STATE OF NEW YORK

384

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

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

AN ACT to amend the real property tax law, in relation to allowing certain villages to enact a tax exemption for newly constructed single-family and multi-family residential properties; and providing for the repeal of such provisions upon expiration thereof

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 485-u to read as follows:

§ 485-u. Newly constructed single-family and multi-family residential exemption; certain villages. 1. Single-family and multi-family residential properties constructed subsequent to the effective date of a local law adopted pursuant to this section shall be exempt from village taxes to the extent provided in this section. After a public hearing, the governing board of a village with a population greater than three thousand four hundred forty and less than three thousand four hundred fifty, based upon the two thousand ten federal census may, by local law, provide for the exemption of real property from taxation as provided in this section. A copy of such local law shall be filed with the commissioner and the assessor of such municipality who prepares the assessment roll on which the taxes of such municipality are levied.

2. (a)(i) Eligible newly constructed single-family and multi-family residential property shall be exempt according to the following schedule:

CONSTRUCTION OF SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL PROPERTY

Year of exemption	Exemption
1	25%
2	20%

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

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3	15%
4	10%
5	5%

(ii) Such exemption shall apply solely to the increase in assessed value thereof attributable to the construction of the single-family and multi-family residential property.

(b) No such exemption shall be granted unless:

(i) Such construction occurred on vacant, predominantly vacant or under-utilized land; and

(ii) Such construction commenced on or after the effective date of the local law described in subdivision one of this section, but no later than five years after the effective date of this section.

3. Application for exemption under this section shall be made on a form prescribed by the commissioner and filed with such assessor on or before the applicable taxable status date and within one year from the date of completion of such construction.

4. If such assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, he or she shall approve the application and such real property shall thereafter be exempt from taxation as provided in this section commencing with the assessment roll prepared after the taxable status date referred to in subdivision three of this section. The assessed value of any exemption granted pursuant to this section shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

5. The provisions of this section shall apply to real property used as the primary residence of the owner.

6. A local law adopted pursuant to this section may be repealed by the governing body of the applicable village. In the event of such a repeal, the exemption granted pursuant to this section shall cease.

§ 2. This act shall take effect immediately; provided, however, that this act shall expire and be deemed repealed ten years after it shall have become a law.