

# STATE OF NEW YORK

6497--A

2019-2020 Regular Sessions

## IN SENATE

June 14, 2019

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- 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 extending certain provisions relating to a partial tax abatement for residential real property held in the cooperative or condominium form of ownership in a city having a population of one million or more

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

Section 1. Paragraphs (a) and (b) of subdivision 2 of section 467-a of the real property tax law, as amended by section 61 of part A of chapter 20 of the laws of 2015, are amended to read as follows:

(a) In a city having a population of one million or more, dwelling units owned by unit owners who, as of the applicable taxable status date, own no more than three dwelling units in any one property held in the condominium form of ownership, shall be eligible to receive a partial abatement of real property taxes, as set forth in paragraphs (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivision; provided, however, that a property held in the condominium form of ownership that is receiving complete or partial real property tax exemption or tax abatement pursuant to any other provision of this chapter or any other state or local law, except as provided in paragraph (f) of this subdivision, shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that sponsors shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that in the fiscal years commencing in calendar years two thousand twelve~~[, two thousand thirteen, two thousand fourteen, two thousand fifteen, two thousand sixteen, two thousand seventeen or two thousand eighteen]~~ through two thousand twenty no more than a maximum of three dwelling units owned by any unit owner in a

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

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1 single building, one of which must be the primary residence of such unit  
2 owner, shall be eligible to receive a partial abatement pursuant to  
3 paragraphs (d-1), (d-2), (d-3) and (d-4) of this subdivision.

4 (b) In a city having a population of one million or more, dwelling  
5 units owned by tenant-stockholders who, as of the applicable taxable  
6 status date, own no more than three dwelling units in any one property  
7 held in the cooperative form of ownership, shall be eligible to receive  
8 a partial abatement of real property taxes, as set forth in paragraphs  
9 (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivi-  
10 sion; provided, however, that a property held in the cooperative form of  
11 ownership that is receiving complete or partial real property tax  
12 exemption or tax abatement pursuant to any other provision of this chap-  
13 ter or any other state or local law, except as provided in paragraph (f)  
14 of this subdivision, shall not be eligible to receive a partial abate-  
15 ment pursuant to this section; and provided, further, that sponsors  
16 shall not be eligible to receive a partial abatement pursuant to this  
17 section; and provided, further, that in the fiscal years commencing in  
18 calendar years two thousand twelve[, two thousand thirteen, two thousand  
19 fourteen, two thousand fifteen, two thousand sixteen, two thousand  
20 seventeen or two thousand eighteen] through two thousand twenty no more  
21 than a maximum of three dwelling units owned by any tenant-stockholder  
22 in a single building, one of which must be the primary residence of such  
23 tenant-stockholder, shall be eligible to receive a partial abatement  
24 pursuant to paragraphs (d-1), (d-2), (d-3) and (d-4) of this subdivi-  
25 sion. For purposes of this section, a tenant-stockholder of a cooper-  
26 ative apartment corporation shall be deemed to own the dwelling unit  
27 which is represented by his or her shares of stock in such corporation.  
28 Any abatement so granted shall be credited by the appropriate taxing  
29 authority against the tax due on the property as a whole. The reduction  
30 in real property taxes received thereby shall be credited by the cooper-  
31 ative apartment corporation against the amount of such taxes attribut-  
32 able to eligible dwelling units at the time of receipt.

33 § 2. Paragraphs (d-1), (d-2), (d-3) and (d-4) of subdivision 2 of  
34 section 467-a of the real property tax law, as amended by section 62 of  
35 part A of chapter 20 of the laws of 2015, are amended to read as  
36 follows:

37 (d-1) In the fiscal years commencing in calendar years two thousand  
38 twelve, two thousand thirteen and two thousand fourteen, eligible dwell-  
39 ing units in property whose average unit assessed value is less than or  
40 equal to fifty thousand dollars shall receive a partial abatement of the  
41 real property taxes attributable to or due on such dwelling units of  
42 twenty-five percent, twenty-six and one-half percent and twenty-eight  
43 and one-tenth percent respectively. In the fiscal years commencing in  
44 calendar years two thousand fifteen[, two thousand sixteen, two thousand  
45 seventeen and two thousand eighteen] through two thousand twenty eligi-  
46 ble dwelling units in property whose average unit assessed value is less  
47 than or equal to fifty thousand dollars shall receive a partial abate-  
48 ment of the real property taxes attributable to or due on such dwelling  
49 units of twenty-eight and one-tenth percent.

