STATE OF NEW YORK

4611

2019-2020 Regular Sessions

IN ASSEMBLY

February 4, 2019

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

AN ACT to amend the real property tax law, in relation to requiring assessing authorities answer discovery demands in assessment review

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

Section 1. Subdivision 8 of section 730 of the real property tax law, as amended by chapter 556 of the laws of 2006, is amended to read as follows:

8. The petitioner shall [~~mail~~] **serve** a copy of the petition within ten days from the date of filing with the clerk of the supreme court to: (a) the clerk of the assessing unit named in the petition, or if there be no such clerk, then to the officer who performs the customary duties of that official, or to the president of the tax commission in a city with a population of more than one million and having a tax commission; (b) the assessor or chairman of the board of assessors of the assessing unit named in the petition; (c) the clerk of any school district, except a school district governed by the provisions of article fifty-two of the education law, within which any part of the real property on which the assessment to be reviewed is located, or if there be no clerk or the clerk's name and address cannot be obtained, then to a trustee; (d) the treasurer of any county in which any part of the real property is located; and (e) the clerk of a village which has enacted a local law as provided in subdivision three of section fourteen hundred two of this chapter if the assessment to be reviewed is on a parcel located within such village. Service upon the clerk of the assessing unit or other appropriate official specified in paragraph (a) of this subdivision shall be made by personal delivery or by certified mail, return receipt requested. In the event that service is made by personal delivery, the clerk of the assessing unit or other appropriate person shall provide a receipt for such service to the petitioner stating the date and time of

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

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service. [~~Neither the school district, county nor such village shall be deemed to have been made a party to the proceeding.~~] Upon receipt of service, the assessing unit shall be required to answer any discovery demands.

§ 2. This act shall take effect immediately.