

# STATE OF NEW YORK

4963

2019-2020 Regular Sessions

## IN ASSEMBLY

February 6, 2019

Introduced by M. of A. O'DONNELL -- read once and referred to the  
Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to prohibiting  
exemptions for owners of vacant or unoccupied storefront properties

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 497 to read as follows:

3 § 497. Prohibition on eligibility of exemptions for owners of vacant  
4 or unoccupied storefront properties. 1. Notwithstanding any other  
5 provision of law, any owner of a commercial storefront property shall  
6 not be eligible for an exemption under this chapter on such property if  
7 the property has been vacant or unoccupied for at least two years.

8 2. For purposes of this section:

9 (a) "commercial storefront property" shall mean any non-residential  
10 property that may be used primarily for the buying, selling or otherwise  
11 providing of goods or services, which is located on the ground floor or  
12 street level of a commercial building;

13 (b) "vacant" shall mean minimal or no inanimate objects on such prop-  
14 erty; and

15 (c) "unoccupied" shall mean a lack of habitual presence of individuals  
16 primarily engaged in buying, selling or otherwise providing goods or  
17 services.

18 § 2. This act shall take effect immediately and shall apply to assess-  
19 ment rolls prepared on the basis of taxable status dates occurring on or  
20 after such date.

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

LBD03012-01-9