STATE OF NEW YORK

5659--A

2017-2018 Regular Sessions

IN SENATE

April 24, 2017

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property tax law, in relation to exemptions available to veterans

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

Section 1. Subparagraph (iii) of paragraph (c) of subdivision 2 of section 458-b of the real property tax law, as separately amended by chapters 22 and 253 of the laws of 2016, is amended to read as follows:

(iii) The exemption provided by paragraph (a) of this subdivision shall be granted for a period of ten years. The commencement of such ten year period shall be governed pursuant to this subparagraph. Where a qualified owner owns qualifying residential real property on the effective date of the local law or resolution providing for such exemption, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of the local law or resolution providing for such exemption. Where a qualified owner does not own qualifying residential real property on the effective date of the local law or resolution providing for such exemption, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential real

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

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property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten year exemption period**, provided however, that notwithstanding the ten year limitation imposed by the foregoing provisions of this subparagraph, a county, city, town, village or school district that has adopted a local law or resolution pursuant to paragraph (a) of this subdivision may adopt a local law or resolution providing that the exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten year limitation**. Each county, city, town or village may adopt a local law, and each school district may adopt a resolution, to reduce the maximum exemption allowable in paragraphs (a) and (b) of this subdivision to six thousand dollars, nine thousand dollars and thirty thousand dollars, respectively, or four thousand dollars, six thousand dollars and twenty thousand dollars, respectively. Each county, city, town, or village is also authorized to adopt a local law, and each school district may adopt a resolution, to increase the maximum exemption allowable in paragraphs (a) and (b) of this subdivision to ten thousand dollars, fifteen thousand dollars and fifty thousand dollars, respectively; twelve thousand dollars, eighteen thousand dollars and sixty thousand dollars, respectively; fourteen thousand dollars, twenty-one thousand dollars and seventy thousand dollars, respectively; sixteen thousand dollars, twenty-four thousand dollars and eighty thousand dollars, respectively; eighteen thousand dollars, twenty-seven thousand dollars and ninety thousand dollars, respectively; twenty thousand dollars, thirty thousand dollars and one hundred thousand dollars, respectively; twenty-two thousand dollars, thirty-three thousand dollars and one hundred ten thousand dollars, respectively; twenty-four thousand dollars, thirty-six thousand dollars and one hundred twenty thousand dollars, respectively; twenty-six thousand dollars, thirty-nine thousand dollars, and one hundred thirty thousand dollars, respectively; twenty-eight thousand dollars, forty-two thousand dollars, and one hundred forty thousand dollars, respectively; and thirty thousand dollars, forty-five thousand dollars and one hundred fifty thousand dollars, respectively. In addition, a county, city, town or village which is a "high-appreciation municipality" as defined in this subparagraph is authorized to adopt a local law, and each school district which is within a high-appreciation municipality is authorized to adopt a resolution, to increase the maximum exemption allowable in paragraphs (a) and (b) of this subdivision to twenty-six thousand dollars, thirty-nine thousand dollars and one hundred thirty thousand dollars, respectively; twenty-eight thousand dollars, forty-two thousand dollars and one hundred forty thousand dollars, respectively; thirty thousand dollars, forty-five thousand dollars and one hundred fifty thousand dollars, respectively; thirty-two thousand dollars, forty-eight thousand dollars and one hundred sixty thousand dollars, respectively; thirty-four thousand dollars, fifty-one thousand dollars and one hundred seventy thousand dollars, respectively; thirty-six thousand dollars, fifty-four thousand dollars and one hundred eighty thousand dollars, respectively; thirty-eight thousand dollars, fifty-seven thousand dollars and one hundred ninety thousand dollars, respectively; forty thousand dollars, sixty thousand dollars and two hundred thousand dollars, respectively; forty-two thousand dollars, sixty-three thousand dollars and two hundred ten thousand dollars, respectively; forty-four thousand dollars, sixty-six thousand dollars and two hundred twenty thousand dollars, respectively; forty-six thousand dollars, sixty-nine thousand dollars and two hundred thirty thou-

sand dollars, respectively; forty-eight thousand dollars, seventy-two thousand dollars and two hundred forty thousand dollars, respectively; fifty thousand dollars, seventy-five thousand dollars and two hundred fifty thousand dollars, respectively. For purposes of this subparagraph, a "high-appreciation municipality" means: (A) a special assessing unit that is a city, (B) a county for which the commissioner has established a sales price differential factor for purposes of the STAR exemption authorized by section four hundred twenty-five of this title in three consecutive years, and (C) a city, town or village which is wholly or partly located within such a county.

§ 2. This act shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2018.