIONS WITHIN ITS JURISDICTION. SUCH LOCAL LAW, ORDINANCE OR  
9     RESOLUTION SHALL APPLY TO PROPERTY TRANSFERS OCCURRING ON OR AFTER THE  
10    EFFECTIVE DATE OF SUCH LOCAL LAW, ORDINANCE OR RESOLUTION. A COPY OF  
11    SUCH LOCAL LAW, ORDINANCE OR RESOLUTION SHALL BE FILED WITH THE COMMIS-  
12    SIONER.  
13    (II) WHERE A NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR AN  
14    EXEMPTION PURSUANT TO THIS SECTION, PURCHASES PROPERTY AFTER THE LEVY OF  
15    TAXES, SUCH NONPROFIT ORGANIZATION MAY, IF PERMITTED BY A LOCAL LAW,  
16    ORDINANCE OR RESOLUTION OF THE MUNICIPAL CORPORATION IN WHICH THE  
17    NONPROFIT ORGANIZATION IS LOCATED, FILE AN APPLICATION FOR EXEMPTION  
18    WITH THE ASSESSOR NO LATER THAN THE TIME SPECIFIED IN SUCH LOCAL LAW,  
19    ORDINANCE OR RESOLUTION. THE ASSESSOR SHALL MAKE A DETERMINATION OF  
20    WHETHER THE PARCEL WOULD HAVE QUALIFIED FOR EXEMPT STATUS ON THE TAX  
21    ROLL ON WHICH THE TAXES WERE LEVIED, HAD TITLE TO THE PARCEL BEEN IN THE  
22    NAME OF THE APPLICANT ON THE TAXABLE STATUS DATE APPLICABLE TO THE TAX  
23    ROLL. THE APPLICATION SHALL BE ON A FORM PRESCRIBED BY THE COMMISSIONER.

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

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1 THE ASSESSOR, NO LATER THAN THIRTY DAYS AFTER RECEIPT OF SUCH APPLICA-  
2 TION, SHALL NOTIFY BOTH THE APPLICANT AND THE BOARD OF ASSESSMENT  
3 REVIEW, BY FIRST CLASS MAIL, OF THE EXEMPT AMOUNT, IF ANY, AND THE RIGHT  
4 OF THE OWNER TO A REVIEW OF THE EXEMPT AMOUNT UPON THE FILING OF A WRIT-  
5 TEN COMPLAINT. SUCH COMPLAINT SHALL BE ON A FORM PRESCRIBED BY THE  
6 COMMISSIONER AND SHALL BE FILED WITH THE BOARD OF ASSESSMENT REVIEW  
7 WITHIN TWENTY DAYS OF THE MAILING OF SUCH NOTICE. IF NO COMPLAINT IS  
8 RECEIVED, THE BOARD OF ASSESSMENT REVIEW SHALL SO NOTIFY THE ASSESSOR  
9 AND THE EXEMPT AMOUNT DETERMINED BY THE ASSESSOR SHALL BE FINAL. IF THE  
10 APPLICANT FILES A COMPLAINT, THE BOARD OF ASSESSMENT REVIEW SHALL SCHED-  
11 ULE A TIME AND PLACE FOR A HEARING WITH RESPECT THERETO NO LATER THAN  
12 THIRTY DAYS AFTER THE MAILING OF THE NOTICE BY THE ASSESSOR. THE BOARD  
13 OF ASSESSMENT REVIEW SHALL MEET AND DETERMINE THE EXEMPT AMOUNT, AND  
14 SHALL IMMEDIATELY NOTIFY THE ASSESSOR AND THE APPLICANT, BY FIRST CLASS  
15 MAIL, OF ITS DETERMINATION. THE AMOUNT OF EXEMPTION DETERMINED PURSUANT  
16 TO THIS PARAGRAPH SHALL BE SUBJECT TO REVIEW AS PROVIDED IN ARTICLE  
17 SEVEN OF THIS CHAPTER. SUCH A PROCEEDING SHALL BE COMMENCED WITHIN THIR-  
18 TY DAYS OF THE MAILING OF THE NOTICE OF THE BOARD OF ASSESSMENT REVIEW  
19 TO THE NEW OWNER AS PROVIDED IN THIS PARAGRAPH.

