STATE OF NEW YORK

5137--A

2019-2020 Regular Sessions

IN ASSEMBLY

February 7, 2019

Introduced by M. of A. GALEF, M. L. MILLER -- read once and referred to the Committee on Real Property Taxation -- reported and referred to the Committee on Ways and Means -- 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 permitting special districts to adopt a local law providing for an exemption for improvements to residential real property for the purpose of facilitating accessibility of such property to a physically disabled owner

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

Section 1. Subdivisions 1 and 3 of section 459 of the real property tax law, as added by chapter 200 of the laws of 1983, subdivision 3 as further amended by subdivision (b) of section 1 of part W of chapter 56 of the laws of 2010, are amended to read as follows:

1. After a public hearing, the governing body of a county, city, town or village may adopt a local law or a school district **or special district** may adopt a resolution, providing for an exemption pursuant to the provisions of this section. Such local law or resolution may provide that an improvement to any real property used solely for residential purposes as a one, two or three family residence shall be exempt from taxation to the extent of any increase in value attributable to such improvement if such improvement is used for the purpose of facilitating and accommodating the use and accessibility of such real property by (a) a resident owner of the real property who is physically disabled, or (b) a member of the resident owner's household who is physically disabled, if such member resides in the real property. A local law or resolution adopted pursuant to this section may provide that the exemption shall apply to improvements constructed prior to the effective date of such local law or resolution.

3. Such exemption shall be granted only upon application by the owner or all of the owners of the real property on a form prescribed and made

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

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available by the commissioner. The applicant shall furnish such information as the commissioner shall require. The application shall be filed together with the appropriate certified statement of physical disability or certificate of blindness with the assessor of the appropriate county, city, town [~~or~~], village**, or special district** on or before the taxable status date of such county, city, town [~~or~~], village**, or special district**.

§ 2. This act shall take effect immediately.