

STATE OF NEW YORK

5779--A

2023-2024 Regular Sessions

IN SENATE

March 15, 2023

Introduced by Sen. OBERACKER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property tax law, in relation to establishing a residential investment exemption in certain cities

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

1 Section 1. The real property tax law is amended by adding a new
2 section 485-x to read as follows:

3 § 485-x. Residential property improvement exemption; certain cities.

4 1. Construction of improvements to residential real property initiated
5 on or after the first day of January, two thousand twenty-four in the
6 cities with a population of not less than seven thousand fifty and not
7 more than seven thousand sixty, determined in accordance with the two
8 thousand twenty census, may be exempt from city taxation as provided in
9 this section. Such real property shall be designated by the city in
10 which it is located as residential vacant land on such city's tax roll
11 prior to the construction of improvements.

12 2. (a)(i) Such real property shall be exempt for a period of eighteen
13 months or until a certificate of occupancy is issued, whichever is soon-
14 er, on all city taxation.

15 (ii) (A) Upon the termination of the exemption provided for under
16 subparagraph (i) of this paragraph, such real property shall be exempt
17 for a period of one year to the extent of eighty per centum of the
18 assessed value thereof and for an additional period of three years
19 provided, however, that the extent of such exemption shall be decreased
20 by twenty per centum each year during such additional period of three
21 years and such exemption shall be computed with respect to the
22 "exemption base". The exemption base shall be the assessed value as
23 determined by the assessor in the initial year of such four-year period

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

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1 following the termination of the exemption provided for under subpara-
 2 graph (i) of this paragraph.

3 (B) The following table shall illustrate the computation of the city
 4 tax exemption:

<u>Year of exemption</u>	<u>Percentage of exemption</u>
<u>1</u>	<u>80</u>
<u>2</u>	<u>60</u>
<u>3</u>	<u>40</u>
<u>4</u>	<u>20</u>

10 (C) Exemptions granted pursuant to this section shall apply to real
 11 property taxes imposed for city purposes.

12 (b) No such exemption shall be granted unless: (i) such construction
 13 of improvements was commenced on or after the first day of January, two
 14 thousand twenty-four or such later date as may be specified by local
 15 law;

16 (ii) the residential real property is situate in a city with a popu-
 17 lation of not less than seven thousand fifty and not more than seven
 18 thousand sixty, determined in accordance with the two thousand twenty
 19 census; and

20 (iii) such construction is documented by a building permit, if
 21 required, for the improvements, or other appropriate documentation as
 22 required by the assessor.

23 (c) For purposes of this section, the term "construction of improve-
 24 ments" shall mean the construction of a residential dwelling.

25 3. Such exemption shall be granted only upon application by the owner
 26 of such real property on a form prescribed by the commissioner. Such
 27 application shall be filed with the assessor of a city with a population
 28 of not less than seven thousand fifty and not more than seven thousand
 29 sixty, determined in accordance with the two thousand twenty census, on
 30 or before the appropriate taxable status date of such city and within
 31 one year from the date of completion of such construction of improve-
 32 ments.

33 4. If the assessor is satisfied that the applicant is entitled to an
 34 exemption pursuant to this section, they shall approve the application
 35 and such real property shall thereafter be exempt from taxation and
 36 special ad valorem levies by a city with a population of not less than
 37 seven thousand fifty and not more than seven thousand sixty, determined
 38 in accordance with the two thousand twenty census, as provided in this
 39 section commencing with the assessment roll prepared after the taxable
 40 status date referred to in subdivision three of this section. The
 41 assessed value of any exemption granted pursuant to this section shall
 42 be entered by the assessor on the assessment roll with the taxable prop-
 43 erty, with the amount of the exemption shown in a separate column.

44 5. In the event that real property granted an exemption pursuant to
 45 this section ceases to be used primarily for eligible purposes, the
 46 exemption granted pursuant to this section shall cease.

47 6. A city with a population of not less than seven thousand fifty and
 48 not more than seven thousand sixty, determined in accordance with the
 49 two thousand twenty census, may, by local law, establish a date for the
 50 commencement of effectiveness of the exemption offered pursuant to this
 51 section. A copy of all such local laws shall be filed with the commis-
 52 sioner and the assessor of the city.

53 § 2. This act shall take effect immediately.