

STATE OF NEW YORK

6459

2025-2026 Regular Sessions

IN SENATE

March 14, 2025

Introduced by Sen. CLEARE -- 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 providing a rent increase exemption to persons with disabilities

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

1 Section 1. Paragraph b of subdivision 3 of section 467-b of the real
2 property tax law, as amended by section 1 of chapter 129 of the laws of
3 2014, is amended to read as follows:

4 b. (1) for a dwelling unit where the head of the household qualifies
5 as a person with a disability pursuant to subdivision five of this
6 section, no tax abatement shall be granted if the combined income for
7 all members of the household for the current income tax year exceeds
8 fifty thousand dollars beginning July first, two thousand fourteen, as
9 may be provided by the local law, ordinance or resolution adopted pursu-
10 ant to this section~~[-]~~; or

11 (2) (i) for a dwelling unit where the head of household qualifies as a
12 person with a disability due to receipt of cash supplemental security
13 income pursuant to subdivision five of this section, no tax abatement
14 shall be granted if the combined income for all members of the household
15 for the current income tax year exceeds the maximum income above which
16 such head of household would not be eligible to receive cash supple-
17 mental security income benefits under federal law during such tax year;

18 (ii) for a dwelling unit where the head of household qualifies as a
19 person with a disability due to receipt of social security disability
20 insurance (SSDI) or medical assistance benefits based on a determination
21 of disability as provided in section three hundred sixty-six of the
22 social services law pursuant to subdivision five of this section, no tax
23 abatement shall be granted if the combined income for all members of the
24 household for the current income tax year exceeds twenty-nine thousand
25 dollars;

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

LBD02882-01-5

(iii) for a dwelling unit where the head of the household qualifies as a person with a disability due to receipt of disability pension or disability compensation benefits provided by the United States department of veterans affairs pursuant to subdivision five of this section, no tax abatement shall be granted if the combined income for all members of the household for the current income tax year exceeds the maximum income above which such head of the household would not be eligible to receive such cash disability pension or disability compensation benefits under federal law during such tax year; and

(iv) when the head of the household retires before the commencement of such income tax year and the date of filing the application, the income for such year may be adjusted by excluding salary or earnings and projecting such head of household's retirement income over the entire period of such year.

Provided that a municipality shall not be required to enact a new local law, ordinance, or resolution after public hearing pursuant to subdivision two of this section if such municipality has already enacted a local law, ordinance, or resolution pursuant to subdivision two of this section adopting the provisions of subparagraph one of this paragraph and the municipality chooses to continue utilizing subparagraph one of this paragraph.

§ 2. Paragraph b of subdivision 3 of section 467-b of the real property tax law, as amended by section 2 of chapter 129 of the laws of 2014, is amended to read as follows:

b. (1) for a dwelling unit where the head of the household qualifies as a person with a disability pursuant to subdivision five of this section, no tax abatement shall be granted if the combined income for all members of the household for the current income tax year exceeds fifty thousand dollars beginning July first, two thousand fourteen, as may be provided by the local law, ordinance or resolution adopted pursuant to this section[-]; or

(2) (i) for a dwelling unit where the head of household qualifies as a person with a disability due to receipt of cash supplemental security income pursuant to subdivision five of this section, no tax abatement shall be granted if the combined income for all members of the household for the current income tax year exceeds the maximum income above which such head of household would not be eligible to receive cash supplemental security income benefits under federal law during such tax year;

(ii) for a dwelling unit where the head of household qualifies as a person with a disability due to receipt of social security disability insurance (SSDI) or medical assistance benefits based on a determination of disability as provided in section three hundred sixty-six of the social services law pursuant to subdivision five of this section, no tax abatement shall be granted if the combined income for all members of the household for the current income tax year exceeds twenty-nine thousand dollars;

(iii) for a dwelling unit where the head of the household qualifies as a person with a disability due to receipt of disability pension or disability compensation benefits provided by the United States department of veterans affairs pursuant to subdivision five of this section, no tax abatement shall be granted if the combined income for all members of the household for the current income tax year exceeds the maximum income above which such head of the household would not be eligible to receive such cash disability pension or disability compensation benefits under federal law during such tax year; and

(iv) when the head of the household retires before the commencement of such income tax year and the date of filing the application, the income for such year may be adjusted by excluding salary or earnings and projecting such head of household's retirement income over the entire period of such year.

