

STATE OF NEW YORK

9989

IN ASSEMBLY

March 7, 2018

Introduced by M. of A. FITZPATRICK -- read once and referred to the Committee on Ways and Means

AN ACT to amend chapter 296 of the laws of 2017 relating to a certain agreement for a payment in lieu of taxes, in relation to payment in lieu of taxes

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

1 Section 1. Section 1 of chapter 296 of the laws of 2017, relating to a
2 certain agreement for a payment in lieu of taxes, is amended to read as
3 follows:
4 Section 1. Notwithstanding the provisions of subdivision (e) of
5 section 15 of the tax law, with respect to any payment in lieu of taxes
6 imposed on real property with respect to property located at 1800 Motor
7 Parkway, Islandia, New York, with respect to a lessee that is a quali-
8 fied empire zone enterprise, such payment in lieu of taxes shall be
9 deemed to be eligible real property taxes with respect to such lessee
10 and (1) such payment in lieu of taxes shall be deemed to have been paid
11 by the lessee pursuant to explicit requirements in a written lease, (2)
12 shall be deemed to become a lien on the real property during a taxable
13 year in which the lessee of the real property is both certified pursuant
14 to article 18-B of the general municipal law and a qualified empire zone
15 enterprise, and (3) the lessee shall be deemed to have made direct
16 payment of such payment in lieu of taxes to the taxing authority and to
17 have received a receipt for such payment in lieu of taxes from the
18 taxing authority. Such qualified empire zone enterprise shall be eligi-
19 ble to claim the real property tax credit provided by section 15 of the
20 tax law provided that for each of such periods, the landlord has not
21 filed a claim for the real property tax credit for such payments.
22 § 2. This act shall take effect on the same date and in the same
23 manner as chapter 296 of the laws of 2017, takes effect.

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

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