STATE OF NEW YORK

2490

2019-2020 Regular Sessions

IN ASSEMBLY

January 23, 2019

Introduced by M. of A. CROUCH, BRABENEC, MORINELLO -- Multi-Sponsored by -- M. of A. HAWLEY -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to extending the enhanced STAR exemption to the disabled surviving spouse of a previously qualifying individual

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

Section 1. Subparagraph (iii) of paragraph (a) of subdivision 4 of 2 section 425 of the real property tax law, as added by section 4 of part A of chapter 405 of the laws of 1999, is amended to read as follows:

(iii) In the case of property owned by husband and wife, one of whom is sixty-five years of age or over, the exemption, once granted, shall not be rescinded solely because of the death of the older spouse so long 7 as the surviving spouse is at least sixty-two years of age or is physically disabled as of the date specified in this paragraph. To qualify 9 as physically disabled for the purposes of this subparagraph, an indi-10 vidual shall submit to the assessor a certified statement from a physi-11 cian licensed to practice in the state on a form prescribed and made 12 available by the commissioner which states that the individual has a 13 permanent physical impairment which substantially limits one or more of 14 such individual's major life activities, except that an individual who 15 has obtained a certificate from the state commission for the visually handicapped stating that such individual is legally blind may submit such certificate in lieu of a physician's certified statement. The other 16 17 18 requirements of this subdivision must still be met for the enhanced 19 exemption to be granted to a surviving spouse under this subparagraph.

§ 2. This act shall take effect immediately and shall apply to the administration of the enhanced STAR exemption beginning with the 21 2019-2020 school year.

20

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

LBD02996-02-9