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 Assembly, do enact as follows:

Section 1. The real property tax law is amended by adding a new section 497 to read as follows:

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

2. For purposes of this section:

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

(b) "vacant" shall mean minimal or no inanimate objects on such property; and

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

§ 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 such date.

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

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