

# STATE OF NEW YORK

7187

## IN SENATE

January 10, 2020

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the real property tax law, in relation to making technical changes to allow exemption from certain special districts

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

1 Section 1. Subdivisions 1 and 3 of section 459 of the real property  
2 tax law, as amended by a chapter of the laws of 2019, amending the real  
3 property tax law relating to permitting special districts to adopt a  
4 local law providing for an exemption for improvements to residential  
5 real property for the purpose of facilitating accessibility of such  
6 property to a physically disabled owner, as proposed in legislative  
7 bills numbers S.6452 and A.5137-A, are amended to read as follows:

8 1. After a public hearing, the governing body of a county, city, town  
9 or village may adopt a local law or a school district [~~or special~~  
10 ~~district~~] may adopt a resolution, providing for an exemption pursuant to  
11 the provisions of this section. Such local law or resolution may provide  
12 that an improvement to any real property used solely for residential  
13 purposes as a one, two or three family residence shall be exempt from  
14 taxation and special ad valorem levies to the extent of any increase in  
15 value attributable to such improvement if such improvement is used for  
16 the purpose of facilitating and accommodating the use and accessibility  
17 of such real property by (a) a resident owner of the real property who  
18 is physically disabled, or (b) a member of the resident owner's house-  
19 hold who is physically disabled, if such member resides in the real  
20 property. A local law or resolution adopted pursuant to this section  
21 may provide that the exemption shall apply to improvements constructed  
22 prior to the effective date of such local law or resolution.

23 3. Such exemption shall be granted only upon application by the owner  
24 or all of the owners of the real property on a form prescribed and made  
25 available by the commissioner. The applicant shall furnish such informa-  
26 tion as the commissioner shall require. The application shall be filed  
27 together with the appropriate certified statement of physical disability  
28 or certificate of blindness with the assessor of the appropriate county,

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

LBD06967-04-0

1 city, town, or village[, ~~or special district~~] on or before the taxable  
2 status date of such county, city, town, or village[, ~~or special~~  
3 ~~district~~].  
4 § 2. This act shall take effect on the same date and in the same  
5 manner as a chapter of the laws of 2019, amending the real property tax  
6 law relating to permitting special districts to adopt a local law  
7 providing for an exemption for improvements to residential real property  
8 for the purpose of facilitating accessibility of such property to a  
9 physically disabled owner, as proposed in legislative bills numbers  
10 S.6452 and A.5137-A, takes effect.