STATE OF NEW YORK

4045--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

Introduced by M. of A. GUNTHER, COOK -- read once and referred to the Committee on Real Property Taxation -- 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 the duration of the exemption for property of mandatory class nonprofit organizations by reason of the absence of suitable buildings or improvements thereon if construction of such buildings or improvements is in progress or is in good faith contemplated

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

Section 1. Subdivision 3 of section 420-a of the real property tax law, such section as renumbered by chapter 919 of the laws of 1981, is amended and a new subdivision 17 is added to read as follows:

3. Such real property from which no revenue is derived shall be exempt though not in actual use therefor by reason of the absence of suitable buildings or **other physical** improvements thereon if**:**

(a) the construction of such buildings or **other physical** improvements is in progress or is in good faith contemplated by such corporation or association **within seven years after such property has been acquired by such corporation or association; for the purposes of calculating such seven years' period, with respect to property acquired before the effective date of the chapter of the laws of two thousand twenty-three which amended this subdivision, such seven years' period shall commence on such effective date, and with respect to property acquired on or after such effective date, such seven years' period shall commence on the date of acquisition;** or

(b) such real property is held by such corporation or association upon condition that the title thereto shall revert in case any building not intended and suitable for one or more such purposes shall be erected upon such premises or some part thereof.

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

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17. Notwithstanding any provision of this section to the contrary, real property used for the purpose of a children's overnight camp or summer day camp, as such terms are defined in section thirteen hundred ninety-two of the public health law, and real property owned by a not-for-profit conservation organization as defined in subdivision two of section 49-0303 of the environmental conservation law shall be exempt from the provisions of this section.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.