

# STATE OF NEW YORK

1365

2017-2018 Regular Sessions

## IN ASSEMBLY

January 11, 2017

Introduced by M. of A. BRAUNSTEIN -- read once and referred to the  
Committee on Real Property Taxation

AN ACT to amend the real property tax law and the administrative code of  
the city of New York, in relation to allowing municipalities to accept  
retroactive applications for real property tax exemptions from certain  
veterans

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 458 of the real property tax law  
2 is amended by adding a new paragraph 6 to read as follows:

3 (6) Notwithstanding the provisions of this section or any other  
4 provision of law to the contrary, each county, city, town or village  
5 shall adopt a local law allowing the assessor to accept retroactive  
6 applications for the exemption set forth in this section from any veter-  
7 an to whom an exemption has already been granted pursuant to the  
8 provisions of this section, provided, however, that said veteran would  
9 have been entitled to such exemption if he or she had filed an applica-  
10 tion for exemption by the appropriate taxable status date and that such  
11 applications may only be accepted for assessment rolls prepared on the  
12 basis of taxable status dates occurring no more than three years preced-  
13 ing the date of such application.

14 § 2. Section 458-a of the real property tax law is amended by adding a  
15 new subdivision 3-b to read as follows:

16 3-b. Notwithstanding the provisions of this section or any other  
17 provision of law to the contrary, each county, city, town or village  
18 shall adopt a local law allowing the assessor to accept retroactive  
19 applications for the exemption set forth in this section from any veter-  
20 an to whom an exemption has already been granted pursuant to the  
21 provisions of this section, provided, however, that said veteran would  
22 have been entitled to such exemption if he or she had filed an applica-  
23 tion for exemption by the appropriate taxable status date and that such

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

LBD01761-01-7

1 applications may only be accepted for assessment rolls prepared on the  
2 basis of taxable status dates occurring no more than three years preced-  
3 ing the date of such application.

4 § 3. Section 458-b of the real property tax law is amended by adding a  
5 new subdivision 3-a to read as follows:

6 3-a. Notwithstanding the provisions of this section or any other  
7 provision of law to the contrary, each county, city, town or village  
8 shall adopt a local law allowing the assessor to accept retroactive  
9 applications for the exemption set forth in this section from any veter-  
10 an to whom an exemption has already been granted pursuant to the  
11 provisions of this section, provided, however, that said veteran would  
12 have been entitled to such exemption if he or she had filed an applica-  
13 tion for exemption by the appropriate taxable status date and that such  
14 applications may only be accepted for assessment rolls prepared on the  
15 basis of taxable status dates occurring no more than three years preced-  
16 ing the date of such application.

17 § 4. Part 1 of subchapter 2 of chapter 2 of title 11 of the adminis-  
18 trative code of the city of New York is amended by adding a new section  
19 11-245.75 to read as follows:

20 § 11-245.75 Retroactive exemption for veterans. Pursuant to the  
21 exemptions set out in paragraph six of section four hundred fifty-eight,  
22 subdivision three-a of section four hundred fifty-eight-a and subdivi-  
23 sion three-b of section four hundred fifty-eight-b of the real property  
24 tax law, the city hereby authorizes the assessor to accept retroactive  
25 applications from any veteran to whom an exemption has already been  
26 granted, provided, however, that said veteran would have been entitled  
27 to such exemption if he or she had filed an application for exemption by  
28 the appropriate taxable status date and that such applications may only  
29 be accepted for assessment rolls prepared on the basis of taxable status  
30 dates occurring no more than three years preceding the date of such  
31 application.

32 § 5. This act shall take effect immediately.