20 (III) UPON RECEIPT OF A DETERMINATION OF THE EXEMPT AMOUNT AS PROVIDED  
21 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE ASSESSOR SHALL DETERMINE THE  
22 PRO RATA EXEMPTION TO BE CREDITED TOWARD SUCH PROPERTY BY MULTIPLYING  
23 THE TAX RATE OR TAX RATES FOR EACH MUNICIPAL CORPORATION WHICH LEVIED  
24 TAXES, OR FOR WHICH TAXES WERE LEVIED, ON THE APPROPRIATE TAX ROLL USED  
25 FOR THE FISCAL YEAR OR YEARS DURING WHICH THE TRANSFER OCCURRED TIMES  
26 THE EXEMPT AMOUNT, AS DETERMINED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
27 TIMES THE FRACTION OF EACH FISCAL YEAR OR YEARS REMAINING SUBSEQUENT TO  
28 THE TRANSFER OF TITLE. THE ASSESSOR SHALL IMMEDIATELY TRANSMIT A STATE-  
29 MENT OF THE PRO RATA EXEMPTION CREDIT DUE TO EACH MUNICIPAL CORPORATION  
30 WHICH LEVIED TAXES OR FOR WHICH TAXES WERE LEVIED ON THE TAX ROLL USED  
31 FOR THE FISCAL YEAR OR YEARS DURING WHICH THE TRANSFER OCCURRED AND TO  
32 THE APPLICANT.

33 (IV) EACH MUNICIPAL CORPORATION WHICH RECEIVES NOTICE OF PRO RATA  
34 EXEMPTION CREDITS PURSUANT TO THIS SUBDIVISION SHALL INCLUDE AN APPRO-  
35 PRIATION IN ITS BUDGET FOR THE NEXT FISCAL YEAR EQUAL TO THE AGGREGATE  
36 AMOUNT OF SUCH CREDITS TO BE APPLIED IN THAT FISCAL YEAR. WHERE A  
37 PARCEL, THE OWNER OF WHICH IS ENTITLED TO A PRO RATA EXEMPTION CREDIT,  
38 IS SUBJECT TO TAXATION IN SAID NEXT FISCAL YEAR, THE RECEIVER OR COLLEC-  
39 TOR SHALL APPLY THE CREDIT TO REDUCE THE AMOUNT OF TAXES OWED FOR THE  
40 PARCEL IN SUCH FISCAL YEAR. PRO RATA EXEMPTION CREDITS IN EXCESS OF THE  
41 AMOUNT OF TAXES, IF ANY, OWED FOR THE PARCEL SHALL BE PAID BY THE TREAS-  
42 URER OF A MUNICIPAL CORPORATION WHICH LEVIES SUCH TAXES FOR OR ON BEHALF  
43 OF THE MUNICIPAL CORPORATION TO ALL OWNERS OF PROPERTY ENTITLED TO SUCH  
44 CREDITS WITHIN THIRTY DAYS OF THE EXPIRATION OF THE WARRANT TO COLLECT  
45 TAXES IN SAID NEXT FISCAL YEAR. NOTWITHSTANDING THE FOREGOING, WHERE  
46 THE MUNICIPAL CORPORATION HAS BEEN REIMBURSED BY ANOTHER MUNICIPAL  
47 CORPORATION FOR THE TAX CREDIT TO BE PAID TO THE OWNER PURSUANT TO THIS  
48 SUBDIVISION, SUCH CREDIT SHALL BE PAID TO SUCH MUNICIPAL CORPORATION  
49 INSTEAD OF SUCH OWNER.

