STATE OF NEW YORK

8605

2025-2026 Regular Sessions

IN ASSEMBLY

May 22, 2025

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

AN ACT to amend the real property tax law in relation to authorizing the commissioner of taxation and finance to establish segment special equalization rates for certain school districts

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

Section 1. Notwithstanding any law, rule or procedure to the contrary, the commissioner of taxation and finance shall establish segment special equalization rates starting in fiscal year 2025 for the Amityville Union Free School District and Farmingdale Union Free School District for the segments of the districts in the towns of Babylon and Oyster Bay. A segment special equalization rate shall not be established pursuant to this act if there would not be at least a two percent change in the share of the levy of at least one segment of the taxing jurisdiction as the result of the use of the indicated special equalization rate in place of the equalization rate which would otherwise be used for purposes of this apportionment. The segment special equalization rates calculated pursuant to this act shall be used solely for the apportionment of school taxes.

§ 2. Section 1218 of the real property tax law, as amended by section 18 of part W of chapter 56 of the laws of 2010, is amended to read as follows:

§ 1218. Review of final determinations of state board of real property tax services relating to state equalization rates. A final determination of the state board of real property tax services relating to state equalization rates may be reviewed by commencing an action in the appellate division of the supreme court in the manner provided by article seventy-eight of the civil practice law and rules upon application of the county, city, town or village for which the rate or rates were established. **However, any taxing jurisdiction contained within a split**

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

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taxing jurisdiction that crosses county lines may commence proceedings directing a revised state equalization rate for any county, village or school district contained within the split taxing jurisdiction that crosses county lines. The standard of review in such a proceeding shall be as specified in subdivision four of section seventy-eight hundred three of the civil practice law and rules. Whenever a final order is issued in such a proceeding directing a revised state equalization rate, any county, village or school district that used the former rate in the apportionment of taxes must, upon receipt of such final order, recalculate the levy that used such former rate and credit or debit as appropriate its constituent municipalities in its next levy. Any special franchise assessments that were established using the former rate must, upon receipt of such final order, be revised by the state board in accordance with the new rate, and, if taxes have already been levied upon such assessments, the affected special franchise owners shall either automatically receive a refund if there is a decrease or be taxed on an increase in the next levy in the manner provided for omitted parcels in title three of article five of this chapter.

§ 3. This act shall take effect immediately.