STATE OF NEW YORK

9073

IN ASSEMBLY

January 31, 2022

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

AN ACT to amend the real property tax law, in relation to waiving any interest, penalties, or other charges for late payment of property taxes by small business owned rental properties due to the COVID-19 pandemic in Ulster county; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Section 1182 of the real property tax law, as amended by chapter 532 of the laws of 1994, is amended to read as follows:

§ 1182. Cancellation or reduction of interest, penalties and other charges. **1.** If the governing body of any tax district shall determine that it is for the best interests of the tax district, it shall have the power, by resolution, to authorize the enforcing officer to permit the cancellation in whole or in part of any interest, penalties or other charges imposed by law to which the tax district or any other municipal corporation shall be lawfully entitled; provided, however, that in cases where such interest, penalties, or other charges, if collected by the tax district, belong to a municipal corporation therein, no reduction or remission in whole or in part of such interest, penalties, or other charges shall be made without the consent of the municipal corporation affected, which consent may be given by resolution adopted after a public hearing.

2. (a) Retroactive to March seventh, two thousand twenty, the executive of Ulster county, with approval by the Ulster county legislature, may waive or suspend any interest, penalties, or other charges owed to the county for the late payment of taxes under this chapter by any landlord that owns and operates five or fewer rental units or small business that owns and operates five or fewer rental units, if such payment was late as a result of financial hardship caused by the COVID-19 pandemic.

(b) For the purposes of this subdivision, the following terms shall have the following meanings:

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

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(i) "landlord" shall mean the person or entity to whom a tenant owes rent; and

(ii) "small business" shall mean a business which is resident in this state, independently owned and operated and who employs twenty full-time equivalent employees or less.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed August 31, 2022.