50 (B) (I) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, WHERE A  
51 NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR AN EXEMPTION  
52 PURSUANT TO THIS SECTION, PURCHASES PROPERTY AFTER THE TAXABLE STATUS  
53 DATE BUT PRIOR TO THE LEVY OF TAXES, SUCH NONPROFIT ORGANIZATION MAY, IF  
54 PERMITTED BY A LOCAL LAW, ORDINANCE OR RESOLUTION OF THE MUNICIPAL  
55 CORPORATION IN WHICH THE NONPROFIT ORGANIZATION IS LOCATED, FILE AN  
56 APPLICATION FOR AN EXEMPTION WITH THE ASSESSOR WITHIN THIRTY DAYS OF THE

TRANSFER OF TITLE TO SUCH NONPROFIT ORGANIZATION. THE ASSESSOR SHALL MAKE A DETERMINATION WITHIN THIRTY DAYS AFTER RECEIPT OF SUCH APPLICATION OF WHETHER THE APPLICANT WOULD QUALIFY FOR AN EXEMPTION PURSUANT TO THIS SECTION ON THE ASSESSMENT ROLL IF TITLE HAD BEEN IN THE NAME OF THE APPLICANT ON THE TAXABLE STATUS DATE APPLICABLE TO SUCH ASSESSMENT ROLL. THE APPLICATION SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER.

(II) IF THE ASSESSOR'S DETERMINATION IS MADE PRIOR TO THE FILING OF THE TENTATIVE ASSESSMENT ROLL, THE ASSESSOR SHALL ENTER THE EXEMPT AMOUNT, IF ANY, ON THE TENTATIVE ASSESSMENT ROLL AND, WITHIN TEN DAYS AFTER FILING SUCH ROLL, NOTIFY THE APPLICANT OF THE APPROVAL OR DENIAL OF SUCH EXEMPTION, THE EXEMPT AMOUNT, IF ANY, AND THE APPLICANT'S RIGHT TO REVIEW BY THE BOARD OF ASSESSMENT REVIEW.

(III) IF THE ASSESSOR'S DETERMINATION IS MADE AFTER THE FILING OF THE TENTATIVE ASSESSMENT ROLL, THE ASSESSOR SHALL PETITION THE BOARD OF ASSESSMENT REVIEW TO CORRECT THE TENTATIVE OR FINAL ASSESSMENT ROLL IN THE MANNER PROVIDED IN TITLE THREE OF ARTICLE FIVE OF THIS CHAPTER, WITH RESPECT TO UNLAWFUL ENTRIES, IN THE CASE OF WHOLLY EXEMPT PARCELS, AND WITH RESPECT OF CLERICAL ERRORS, IN THE CASE OF PARTIALLY EXEMPT PARCELS, IF THE ASSESSOR DETERMINES THAT AN EXEMPTION SHOULD BE GRANTED AND, WITHIN TEN DAYS OF PETITIONING THE BOARD OF ASSESSMENT REVIEW, NOTIFY THE APPLICANT OF THE APPROVAL OR DENIAL OF SUCH EXEMPTION, THE AMOUNT OF SUCH EXEMPTION, IF ANY, AND THE APPLICANT'S RIGHT TO ADMINISTRATIVE OR JUDICIAL REVIEW OF SUCH DETERMINATION PURSUANT TO ARTICLE FIVE OR SEVEN OF THIS CHAPTER, RESPECTIVELY.

(C) IF, FOR ANY REASON, A DETERMINATION TO EXEMPT PROPERTY FROM TAXATION AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION IS NOT ENTERED ON THE FINAL ASSESSMENT ROLL, THE ASSESSOR SHALL PETITION THE BOARD OF ASSESSMENT REVIEW TO CORRECT THE FINAL ASSESSMENT ROLL.

(D) IF, FOR ANY REASON, THE PRO RATA TAX CREDIT AS PROVIDED IN PARAGRAPH (A) OF THIS SUBDIVISION IS NOT EXTENDED AGAINST THE TAX ROLL IMMEDIATELY SUCCEEDING THE FISCAL YEAR DURING WHICH THE TRANSFER OCCURRED, THE ASSESSOR SHALL IMMEDIATELY NOTIFY THE MUNICIPAL CORPORATION WHICH LEVIED THE TAX OR FOR WHICH THE TAXES WERE LEVIED OF THE AMOUNT OF PRO RATA EXEMPTION CREDITS FOR THE YEAR IN WHICH SUCH TRANSFER OCCURRED. SUCH MUNICIPAL CORPORATION SHALL PROCEED AS PROVIDED IN SUBPARAGRAPH (IV) OF PARAGRAPH (A) OF THIS SUBDIVISION.

