STATE OF NEW YORK

156

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law and the tax law, in relation to the school tax relief (STAR) credit

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

Section 1. Section 425 of the real property tax law is amended by adding a new subdivision 17 to read as follows:

17. Notwithstanding any other provision of law, rule, or regulation to the contrary if a qualified taxpayer has not received an advance payment of credit pursuant to subparagraph (B) of paragraph ten of subsection (eee) of section six hundred six of the tax law by December thirty-first such taxpayer shall be authorized to apply for a school tax relief exemption pursuant to this section. Such taxpayer shall have thirty days from the last day of the prior taxable year or the applicable taxable status date to apply for the exemption, whichever is later; provided however that for the two thousand eighteen tax year such taxpayer shall have thirty days from the effective date of this subdivision.

§ 2. The opening paragraph of subparagraph (B) of paragraph 10 of subsection (eee) of section 606 of the tax law, as amended by section 2 of part TT of chapter 59 of the laws of 2017, is amended to read as follows:

On or before the date specified below, [~~or as soon thereafter as practicable,~~] the commissioner shall determine the eligibility of taxpayers for this credit utilizing the information available to him or her as obtained from the applications submitted on or before July first of that year, or such later date as may have been prescribed by the commissioner for that purpose, and from such other sources as the commissioner deems reliable and appropriate. For those taxpayers whom the commissioner has determined eligible for this credit, the commissioner shall advance a

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

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payment in the amount specified in paragraph three, four or six of this subsection, whichever is applicable. Such payment shall be issued by the date specified below, or as soon thereafter as is practicable; provided that if such payment is issued after such date, it shall be subject to interest at the rate prescribed by subparagraph (A) of paragraph two of subsection (j) of section six hundred ninety-seven of this article. Nothing contained herein shall be deemed to preclude the commissioner from issuing payments after such date to qualified taxpayers whose applications were made after July first of that year, or such later date as may have been prescribed by the commissioner for such purpose.

§ 3. This act shall take effect immediately.