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Bill No.: A00565

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A00565 Summary:

BILL NO A00565

SAME AS SAME AS S01199

SPONSOR Cusick (MS)

COSPNSR Ortiz, Abbate, Benedetto, Colton, Cook, Englebright, Millman, Schimminger, Titone, Roberts, Thiele, Zebrowski, Russell, Lupardo, Barrett, Simanowitz, Santabarbara, Perry

MLTSPNSR Boyland, Curran, Farrell, Hawley, Lopez P, Malliotakis, McDonough, Sweeney, Tenney

Amd S458-a, RPT L

Provides authorization to grant certain exemptions from real property tax for school districts to eligible veterans where such exemption is adopted by the governing body of the school district.

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A00565 Text:

S T A T E O F N E W Y O R K

565

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CUSICK, ORTIZ, ABBATE, BENEDETTO, COLTON, COOK, ENGLEBRIGHT, MILLMAN, SCHIMMINGER, CASTRO, TITONE, ROBERTS, THIELE, ZEBROWSKI, RUSSELL, LUPARDO, BARRETT -- Multi-Sponsored by -- M. of A. BOYLAND, FARRELL, HAWLEY, MALLIOTAKIS, TENNEY -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the real property tax law, in relation to authorizing certain exemptions from school district real property for veterans

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subparagraphs (i) and (ii) of paragraph (d) of subdivision
 2 2 of section 458-a of the real property tax law, subparagraph (i) as
 3 added by chapter 525 of the laws of 1984 and subparagraph (ii) as
 4 amended by chapter 256 of the laws of 2005 and as further amended by
 5 subdivision (b) of section 1 of part W of chapter 56 of the laws of
 6 2010, are amended to read as follows:
 7 (i) The exemption from taxation provided by this subdivision shall be
 8 applicable to county, city, town [and], village AND SCHOOL DISTRICT
 9 taxation[, but shall not be applicable to taxes levied for school
 10 purposes] IF THE GOVERNING BODY OF THE SCHOOL DISTRICT IN WHICH THE

450 Pro Rata
 NO

458-a -
 AIT. - yes

458 b
 CW

NO

11 PROPERTY IS LOCATED, AFTER PUBLIC HEARINGS, ADOPTS A RESOLUTION PROVID-
 12 ING SUCH EXEMPTION, THE PROCEDURE FOR SUCH HEARING AND RESOLUTION SHALL
 13 BE CONDUCTED SEPARATELY FROM THE PROCEDURE FOR ANY HEARING AND LOCAL LAW
 14 OR RESOLUTION CONDUCTED PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,
 15 SUBDIVISION FOUR, PARAGRAPH (D) OF SUBDIVISION SIX AND PARAGRAPH (B) OF
 16 SUBDIVISION SEVEN OF THIS SECTION.

17 (ii) Each county, city, town [or], village OR SCHOOL DISTRICT may
 18 adopt a local law to reduce the maximum exemption allowable in para-
 19 graphs (a), (b) and (c) of this subdivision to nine thousand dollars,
 20 six thousand dollars and thirty thousand dollars, respectively, or six
 21 thousand dollars, four thousand dollars and twenty thousand dollars,

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

LBD00760-01-3

A. 565

2

1 respectively. Each county, city, town, [or] village OR SCHOOL DISTRICT
 2 is also authorized to adopt a local law to increase the maximum
 3 exemption allowable in paragraphs (a), (b) and (c) of this subdivision
 4 to fifteen thousand dollars, ten thousand dollars and fifty thousand
 5 dollars, respectively; eighteen thousand dollars, twelve thousand
 6 dollars and sixty thousand dollars, respectively; twenty-one thousand
 7 dollars, fourteen thousand dollars, and seventy thousand dollars,
 8 respectively; twenty-four thousand dollars, sixteen thousand dollars,
 9 and eighty thousand dollars, respectively; twenty-seven thousand
 10 dollars, eighteen thousand dollars, and ninety thousand dollars, respec-
 11 tively; thirty thousand dollars, twenty thousand dollars, and one
 12 hundred thousand dollars, respectively; thirty-three thousand dollars,
 13 twenty-two thousand dollars, and one hundred ten thousand dollars,
 14 respectively; thirty-six thousand dollars, twenty-four thousand dollars,
 15 and one hundred twenty thousand dollars, respectively. In addition, a
 16 county, city, town [or], village OR SCHOOL DISTRICT which is a "high-ap-
 17 preciation municipality" as defined in this subparagraph is authorized
 18 to adopt a local law to increase the maximum exemption allowable in
 19 paragraphs (a), (b) and (c) of this subdivision to thirty-nine thousand
 20 dollars, twenty-six thousand dollars, and one hundred thirty thousand
 21 dollars, respectively; forty-two thousand dollars, twenty-eight thousand
 22 dollars, and one hundred forty thousand dollars, respectively; forty-
 23 five thousand dollars, thirty thousand dollars and one hundred fifty
 24 thousand dollars, respectively; forty-eight thousand dollars, thirty-two
 25 thousand dollars and one hundred sixty thousand dollars, respectively;
 26 fifty-one thousand dollars, thirty-four thousand dollars and one hundred
 27 seventy thousand dollars, respectively; fifty-four thousand dollars,
 28 thirty-six thousand dollars and one hundred eighty thousand dollars,
 29 respectively. For purposes of this subparagraph, a "high-appreciation
 30 municipality" means: (A) a special assessing unit that is a city, (B) a
 31 county for which the commissioner has established a sales price differ-
 32 ential factor for purposes of the STAR exemption authorized by section
 33 four hundred twenty-five of this title in three consecutive years, and
 34 (C) a city, town [or], village OR SCHOOL DISTRICT which is wholly or
 35 partly located within such a county.