(E) IF, FOR ANY REASON, A DETERMINATION TO EXEMPT PROPERTY FROM TAXATION AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION IS NOT ENTERED ON THE TAX ROLL FOR THE YEAR IMMEDIATELY SUCCEEDING THE FISCAL YEAR DURING WHICH THE TRANSFER OCCURRED, THE ASSESSOR SHALL DETERMINE THE PRO RATA TAX EXEMPTION CREDIT FOR SUCH TAX ROLL BY MULTIPLYING THE TAX RATE OR TAX RATES FOR EACH MUNICIPAL CORPORATION WHICH LEVIED TAXES OR FOR WHICH TAXES WERE LEVIED TIMES THE EXEMPT AMOUNT AND SHALL IMMEDIATELY NOTIFY SUCH MUNICIPAL CORPORATION OR CORPORATIONS OF THE PRO RATA EXEMPTION CREDITS FOR SUCH TAX ROLL. SUCH MUNICIPAL CORPORATION SHALL ADD SUCH PRO RATA EXEMPTION CREDITS FOR SUCH PROPERTY TO ANY OUTSTANDING PRO RATA EXEMPTION AMOUNTS AND PROCEED AS PROVIDED IN SUBPARAGRAPH (IV) OF PARAGRAPH (A) OF THIS SUBDIVISION.

S 2. Section 420-b of the real property tax law is amended by adding a new subdivision 8 to read as follows:

8. (A) (I) FOR THE PURPOSES OF THIS SUBDIVISION, "MUNICIPAL CORPORATION" SHALL MEAN A COUNTY, CITY, TOWN, VILLAGE OR SCHOOL DISTRICT WHICH, AFTER PUBLIC HEARING, ADOPTS A LOCAL LAW, ORDINANCE OR RESOLUTION, PROVIDING THAT THIS SUBDIVISION SHALL BE APPLICABLE TO NONPROFIT ORGANIZATIONS WITHIN ITS JURISDICTION. SUCH LOCAL LAW, ORDINANCE OR RESOLUTION SHALL APPLY TO PROPERTY TRANSFERS OCCURRING ON OR AFTER THE

1 EFFECTIVE DATE OF SUCH LOCAL LAW, ORDINANCE OR RESOLUTION. A COPY OF  
2 SUCH LOCAL LAW, ORDINANCE OR RESOLUTION SHALL BE FILED WITH THE COMMIS-  
3 SIONER.

