STATE OF NEW YORK

2658--A

2019-2020 Regular Sessions

IN SENATE

January 28, 2019

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- 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 exempting homeowners from tax increases for certain renewable energy systems

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

Section 1. Subdivision 5 of section 487 of the real property tax law, as amended by chapter 325 of the laws of 2018, is amended to read as follows:

5. The exemption granted pursuant to this section shall only be applicable to (a) solar or wind energy systems or farm waste energy systems which are (i) existing or constructed prior to July first, nineteen hundred eighty-eight or (ii) constructed subsequent to January first, nineteen hundred ninety-one and prior to January first, two thousand twenty-five, and (b) micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system which are constructed subsequent to January first, two thousand eighteen and prior to January first, two thousand twenty-five**, and (c) all systems described in paragraphs (a) and (b) of this subdivision whose standalone or combined generation capacity does not exceed twenty kilowatts and whose standalone or combined electric energy storage capacity does not exceed thirty kilowatt-hours**.

§ 2. Subdivision 8 of section 487 of the real property tax law, as amended by chapter 325 of the laws of 2018, is amended by adding a new paragraph (c) to read as follows:

(c) This subdivision shall not apply to exemptions granted pursuant to paragraph (c) of subdivision five of this section.

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

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§ 3. Subdivision 9 of section 487 of the real property tax law is amended by adding a new paragraph (c) to read as follows:

(c) This subdivision shall not apply to exemptions granted pursuant to paragraph (c) of subdivision five of this section.

§ 4. This act shall take effect immediately; provided, however, that if chapter 325 of the laws of 2018 shall not have taken effect on or before such date then sections one and two of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2018 takes effect.