STATE OF NEW YORK

2952

2023-2024 Regular Sessions

IN SENATE

January 26, 2023

Introduced by Sens. RIVERA, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT to amend the real property tax law, in relation to expanding eligibility for tax abatement for rent-controlled and rent regulated property occupied by persons with disabilities

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

Section 1. Paragraph a of subdivision 5 of section 467-b of the real property tax law, as amended by chapter 392 of the laws of 2016, is amended to read as follows:

a. To qualify as a person with a disability for the purposes of this section, an individual shall submit to the appropriate rent control agency or administrative agency**: (1)** proof sufficient to such agency that such individual is currently receiving (i) social security disability insurance (SSDI), (ii) supplemental security income (SSI) benefits under the federal social security act, (iii) disability pension or disability compensation benefits provided by the United States department of veterans affairs, (iv) disability pension or disability compensation benefits provided by the United States Postal Service, or (v) those previously eligible by virtue of receiving disability benefits under the supplemental security income program or the social security disability program and currently receiving medical assistance benefits based on determination of disability as provided in section three hundred sixty-six of the social services law**; or (2) a certification (i) by the individual that the individual does not meet the non-medical qualifications for SSDI and SSI but, by reason of the individual's disability, the individual is not able to engage in substantial gainful activity, as defined in 20 CFR 404.1572, and (ii) by the individual's healthcare provider that the individual has a severe disability that prevents the individual from engaging in substantial gainful activity, as defined in 20 CFR 404.1572**.

§ 2. This act shall take effect immediately.

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

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