4 (II) WHERE A NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR AN  
5 EXEMPTION PURSUANT TO THIS SECTION, PURCHASES PROPERTY AFTER THE LEVY OF  
6 TAXES, SUCH NONPROFIT ORGANIZATION MAY FILE, IF PERMITTED BY A LOCAL  
7 LAW, ORDINANCE OR RESOLUTION OF THE MUNICIPAL CORPORATION IN WHICH THE  
8 NONPROFIT ORGANIZATION IS LOCATED, AN APPLICATION FOR EXEMPTION WITH THE  
9 ASSESSOR NO LATER THAN THE TIME SPECIFIED IN SUCH LOCAL LAW, ORDINANCE  
10 OR RESOLUTION. THE ASSESSOR SHALL MAKE A DETERMINATION OF WHETHER THE  
11 PARCEL WOULD HAVE QUALIFIED FOR EXEMPT STATUS ON THE TAX ROLL ON WHICH  
12 THE TAXES WERE LEVIED, HAD TITLE TO THE PARCEL BEEN IN THE NAME OF THE  
13 APPLICANT ON THE TAXABLE STATUS DATE APPLICABLE TO THE TAX ROLL. THE  
14 APPLICATION SHALL BE ON A FORM PRESCRIBED BY THE COMMISSIONER. THE  
15 ASSESSOR, NO LATER THAN THIRTY DAYS AFTER RECEIPT OF SUCH APPLICATION,  
16 SHALL NOTIFY BOTH THE APPLICANT AND THE BOARD OF ASSESSMENT REVIEW, BY  
17 FIRST CLASS MAIL, OF THE EXEMPT AMOUNT, IF ANY, AND THE RIGHT OF THE  
18 OWNER TO A REVIEW OF THE EXEMPT AMOUNT UPON THE FILING OF A WRITTEN  
19 COMPLAINT. SUCH COMPLAINT SHALL BE ON A FORM PRESCRIBED BY THE COMMIS-  
20 SIONER AND SHALL BE FILED WITH THE BOARD OF ASSESSMENT REVIEW WITHIN  
21 TWENTY DAYS OF THE MAILING OF SUCH NOTICE. IF NO COMPLAINT IS RECEIVED,  
22 THE BOARD OF ASSESSMENT REVIEW SHALL SO NOTIFY THE ASSESSOR AND THE  
23 EXEMPT AMOUNT DETERMINED BY THE ASSESSOR SHALL BE FINAL. IF THE APPLI-  
24 CANT FILES A COMPLAINT, THE BOARD OF ASSESSMENT REVIEW SHALL SCHEDULE A  
25 TIME AND PLACE FOR A HEARING WITH RESPECT THERETO NO LATER THAN THIRTY  
26 DAYS AFTER THE MAILING OF THE NOTICE BY THE ASSESSOR. THE BOARD OF  
27 ASSESSMENT REVIEW SHALL MEET AND DETERMINE THE EXEMPT AMOUNT, AND SHALL  
28 IMMEDIATELY NOTIFY THE ASSESSOR AND THE APPLICANT, BY FIRST CLASS MAIL,  
29 OF ITS DETERMINATION. THE AMOUNT OF EXEMPTION DETERMINED PURSUANT TO  
30 THIS PARAGRAPH SHALL BE SUBJECT TO REVIEW AS PROVIDED IN ARTICLE SEVEN  
31 OF THIS CHAPTER. SUCH A PROCEEDING SHALL BE COMMENCED WITHIN THIRTY DAYS  
32 OF THE MAILING OF THE NOTICE OF THE BOARD OF ASSESSMENT REVIEW TO THE  
33 NEW OWNER AS PROVIDED IN THIS PARAGRAPH.

34 (III) UPON RECEIPT OF A DETERMINATION OF THE EXEMPT AMOUNT AS PROVIDED  
35 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE ASSESSOR SHALL DETERMINE THE  
36 PRO RATA EXEMPTION TO BE CREDITED TOWARD SUCH PROPERTY BY MULTIPLYING  
37 THE TAX RATE OR TAX RATES FOR EACH MUNICIPAL CORPORATION WHICH LEVIED  
38 TAXES, OR FOR WHICH TAXES WERE LEVIED, ON THE APPROPRIATE TAX ROLL USED  
39 FOR THE FISCAL YEAR OR YEARS DURING WHICH THE TRANSFER OCCURRED TIMES  
40 THE EXEMPT AMOUNT, AS DETERMINED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
41 TIMES THE FRACTION OF EACH FISCAL YEAR OR YEARS REMAINING SUBSEQUENT TO  
42 THE TRANSFER OF TITLE. THE ASSESSOR SHALL IMMEDIATELY TRANSMIT A STATE-  
43 MENT OF THE PRO RATA EXEMPTION CREDIT DUE TO EACH MUNICIPAL CORPORATION  
44 WHICH LEVIED TAXES OR FOR WHICH TAXES WERE LEVIED ON THE TAX ROLL USED  
45 FOR THE FISCAL YEAR OR YEARS DURING WHICH THE TRANSFER OCCURRED AND TO  
46 THE APPLICANT.

