STATE OF NEW YORK

716

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law and the administrative code of the city of New York, in relation to enacting the coronavirus property tax relief act

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

Section 1. This act shall be known as the "coronavirus property tax relief act".

§ 2. For the purposes of this act, "economic hardship due to COVID-19" shall mean any hardship determined by the commissioner of finance of the city of New York to be related to the outbreak of the novel coronavirus COVID-19, including but not limited to a loss of rental income, death or illness due to COVID-19 of an immediate family member or a fellow property owner which has caused a hardship, loss of employment income due to the place of employment's compliance with government ordered restrictions due to COVID-19, loss of investment income due to the economic contraction caused by COVID-19, or any other qualifying event the commissioner determines to be related to COVID-19.

§ 3. Subdivision 2 of section 925-a of the real property tax law, as amended by chapter 522 of the laws of 2007, is amended to read as follows:

2. Notwithstanding any provision of law to the contrary, during a state disaster emergency as defined by section twenty of the executive law, the governor may, by executive order issued upon the request of the chief executive officer of a county, city, town, village or school district in the affected area, extend by up to twenty-one days the final date for paying taxes without interest or penalty in such county, city, town, village or school district. If such an extension is granted, and any taxes are not paid by the final date so provided, those taxes shall

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

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be subject to the same interest and penalties that would have applied if no extension had been granted. **Notwithstanding the provisions of this subdivision, the chief executive officer of each locality granted an extension in executive order 202.22 of the year two thousand twenty may choose to waive such interest and penalties if such taxes are not paid by the final date.**

§ 4. Subdivision f of section 11-224 of the administrative code of the city of New York is amended to read as follows:

f. If any tax on real estate which shall become due and payable at any time on or after July first, nineteen hundred seventy-nine, shall remain unpaid in whole or in part on the fifteenth day following the date on which the same shall become due and payable, or if any tax on real estate which became due and payable prior to July first, nineteen hundred seventy-nine shall remain unpaid on that date, the commissioner of finance shall charge, receive and collect interest upon the amount of such tax or such part thereof remaining unpaid, to be calculated, in the case of any tax which shall become due and payable on or after July first, nineteen hundred seventy-nine, from the day on which such tax or such part thereof became due and payable, and in the case of any tax which became due and payable prior to July first, nineteen hundred seventy-nine, from July first, nineteen hundred seventy-nine, to the date of payment at the rate of seven per centum per annum if the annual tax on a parcel is two thousand seven hundred fifty dollars or less, and at the rate of fifteen per centum per annum if the annual tax on a parcel is more than two thousand seven hundred fifty dollars or, irrespective of the annual tax, if a parcel consists of vacant or unimproved land. Any interest accrued prior to July first, nineteen hundred seventy-nine, pursuant to the preceding subdivisions of this section shall be unaffected by the provisions of this subdivision.

Notwithstanding the provisions of this section, the commissioner of finance shall charge no interest on the tax which remains unpaid, in whole or in part, on the fifteenth day following the date on which the same shall become due and payable, if the owner of the parcel has suffered an economic hardship due to COVID-19, as such term is defined by the chapter of the laws of two thousand twenty-one which amended this subdivision.

§ 5. Section 11-224.1 of the administrative code of the city of New York is amended by adding a new subdivision (h) to read as follows:

(h) The interest described by this section shall not be imposed on any unpaid real property tax if the owner of such property has suffered an economic hardship due to COVID-19, as such term is defined by the chapter of the laws of two thousand twenty-one which added this subdivision.

§ 6. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the commissioner of finance of the city of New York is authorized and directed to promulgate any rule or regulation necessary for the implementation of this act on or before such effective date. Any penalty or interest which accrued prior to the effective date of this act which is waived or prohibited pursuant to this act shall be refunded to the property owner.