

# STATE OF NEW YORK

2921

2021-2022 Regular Sessions

## IN SENATE

January 26, 2021

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Budget and Revenue

AN ACT to amend the tax law, the insurance law and the executive law, in relation to enacting the residential structure fire prevention act of 2021

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

1 Section 1. This act shall be known and may be cited as the "residential structure fire prevention act of 2021".

2 § 2. Section 606 of the tax law is amended by adding a new subsection  
3 (kkk) to read as follows:

4 (kkk) Credit for removing certain fire hazards. (1) Any resident owner  
5 of real property as defined in section one hundred two of the real  
6 property tax law shall be allowed a credit against the tax otherwise  
7 imposed under this article in an amount equal to twenty-five percent of  
8 the cost of removing fire hazards commonly known as cock lofts, provided  
9 that such credit shall not exceed five thousand dollars. For purposes of  
10 this section the term "cock loft" shall mean a completely enclosed space  
11 between rafters and a suspended ceiling.

12 (2) If the amount of the credit allowed under this subsection for any  
13 taxable year shall exceed the taxpayer's tax for such year, the excess  
14 shall be treated as an overpayment of tax to be credited or refunded in  
15 accordance with the provisions of section six hundred eighty-six of this  
16 article, provided, however, that no interest shall be paid thereon.

17 § 3. Section 2346 of the insurance law is amended by adding a new  
18 subsection 6 to read as follows:

19 6. The superintendent shall provide for an actuarially appropriate  
20 reduction in the rates of fire insurance premiums or the fire insurance  
21 component of homeowners insurance premiums applicable to residential  
22 real property equipped with smoke detecting alarm devices in cock lofts.  
23 The superintendent shall by regulation establish standards for smoke  
24

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

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1 detecting alarm devices in cock lofts, including the safe and secure  
2 installation thereof. For the purposes of this subsection, "cock loft"  
3 shall mean a completely enclosed space between rafters and a suspended  
4 ceiling.

5 § 4. The executive law is amended by adding a new section 170-d to  
6 read as follows:

7 § 170-d. Repair of certain fire hazards. Any state agency or authori-  
8 ty, including but not limited to the New York state energy research and  
9 development authority, division of housing and community renewal and  
10 state of New York mortgage agency, that provides a housing program shall  
11 include the repair of cock lofts for the purpose of fire prevention and  
12 safety as a qualifying expenditure under any such program. For the  
13 purposes of this section, "cock loft" shall mean a completely enclosed  
14 space between rafters and a suspended ceiling.

15 § 5. This act shall take effect immediately and shall apply to taxable  
16 years beginning on or after January 1, 2022.