50 (d-2) In the fiscal years commencing in calendar years two thousand  
51 twelve, two thousand thirteen and two thousand fourteen, eligible dwell-  
52 ing units in property whose average unit assessed value is more than  
53 fifty thousand dollars, but less than or equal to fifty-five thousand  
54 dollars, shall receive a partial abatement of the real property taxes  
55 attributable to or due on such dwelling units of twenty-two and one-half  
56 percent, twenty-three and eight-tenths percent and twenty-five and two-

tenths percent respectively. In the fiscal years commencing in calendar years two thousand fifteen[, ~~two thousand sixteen, two thousand seventeen and two thousand eighteen~~] through two thousand twenty eligible dwelling units in property whose average unit assessed value is more than fifty thousand dollars, but less than or equal to fifty-five thousand dollars, shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-five and two-tenths percent.

(d-3) In the fiscal years commencing in calendar years two thousand twelve, two thousand thirteen and two thousand fourteen, eligible dwelling units in property whose average unit assessed value is more than fifty-five thousand dollars, but less than or equal to sixty thousand dollars, shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty percent, twenty-one and two-tenths percent, and twenty-two and five-tenths percent respectively. In the fiscal years commencing in calendar years two thousand fifteen[, ~~two thousand sixteen, two thousand seventeen and two thousand eighteen~~] through two thousand twenty eligible dwelling units in property whose average unit assessed value is more than fifty-five thousand dollars, but less than or equal to sixty thousand dollars, shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-two and five-tenths percent.

(d-4) In the fiscal years commencing in calendar years two thousand twelve[, ~~two thousand thirteen, two thousand fourteen, two thousand fifteen, two thousand sixteen, two thousand seventeen and two thousand eighteen~~] through two thousand twenty, eligible dwelling units in property whose average unit assessed value is more than sixty thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of seventeen and one-half percent.

§ 3. Paragraph (a) of subdivision 3 of section 467-a of the real property tax law, as amended by section 63 of part A of chapter 20 of the laws of 2015, is amended to read as follows:

(a) An application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-six shall be made no later than the fifteenth day of September, nineteen hundred ninety-six. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-seven shall be made no later than the first day of April, nineteen hundred ninety-seven. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-eight shall be made no later than the first day of April, nineteen hundred ninety-eight. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-nine shall be made in accordance with this subdivision and subdivision three-a of this section. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand shall be made no later than the fifteenth day of February, two thousand. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand one shall be made in accordance with this subdivision and subdivision three-b of this section. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand two shall be made no later than the fifteenth day of February, two thousand two. An application for an abatement pursuant to this section for the fiscal

1 year commencing in calendar year two thousand three shall be made no  
2 later than the fifteenth day of February, two thousand three. An appli-  
3 cation for an abatement pursuant to this section for the fiscal year  
4 commencing in calendar year two thousand four shall be made in accord-  
5 ance with this subdivision and subdivision three-c of this section. An  
6 application for an abatement pursuant to this section for the fiscal  
7 year commencing in calendar year two thousand five shall be made no  
8 later than the fifteenth day of February, two thousand five. An applica-  
9 tion for an abatement pursuant to this section for the fiscal year  
10 commencing in calendar year two thousand six shall be made no later than  
11 the fifteenth day of February, two thousand six. An application for an  
12 abatement pursuant to this section for the fiscal year commencing in  
13 calendar year two thousand seven shall be made no later than the  
14 fifteenth day of February, two thousand seven. An application for abate-  
15 ment pursuant to this section for the fiscal year commencing in calendar  
16 year two thousand eight shall be made in accordance with this subdivi-  
17 sion and subdivision three-d of this section. An application for an  
18 abatement pursuant to this section for the fiscal year commencing in  
19 calendar year two thousand nine shall be made no later than the  
20 fifteenth day of February, two thousand nine. An application for an  
21 abatement pursuant to this section for the fiscal year commencing in  
22 calendar year two thousand ten shall be made no later than the fifteenth  
23 day of February, two thousand ten. An application for an abatement  
24 pursuant to this section for the fiscal year commencing in calendar year  
25 two thousand eleven shall be made no later than the fifteenth day of  
26 February, two thousand eleven. An application for an abatement pursuant  
27 to this section for the fiscal years commencing in calendar years two  
28 thousand twelve and two thousand thirteen shall be made in accordance  
29 with subdivision three-e of this section. The date or dates by which  
30 applications for an abatement pursuant to this section shall be made for  
31 the fiscal years beginning in calendar years two thousand fourteen[~~, two~~  
32 ~~thousand fifteen, two thousand sixteen, two thousand seventeen and two~~  
33 ~~thousand eighteen]~~ through two thousand twenty shall be established by  
34 the commissioner of finance by rule, provided that such date or dates  
35 shall not be later than the fifteenth day of February for such calendar  
36 years.

37 § 4. This act shall take effect immediately.