47 (IV) EACH MUNICIPAL CORPORATION WHICH RECEIVES NOTICE OF PRO RATA  
48 EXEMPTION CREDITS PURSUANT TO THIS SUBDIVISION SHALL INCLUDE AN APPRO-  
49 PRIATION IN ITS BUDGET FOR THE NEXT FISCAL YEAR EQUAL TO THE AGGREGATE  
50 AMOUNT OF SUCH CREDITS TO BE APPLIED IN THAT FISCAL YEAR. WHERE A  
51 PARCEL, THE OWNER OF WHICH IS ENTITLED TO A PRO RATA EXEMPTION CREDIT,  
52 IS SUBJECT TO TAXATION IN SAID NEXT FISCAL YEAR, THE RECEIVER OR COLLEC-  
53 TOR SHALL APPLY THE CREDIT TO REDUCE THE AMOUNT OF TAXES OWED FOR THE  
54 PARCEL IN SUCH FISCAL YEAR. PRO RATA EXEMPTION CREDITS IN EXCESS OF THE  
55 AMOUNT OF TAXES, IF ANY, OWED FOR THE PARCEL SHALL BE PAID BY THE TREAS-  
56 URER OF A MUNICIPAL CORPORATION WHICH LEVIES SUCH TAXES FOR OR ON BEHALF

1 OF THE MUNICIPAL CORPORATION TO ALL OWNERS OF PROPERTY ENTITLED TO SUCH  
2 CREDITS WITHIN THIRTY DAYS OF THE EXPIRATION OF THE WARRANT TO COLLECT  
3 TAXES IN SAID NEXT FISCAL YEAR. NOTWITHSTANDING THE FOREGOING, WHERE  
4 THE MUNICIPAL CORPORATION HAS BEEN REIMBURSED BY ANOTHER MUNICIPAL  
5 CORPORATION FOR THE TAX CREDIT TO BE PAID TO THE OWNER PURSUANT TO THIS  
6 SUBDIVISION, SUCH CREDIT SHALL BE PAID TO SUCH MUNICIPAL CORPORATION  
7 INSTEAD OF SUCH OWNER.

8 (B) (I) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, WHERE A  
9 NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR AN EXEMPTION  
10 PURSUANT TO THIS SECTION, PURCHASES PROPERTY AFTER THE TAXABLE STATUS  
11 DATE BUT PRIOR TO THE LEVY OF TAXES, SUCH NONPROFIT ORGANIZATION MAY, IF  
12 PERMITTED BY A LOCAL LAW, ORDINANCE OR RESOLUTION OF THE MUNICIPAL  
13 CORPORATION IN WHICH THE NONPROFIT ORGANIZATION IS LOCATED, FILE AN  
14 APPLICATION FOR AN EXEMPTION WITH THE ASSESSOR WITHIN THIRTY DAYS OF THE  
15 TRANSFER OF TITLE TO SUCH NONPROFIT ORGANIZATION. THE ASSESSOR SHALL  
16 MAKE A DETERMINATION WITHIN THIRTY DAYS AFTER RECEIPT OF SUCH APPLICA-  
17 TION OF WHETHER THE APPLICANT WOULD QUALIFY FOR AN EXEMPTION PURSUANT TO  
18 THIS SECTION ON THE ASSESSMENT ROLL IF TITLE HAD BEEN IN THE NAME OF THE  
19 APPLICANT ON THE TAXABLE STATUS DATE APPLICABLE TO SUCH ASSESSMENT ROLL.  
20 THE APPLICATION SHALL BE MADE ON A FORM PRESCRIBED BY THE COMMISSIONER.

21 (II) IF THE ASSESSOR'S DETERMINATION IS MADE PRIOR TO THE FILING OF  
22 THE TENTATIVE ASSESSMENT ROLL, THE ASSESSOR SHALL ENTER THE EXEMPT  
23 AMOUNT, IF ANY, ON THE TENTATIVE ASSESSMENT ROLL AND, WITHIN TEN DAYS  
24 AFTER FILING SUCH ROLL, NOTIFY THE APPLICANT OF THE APPROVAL OR DENIAL  
25 OF SUCH EXEMPTION, THE EXEMPT AMOUNT, IF ANY, AND THE APPLICANT'S RIGHT  
26 TO REVIEW BY THE BOARD OF ASSESSMENT REVIEW.

