

STATE OF NEW YORK

3491--B

Cal. No. 127

2021-2022 Regular Sessions

IN ASSEMBLY

January 27, 2021

Introduced by M. of A. GALEF, ABINANTI, MAGNARELLI, SEAWRIGHT, J. RIVERA, HYNDMAN, WILLIAMS, COOK, STIRPE, WALLACE -- Multi-Sponsored by -- M. of A. THIELE -- read once and referred to the Committee on Real Property Taxation -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the real property tax law and the real property law, in relation to the taxation of property owned by a cooperative corporation

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

Section 1. Subdivision 1 of section 581 of the real property tax law is amended by adding a new paragraph (d) to read as follows:

(d) The provisions of paragraph (a) of this subdivision shall not apply to real property owned or leased by a cooperative corporation or on a condominium basis in a municipal corporation, other than a special assessing unit, which has adopted, prior to the taxable status date of the assessment roll upon which its taxes will be levied, a local law or, for a school district, a resolution providing that the provisions of paragraph (a) of this subdivision shall not apply to such real property within that municipal corporation; provided, however, the provisions of this paragraph shall not apply to real property owned or leased by a cooperative corporation or on a condominium basis that had been previously subject to the provisions of paragraph (a) of this subdivision prior to January first, two thousand twenty-three; provided further, however, the provisions of this paragraph shall not apply to real property owned or leased by a cooperative corporation or on a condominium basis that is participating in an affordable housing tax credit program

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

LBD08115-04-1

1 or has a regulatory agreement with a federal, state, or local agency
2 related to affordable housing requirements.

3 § 2. Subdivision 1 of section 339-y of the real property law is
4 amended by adding a new paragraph (g) to read as follows:

5 (g) The provisions of paragraph (b) of this subdivision shall not
6 apply to real property owned or leased by a cooperative corporation or
7 on a condominium basis in a municipal corporation other than a special
8 assessing unit, which has adopted, prior to the taxable status date of
9 the assessment roll upon which its taxes will be levied, a local law or,
10 for a school district, a resolution providing that the provisions of
11 paragraph (b) of this subdivision shall not apply to such real property
12 within that municipal corporation; provided, however, the provisions of
13 this paragraph shall not apply to real property owned or leased by a
14 cooperative corporation or on a condominium basis that had been previ-
15 ously subject to the provisions of paragraph (b) of this subdivision
16 prior to January first, two thousand twenty-three; provided further,
17 however, the provisions of this paragraph shall not apply to real prop-
18 erty owned or leased by a cooperative corporation or on a condominium
19 basis that is participating in an affordable housing tax credit program
20 or has a regulatory agreement with a federal, state, or local agency
21 related to affordable housing requirements.

22 § 3. This act shall take effect immediately and shall apply to assess-
23 ment rolls prepared on the basis of taxable status dates occurring on or
24 after January 1, 2023.