STATE OF NEW YORK

4239

2023-2024 Regular Sessions

IN SENATE

February 6, 2023

Introduced by Sen. O'MARA -- 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, in relation to exempting homeowners from tax increases for certain renewable energy systems

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

Section 1. Subdivision 5 of section 487 of the real property tax law, as amended by section 1 of part X of chapter 59 of the laws of 2021, is amended to read as follows:

5. The exemption granted pursuant to this section shall only be applicable to (a) solar or wind energy systems or farm waste energy systems which are (i) existing or constructed prior to July first, nineteen hundred eighty-eight or (ii) constructed subsequent to January first, nineteen hundred ninety-one and prior to January first, two thousand thirty, and (b) micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system which are constructed subsequent to January first, two thousand eighteen and prior to January first, two thousand thirty**, and (c) all systems described in paragraphs (a) and (b) of this subdivision whose standalone or combined generation capacity does not exceed twenty kilowatts and whose standalone or combined electric energy storage capacity does not exceed thirty kilowatt-hours**.

§ 2. Subdivision 8 of section 487 of the real property tax law is amended by adding a new paragraph (c) to read as follows:

(c) This subdivision shall not apply to exemptions granted pursuant to paragraph (c) of subdivision five of this section.

§ 3. Subdivision 9 of section 487 of the real property tax law is amended by adding a new paragraph (d) to read as follows:

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

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(d) This subdivision shall not apply to exemptions granted pursuant to paragraph (c) of subdivision five of this section.

§ 4. This act shall take effect immediately.