Provided that a municipality shall not be required to enact a new local law, ordinance, or resolution after public hearing pursuant to subdivision two of this section if such municipality has already enacted a local law, ordinance, or resolution pursuant to subdivision two of this section adopting the provisions of subparagraph one of this paragraph and the municipality chooses to continue utilizing subparagraph one of this paragraph.

§ 3. Paragraph m of subdivision 1 of section 467-c of the real property tax law, as amended by chapter 129 of the laws of 2014, is amended to read as follows:

m. (1) "Person with a disability" means (i) an individual who is currently receiving social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal social security act or disability pension or disability compensation benefits provided by the United States department of veterans affairs or 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; and

(ii) whose income for the current income tax year, together with the income of all members of such individual's household, does not exceed fifty thousand dollars beginning July first, two thousand fourteen, as may be provided by local law.

(2) If the governing board of a municipality further adopts, after public hearing, a local law, ordinance, or resolution:

(i) the income for the current tax year, together with the income of all members of such individual's household, for an individual currently receiving social security disability insurance (SSDI) or medical assistance benefits based on a determination of disability as provided in section three hundred sixty-six of the social services law, may exceed the maximum income at which such individual would be eligible to receive cash supplemental security income benefits under federal law during such tax year, but may not exceed twenty-nine thousand dollars;

(ii) the income for the current income tax year, together with the income of all members of such individual's household, for an individual who is currently receiving disability pension or disability compensation benefits provided by the United States department of veterans affairs, may exceed the maximum income at which such individual would be eligible to receive cash supplemental security income benefits under federal law during such tax year, but may not exceed the maximum income at which such individual would be eligible to receive cash disability pension or disability compensation benefits under federal law during such tax year.

§ 4. Paragraph m of subdivision 1 of section 467-c of the real property tax law, as added by chapter 188 of the laws of 2005, is amended to read as follows:

m. (1) "Person with a disability" means (i) an individual who is currently receiving social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal social security act or disability pension or disability compensation benefits provided by the United States department of veterans affairs or those

1 previously eligible by virtue of receiving disability benefits under the
2 supplemental security income program or the social security disability
3 program and currently receiving medical assistance benefits based on
4 determination of disability as provided in section three hundred sixty-
5 six of the social services law; and

6 (ii) whose income for the current income tax year, together with the
7 income of all members of such individual's household, does not exceed
8 the maximum income at which such individual would be eligible to receive
9 cash supplemental security income benefits under federal law during such
10 tax year.

11 (2) If the governing board of a municipality further adopts, after
12 public hearing, a local law, ordinance, or resolution:

13 (i) the income for the current tax year, together with the income of
14 all members of such individual's household, for an individual currently
15 receiving social security disability insurance (SSDI) or medical assist-
16 ance benefits based on a determination of disability as provided in
17 section three hundred sixty-six of the social services law, may exceed
18 the maximum income at which such individual would be eligible to receive
19 cash supplemental security income benefits under federal law during such
20 tax year, but may not exceed twenty-nine thousand dollars;

21 (ii) the income for the current income tax year, together with the
22 income of all members of such individual's household, for an individual
23 who is currently receiving disability pension or disability compensation
24 benefits provided by the United States department of veterans affairs,
25 may exceed the maximum income at which such individual would be eligible
26 to receive cash supplemental security income benefits under federal law
27 during such tax year, but may not exceed the maximum income at which
28 such individual would be eligible to receive cash disability pension or
29 disability compensation benefits under federal law during such tax year.

30 § 5. This act shall take effect on the one hundred twentieth day after
31 it shall have become a law provided, however, that:

32 (a) the amendments to paragraph b of subdivision 3 of section 467-b of
33 the real property tax law made by section one of this act shall be
34 subject to the expiration and reversion of such paragraph pursuant to
35 section 4 of chapter 129 of the laws of 2014, as amended, when upon such
36 date the provisions of section two of this act shall take effect; and

37 (b) the amendments to paragraph m of subdivision 1 of section 467-c of
38 the real property tax law made by section three of this act shall be
39 subject to the expiration and reversion of such paragraph pursuant to
40 section 4 of chapter 129 of the laws of 2014, as amended, when upon such
41 date the provisions of section four of this act shall take effect.