STATE OF NEW YORK

3828

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. GRAY, BEEPHAN, PALMESANO -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to the ability of a taxing jurisdiction to opt out of the exemption from taxation for certain energy systems

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

Section 1. Paragraph (a) of subdivision 8 of section 487 of the real property tax law, as amended by chapter 325 of the laws of 2018, is amended to read as follows:

(a) Notwithstanding the provisions of subdivision two of this section, a county, city, town or village may by local law or a school district, other than a school district to which article fifty-two of the education law applies, may by resolution provide either (i) that no exemption under this section shall be applicable within its jurisdiction with respect to any solar or wind energy system or farm waste energy system which began construction subsequent to January first, nineteen hundred ninety-one or the effective date of such local law, ordinance or resolution, whichever is later, and/or (ii) that no exemption under this section shall be applicable within its jurisdiction with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system constructed subsequent to January first, two thousand eighteen or the effective date of such local law, ordinance or resolution, whichever is later. A copy of any such local law or resolution shall be filed with the commissioner and with the president of the authority. **A taxing jurisdiction which has opted not to provide the exemption authorized by this section pursuant to the provisions of this paragraph may not subsequently grant an exemption for a single or specific energy system installation or devel-**

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

LBD08232-01-5

opment. A taxing jurisdiction which has previously opted not to provide an exemption under this section may by local law, ordinance or resolution, as appropriate, change or repeal the opt out and permit the exemption only if it passes such local law, ordinance or resolution within one hundred twenty days prior to the taxable status date of such taxing jurisdiction. Such local law, ordinance or resolution shall be valid and in effect for one year. An exemption granted during such time period shall be valid for the fifteen year period as provided in subdivision two of this section except as otherwise provided in this section.

§ 2. This act shall take effect immediately.