

STATE OF NEW YORK

8352

2019-2020 Regular Sessions

IN ASSEMBLY

June 15, 2019

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

AN ACT to amend the real property tax law, in relation to increasing the
average assessed value threshold and eligibility for J-51 tax abate-
ments

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

1 Section 1. The opening paragraph of paragraph (a) of subdivision 1 of
2 section 489 of the real property tax law, as amended by section 19 of
3 part A of chapter 20 of the laws of 2015, is amended to read as follows:

4 Any city to which the multiple dwelling law is applicable, acting
5 through its local legislative body or other governing agency, is hereby
6 authorized and empowered, to and including January first, two thousand
7 [~~nineteen~~ twenty-three, to adopt and amend local laws or ordinances
8 providing that any increase in assessed valuation of real property shall
9 be exempt from taxation for local purposes, as provided herein, to the
10 extent such increase results from:

11 § 2. The closing paragraph of subparagraph 6 of paragraph (a) of
12 subdivision 1 of section 489 of the real property tax law, as amended by
13 section 20 of part A of chapter 20 of the laws of 2015, is amended to
14 read as follows:

15 Such conversion, alterations or improvements shall be completed within
16 thirty months after the date on which same shall be started except that
17 such thirty month limitation shall not apply to conversions of residen-
18 tial units which are registered with the loft board in accordance with
19 article seven-C of the multiple dwelling law pursuant to subparagraph
20 one of this paragraph. Notwithstanding the foregoing, a sixty month
21 period for completion shall be available for alterations or improvements
22 undertaken by a housing development fund company organized pursuant to
23 article eleven of the private housing finance law, which are carried out
24 with the substantial assistance of grants, loans or subsidies from any

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

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1 federal, state or local governmental agency or instrumentality or which
2 are carried out in a property transferred from such city if alterations
3 and improvements are completed within seven years after the date of
4 transfer. In addition, the local housing agency is hereby empowered to
5 grant an extension of the period of completion for any project carried
6 out with the substantial assistance of grants, loans or subsidies from
7 any federal, state or local governmental agency or instrumentality, if
8 such alterations or improvements are completed within sixty months from
9 commencement of construction. Provided, further, that such conversion,
10 alterations or improvements shall in any event be completed prior to
11 June thirtieth, two thousand ~~nineteen~~ twenty-three. Exemption for
12 conversions, alterations or improvements pursuant to subparagraph one,
13 two, three or four of this paragraph shall continue for a period not to
14 exceed fourteen years and begin no sooner than the first quarterly tax
15 bill immediately following the completion of such conversion, alter-
16 ations or improvements. Exemption for alterations or improvements pursu-
17 ant to this subparagraph or subparagraph five of this paragraph shall
18 continue for a period not to exceed thirty-four years and shall begin no
19 sooner than the first quarterly tax bill immediately following the
20 completion of such alterations or improvements. Such exemption shall be
21 equal to the increase in the valuation which is subject to exemption in
22 full or proportionally under this subdivision for ten or thirty years,
23 whichever is applicable. After such period of time, the amount of such
24 exempted assessed valuation of such improvements shall be reduced by
25 twenty percent in each succeeding year until the assessed value of the
26 improvements are fully taxable. Provided, however, exemption for any
27 conversion, alterations or improvements which are aided by a loan or
28 grant under article eight, eight-A, eleven, twelve, fifteen or twenty-
29 two of the private housing finance law, section six hundred ninety-six-a
30 or section ninety-nine-h of the general municipal law, or section three
31 hundred twelve of the housing act of nineteen hundred sixty-four (42
32 U.S.C.A. 1452b), or the Cranston-Gonzalez national affordable housing
33 act (42 U.S.C.A. 12701 et. seq.), or started after July first, nineteen
34 hundred eighty-three by a housing development fund company organized
35 pursuant to article eleven of the private housing finance law which are
36 carried out with the substantial assistance of grants, loans or subsi-
37 dies from any federal, state or local governmental agency or instrumen-
38 tality or which are carried out in a property transferred from any city
39 and where alterations and improvements are completed within seven years
40 after the date of transfer may commence at the beginning of any tax
41 quarter subsequent to the start of such conversion, alterations or
42 improvements and prior to the completion of such conversion, alterations
43 or improvements.

44 § 3. Subparagraph (ii) of paragraph (c) of subdivision 17 of section
45 489 of the real property tax law, as added by chapter 388 of the laws of
46 2016, is amended to read as follows:

47 (ii) For the final assessment roll to be completed in two thousand
48 seventeen the assessed value limitation shall be thirty-two thousand
49 dollars increased by the cost-of-living adjustment percentage of two
50 thousand seventeen. Notwithstanding the foregoing, for the final
51 assessment roll to be completed in the year two thousand nineteen, the
52 assessed value limitation shall be forty thousand dollars. For the final
53 assessment roll to be completed in the year two thousand twenty, the
54 assessed value limitation shall be forty thousand dollars, increased by
55 the cost-of-living adjustment percentage of two thousand twenty. For the
56 purposes of this computation, the cost-of-living adjustment percentage

1 of two thousand seventeen shall be equal to the "applicable increase
2 percentage" used by the United States commissioner of social security to
3 determine the monthly social security benefits payable in two thousand
4 seventeen to individuals, as provided by subsection (i) of section four
5 hundred fifteen of title forty-two of the United States code.
6 § 4. This act shall take effect immediately.