

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:

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

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

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

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

23 § 3. Subdivision 9 of section 487 of the real property tax law is
24 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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- 1 (d) This subdivision shall not apply to exemptions granted pursuant to
- 2 paragraph (c) of subdivision five of this section.
- 3 § 4. This act shall take effect immediately.