27 (III) IF THE ASSESSOR'S DETERMINATION IS MADE AFTER THE FILING OF THE  
28 TENTATIVE ASSESSMENT ROLL, THE ASSESSOR SHALL PETITION THE BOARD OF  
29 ASSESSMENT REVIEW TO CORRECT THE TENTATIVE OR FINAL ASSESSMENT ROLL IN  
30 THE MANNER PROVIDED IN TITLE THREE OF ARTICLE FIVE OF THIS CHAPTER, WITH  
31 RESPECT TO UNLAWFUL ENTRIES, IN THE CASE OF WHOLLY EXEMPT PARCELS, AND  
32 WITH RESPECT OF CLERICAL ERRORS, IN THE CASE OF PARTIALLY EXEMPT  
33 PARCELS, IF THE ASSESSOR DETERMINES THAT AN EXEMPTION SHOULD BE GRANTED  
34 AND, WITHIN TEN DAYS OF PETITIONING THE BOARD OF ASSESSMENT REVIEW,  
35 NOTIFY THE APPLICANT OF THE APPROVAL OR DENIAL OF SUCH EXEMPTION, THE  
36 AMOUNT OF SUCH EXEMPTION, IF ANY, AND THE APPLICANT'S RIGHT TO ADMINIS-  
37 TRATIVE OR JUDICIAL REVIEW OF SUCH DETERMINATION PURSUANT TO ARTICLE  
38 FIVE OR SEVEN OF THIS CHAPTER, RESPECTIVELY.

39 (C) IF, FOR ANY REASON, A DETERMINATION TO EXEMPT PROPERTY FROM TAXA-  
40 TION AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION IS NOT ENTERED ON  
41 THE FINAL ASSESSMENT ROLL, THE ASSESSOR SHALL PETITION THE BOARD OF  
42 ASSESSMENT REVIEW TO CORRECT THE FINAL ASSESSMENT ROLL.

43 (D) IF, FOR ANY REASON, THE PRO RATA TAX CREDIT AS PROVIDED IN PARA-  
44 GRAPH (A) OF THIS SUBDIVISION IS NOT EXTENDED AGAINST THE TAX ROLL IMME-  
45 DIATELY SUCCEEDING THE FISCAL YEAR DURING WHICH THE TRANSFER OCCURRED,  
46 THE ASSESSOR SHALL IMMEDIATELY NOTIFY THE MUNICIPAL CORPORATION WHICH  
47 LEVIED THE TAX OR FOR WHICH THE TAXES WERE LEVIED OF THE AMOUNT OF PRO  
48 RATA EXEMPTION CREDITS FOR THE YEAR IN WHICH SUCH TRANSFER OCCURRED.  
49 SUCH MUNICIPAL CORPORATION SHALL PROCEED AS PROVIDED IN SUBPARAGRAPH  
50 (IV) OF PARAGRAPH (A) OF THIS SUBDIVISION.

51 (E) IF, FOR ANY REASON, A DETERMINATION TO EXEMPT PROPERTY FROM TAXA-  
52 TION AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION IS NOT ENTERED ON  
53 THE TAX ROLL FOR THE YEAR IMMEDIATELY SUCCEEDING THE FISCAL YEAR DURING  
54 WHICH THE TRANSFER OCCURRED, THE ASSESSOR SHALL DETERMINE THE PRO RATA  
55 TAX EXEMPTION CREDIT FOR SUCH TAX ROLL BY MULTIPLYING THE TAX RATE OR  
56 TAX RATES FOR EACH MUNICIPAL CORPORATION WHICH LEVIED TAXES OR FOR WHICH

1 TAXES WERE LEVIED TIMES THE EXEMPT AMOUNT AND SHALL IMMEDIATELY NOTIFY  
2 SUCH MUNICIPAL CORPORATION OR CORPORATIONS OF THE PRO RATA EXEMPTION  
3 CREDITS FOR SUCH TAX ROLL. SUCH MUNICIPAL CORPORATION SHALL ADD SUCH PRO  
4 RATA EXEMPTION CREDITS FOR SUCH PROPERTY TO ANY OUTSTANDING PRO RATA  
5 EXEMPTION AMOUNTS AND PROCEED AS PROVIDED IN SUBPARAGRAPH (IV) OF PARA-  
6 GRAPH (A) OF THIS SUBDIVISION.

7 S 3. This act shall take effect on the ninetieth day after it shall  
8 have become a law.