

STATE OF NEW YORK

5232

2017-2018 Regular Sessions

IN SENATE

March 16, 2017

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

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 Assembly, 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-

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

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

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

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

18 § 4. Part 1 of subchapter 2 of chapter 2 of title 11 of the adminis-
19 trative code of the city of New York is amended by adding a new section
20 11-245.75 to read as follows:

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

33 § 5. This act shall take effect immediately.