

# STATE OF NEW YORK

8128

2017-2018 Regular Sessions

## IN ASSEMBLY

May 31, 2017

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

AN ACT to amend the real property tax law, in relation to providing  
certain elderly individuals with an exemption from increases in water  
rates

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

1 Section 1. The real property tax law is amended by adding a new  
2 section 467-aa to read as follows:

3 § 467-aa. Water rate freeze in a city with a population of one million  
4 or more. 1. Definitions. As used in this section:

5 (a) "qualified resident" means a person who is at least sixty-two  
6 years of age and has had a total household income of less than fifty  
7 thousand dollars for two consecutive income tax years beginning in two  
8 thousand fifteen, as verified by the New York city department of  
9 finance;

10 (b) "exemption" means the exemption to future water rate increases  
11 provided in subdivision two of this section; and

12 (c) "primary domicile" means real property owned by one or more  
13 persons, each of whom is sixty-five years of age or over, or real prop-  
14 erty owned by husband and wife or by siblings, one of whom is sixty-five  
15 years of age or over, or real property owned by one or more persons,  
16 some of whom qualify under this section and the others of whom qualify  
17 under section four hundred fifty-nine-c of this title. For the purposes  
18 of this section, sibling shall mean a brother or a sister, whether  
19 related through half blood, whole blood or adoption.

20 2. Exemption. A qualified resident of a city with a population of one  
21 million or more shall be eligible for an exemption to any future water  
22 rate increases at the primary dwelling of such individual; provided,  
23 however, that no individual shall be eligible for the exemption at more  
24 than one dwelling unit.

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

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1 3. Temporary suspension of exemption. The exemption may be suspended  
2 for no more than one calendar year in the event of a drought or extraor-  
3 inary catastrophic environmental event as determined jointly by the  
4 commissioner of environmental conservation and the commissioner of the  
5 department of environmental protection of the city of New York.

6 4. Eligibility. An individual's enrollment in the senior citizen home-  
7 owner exemption provided in section 11-245.3 of the administrative code  
8 of the city of New York or the exemption for persons with disabilities  
9 provided in section 11-245.4 of the administrative code of the city of  
10 New York shall not preclude an otherwise qualified resident from eligi-  
11 bility for the exemption provided in this section.

12 5. Preemption. The provisions of this section shall exclusively govern  
13 the exemption established in subdivision two of this section notwith-  
14 standing the provisions of any other law to the contrary; and further,  
15 no local law shall be enacted which shall purport to expand or curtail  
16 the exemption established herein.

17 § 2. This act shall take effect immediately.