

STATE OF NEW YORK

3826

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

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

AN ACT to amend the real property tax law, in relation to exemptions granted for alterations or rehabilitation

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

1 Section 1. Paragraph (b) of subdivision 2 of section 444-a of the real
2 property tax law, as added by chapter 183 of the laws of 1997, is
3 amended to read as follows:

4 (b) No such exemption shall be granted for such alterations or reha-
5 bilitation unless:

6 (i) Such property has been designated as a landmark, or is a property
7 that contributes to the character of an historic district, created by a
8 local law passed pursuant to section ninety-six-a or one hundred nine-
9 teen-dd of the general municipal law;

10 (ii) ~~[Alterations or rehabilitation must be made for means of historic~~
11 ~~preservation;~~

12 ~~(iii) Such alterations or rehabilitation of historic property meet~~
13 ~~guidelines and review standards in the local preservation law;~~

14 ~~(iv) Such alterations or rehabilitation of historic property are~~
15 ~~approved by the local preservation commission prior to commencement of~~
16 ~~work;~~

17 ~~(v)~~ Alterations or rehabilitation are commenced subsequent to the
18 effective date of the local law or resolution adopted pursuant to this
19 section~~[-]~~;

20 (iii) Any alterations or rehabilitation of historic property under the
21 jurisdiction of the local preservation commission as part of this
22 project are approved by that commission prior to the commencement of
23 work; and

24 (iv) A county, city, town or village by local law or school district
25 by resolution may:

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

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- 1 A. reduce the percentage exempt from taxation;
- 2 B. limit eligibility for exemption to certain alterations or rehabili-
- 3 tations; or
- 4 C. allow for the exemption to apply to rehabilitations and alterations
- 5 which are outside of the jurisdiction of the local preservation commis-
- 6 sion so long as any alterations or rehabilitations subject to a commis-
- 7 sion's jurisdiction is approved by such commission.
- 8 § 2. This act shall take effect immediately.