STATE OF NEW YORK

9964

IN ASSEMBLY

April 26, 2024

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

AN ACT to amend the real property tax law, in relation to providing an exemption against certain fiber optic cable assessments for open access fiber optic broadband companies

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

Section 1. The real property tax law is amended by adding a new section 431 to read as follows:

§ 431. Fiber optic cable. 1. For the purposes of this section the following terms shall have the following meanings:

(a) "Open access fiber optic broadband company" shall mean a local authority as defined in section two of the public authorities law or a municipal corporation as defined in section two of the general municipal law engaged in the construction, operation, marketing and sale of fiber optic broadband infrastructure and services.

(b) "Open access fiber optic network" shall mean open access fiber optic cable and infrastructure owned by an open access fiber optic broadband company.

(c) "Open access fiber optic cable and infrastructure" shall mean fiber optic cable and related equipment which is owned and installed by or caused to be installed by an open access fiber optic broadband company to transmit, or facilitate the transmission, of broadband data, applications, and services to end users.

2. Notwithstanding any other provision of law to the contrary, all open access fiber optic networks and open access fiber optic cable and infrastructure owned by an open access fiber optic broadband company, whether located on public or private property, and installed for the purpose of distributing broadband technology and services, except as provided in subdivision three of this section, shall be exempt from real property taxes, levies and assessments.

3. Notwithstanding any other provision of law to the contrary, all open access fiber optic networks and open access fiber optic cable and infrastructure located in a city with a population of one million or

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

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more shall not be exempt from real property taxes, levies and assessments.

4. The commissioner is hereby authorized and directed to promulgate rules and regulations necessary to implement the provisions of this section.

§ 2. This act shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.