36 S 2. Paragraph (b) of subdivision 7 of section 458-a of the real prop-
 37 erty tax law, as added by chapter 326 of the laws of 2000, is amended to
 38 read as follows:

39 (b) A county, city, town, [or] village OR SCHOOL DISTRICT may adopt a
 40 local law to include a Gold Star Parent within the definition of "quali-
 41 fied owner", as provided in paragraph (c) of subdivision one of this
 42 section, and to include property owned by a Gold Star Parent within the
 43 definition of "qualifying residential real property" as provided in
 44 paragraph (d) of subdivision one of this section, provided that such
 45 property shall be the primary residence of the Gold Star Parent.

46 S 3. This act shall take effect immediately.

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SUMMARY:

S1199 CARLUCCI Same as A 565 Cusick (MS)

CARLUCCI, AVELLA, GIPSON, GOLDEN, GRISANTI, LANZA, LATIMER

Amd S458-a, RPT L

Provides authorization to grant certain exemptions from real property tax for school districts to eligible veterans where such exemption is adopted by the governing body of the school district.

BILL TEXT:

STATE OF NEW YORK

1199

2013-2014 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2013

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the real property tax law, in relation to authorizing certain exemptions from school district real property for veterans

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

1 Section 1. Subparagraphs (i) and (ii) of paragraph (d) of subdivision
2 2 of section 458-a of the real property tax law, subparagraph (i) as
3 added by chapter 525 of the laws of 1984 and subparagraph (ii) as
4 amended by chapter 256 of the laws of 2005 and as further amended by
5 subdivision (b) of section 1 of part W of chapter 56 of the laws of
6 2010, are amended to read as follows:

7 (i) The exemption from taxation provided by this subdivision shall be
8 applicable to county, city, town [~~and~~] village and school district
9 taxation [~~, but shall not be applicable to taxes levied for school~~
10 ~~purposes] if the governing body of the school district in which the
11 property is located, after public hearings, adopts a resolution provid-
12 ing such exemption, the procedure for such hearing and resolution shall
13 be conducted separately from the procedure for any hearing and local law
14 or resolution conducted pursuant to subparagraph (ii) of this paragraph,
15 subdivision four, paragraph (d) of subdivision six and paragraph (b) of
16 subdivision seven of this section.~~

17 (ii) Each county, city, town [~~or~~] village or school district may
18 adopt a local law to reduce the maximum exemption allowable in para-
19 graphs (a), (b) and (c) of this subdivision to nine thousand dollars,
20 six thousand dollars and thirty thousand dollars, respectively, or six
21 thousand dollars, four thousand dollars and twenty thousand dollars,
22 respectively. Each county, city, town, [~~or~~] village or school district
23 is also authorized to adopt a local law to increase the maximum

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

S. 1199

2

1 exemption allowable in paragraphs (a), (b) and (c) of this subdivision
2 to fifteen thousand dollars, ten thousand dollars and fifty thousand
3 dollars, respectively; eighteen thousand dollars, twelve thousand
4 dollars and sixty thousand dollars, respectively; twenty-one thousand
5 dollars, fourteen thousand dollars, and seventy thousand dollars,
6 respectively; twenty-four thousand dollars, sixteen thousand dollars,
7 and eighty thousand dollars, respectively; twenty-seven thousand
8 dollars, eighteen thousand dollars, and ninety thousand dollars, respec-
9 tively; thirty thousand dollars, twenty thousand dollars, and one
10 hundred thousand dollars, respectively; thirty-three thousand dollars,
11 twenty-two thousand dollars, and one hundred ten thousand dollars,
12 respectively; thirty-six thousand dollars, twenty-four thousand dollars,
13 and one hundred twenty thousand dollars, respectively. In addition, a
14 county, city, town [~~or~~], village or school district which is a "high-ap-
15 preciation municipality" as defined in this subparagraph is authorized
16 to adopt a local law to increase the maximum exemption allowable in
17 paragraphs (a), (b) and (c) of this subdivision to thirty-nine thousand
18 dollars, twenty-six thousand dollars, and one hundred thirty thousand
19 dollars, respectively; forty-two thousand dollars, twenty-eight thousand
20 dollars, and one hundred forty thousand dollars, respectively; forty-
21 five thousand dollars, thirty thousand dollars and one hundred fifty
22 thousand dollars, respectively; forty-eight thousand dollars, thirty-two
23 thousand dollars and one hundred sixty thousand dollars, respectively;
24 fifty-one thousand dollars, thirty-four thousand dollars and one hundred
25 seventy thousand dollars, respectively; fifty-four thousand dollars,
26 thirty-six thousand dollars and one hundred eighty thousand dollars,
27 respectively. For purposes of this subparagraph, a "high-appreciation
28 municipality" means: (A) a special assessing unit that is a city, (B) a
29 county for which the commissioner has established a sales price differ-
30 ential factor for purposes of the STAR exemption authorized by section
31 four hundred twenty-five of this title in three consecutive years, and
32 (C) a city, town [~~or~~], village or school district which is wholly or
33 partly located within such a county.

34 § 2. Paragraph (b) of subdivision 7 of section 458-a of the real prop-
35 erty tax law, as added by chapter 326 of the laws of 2000, is amended to
36 read as follows:

37 (b) A county, city, town, [~~or~~] village or school district may adopt a
38 local law to include a Gold Star Parent within the definition of "quali-
39 fied owner", as provided in paragraph (c) of subdivision one of this
40 section, and to include property owned by a Gold Star Parent within the
41 definition of "qualifying residential real property" as provided in
42 paragraph (d) of subdivision one of this section, provided that such
43 property shall be the primary residence of the Gold Star Parent.

44 § 3. This act shall take effect immediately.
