

A 11755 Rules (Silver) Same as Uni. [S 8705](#)
 PADAVAN
 Real Property Tax Law
 TITLE....Relates to tax abatements and tax exemptions for
 industrial and commercial work on properties in a city of
 one million or more persons

Currently on Assembly Committee Agenda

Ways and Means (FARRELL)

OFF THE FLOOR, Tuesday, June 24, 2008

06/22/08 referred to ways and means

06/24/08 reported referred to rules

06/24/08 reported

06/24/08 rules report cal.801

06/24/08 substituted by s8705

S08705 PADAVAN

06/22/08 REFERRED TO RULES

06/23/08 ORDERED TO THIRD READING CAL.2108

06/23/08 MESSAGE OF NECESSITY - 3 DAY
 MESSAGE

06/23/08 PASSED SENATE

06/23/08 DELIVERED TO ASSEMBLY

06/23/08 referred to ways and means

06/24/08 substituted for a11755

06/24/08 ordered to third reading rules cal.801

06/24/08 message of necessity - 3 day message

06/24/08 passed assembly

06/24/08 returned to senate

06/25/08 DELIVERED TO GOVERNOR

06/30/08 SIGNED CHAP.138

S8705 PADAVAN Same as Uni. [A 11755](#) Rules
 (Silver)

ON FILE: 06/22/08 Real Property Tax Law

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RULES COM (Request of Silver)

Amd SS489-dddd, 489-eeee & 489-dddddd, RPT L

Relates to tax abatements and tax exemptions for industrial and commercial work on properties in a city of one million
 or more persons.

STATE OF NEW YORK

S. 8705

A. 11755

SENATE - ASSEMBLY

June 22, 2008

IN SENATE -- Introduced by Sen. PADAVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of M. of A. Silver) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the real property tax law, in relation to tax abatement and tax exemption for industrial and commercial work on properties in a city of one million or more persons

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

1 Section 1. Section 489-dddd of the real property tax law is amended by
2 adding a new subdivision 10 to read as follows:

3 10. No benefits pursuant to this title shall be granted for
4 construction work performed pursuant to a building permit issued after
5 July thirty-first, two thousand eight, except that if a building permit
6 is issued on or before July thirty-first, two thousand eight for
7 construction work on a building or structure described in an application
8 for a certificate of eligibility filed on or before June thirtieth, two
9 thousand eight, construction work performed as described in such appli-
10 cation pursuant to any additional building permit issued on or after
11 August first, two thousand eight shall be eligible for benefits pursuant
12 to this title in accordance with this subdivision.

13 (a) Except as provided in paragraph (b) of this subdivision, all
14 construction work performed pursuant to any such application shall be
15 completed on or before December thirty-first, two thousand thirteen. No
16 benefits shall be granted for construction work performed after such
17 date, and any exemption granted pursuant to this title in relation to
18 property on which such construction work was performed shall not exceed
19 the amount of the exemption in effect for such property on the tax roll
20 for which the taxable status date is January fifth, two thousand four-
21 teen.

22 (b) All construction work performed pursuant to any such application
23 for the construction of a new building or structure in the new

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

LBD17407-01-8

1 construction exemption area specified in paragraph (c) of subdivision
2 six of section four hundred eighty-nine-cccc of this title shall be
3 completed in accordance with subparagraph (iv) of paragraph (a) of
4 subdivision nine of this section and, if not completed in accordance
5 with such subparagraph, shall not be eligible for benefits pursuant to
6 this title.

7 (c) For purposes of this subdivision, construction work as described
8 in an application for a certificate of eligibility shall be deemed
9 completed on the date on which the department of buildings of a city
10 that has enacted a local law pursuant to this title issues a temporary
11 or final certificate of occupancy or, if such construction work does not
12 require the issuance of a certificate of occupancy, the date on which
13 the applicant and the applicant's architect or professional engineer for
14 such construction work submit to the department of finance an affidavit
15 certifying that such construction work has been completed. For purposes
16 of this subdivision, a demolition permit shall be deemed to be a build-
17 ing permit issued for construction work.

18 § 2. Subdivision 1 of section 489-eeee of the real property tax law,
19 as amended by chapter 92 of the laws of 2007, is amended to read as
20 follows:

21 1. Application for a certificate of eligibility pursuant to this title
22 may be made immediately following the effective date of a local law
23 enacted pursuant to this title and continuing until June thirtieth, two
24 thousand eight; provided, however, that application for a certificate of
25 eligibility for renovation construction work for property located in the
26 renovation exemption area specified in subparagraph (ii) of paragraph
27 (d) of subdivision five of section four hundred eighty-nine-cccc of this
28 title may not be made after January thirty-first, nineteen hundred nine-
29 ty-five; provided, further, however, that application for a certificate
30 of eligibility for construction of a new building or structure that
31 meets the requirements set forth in subdivision nine of section four
32 hundred eighty-nine-dddd of this title in the new construction exemption
33 area specified in paragraph (a) of subdivision six of section four
34 hundred eighty-nine-cccc of this title may not be made after December
35 thirty-first, nineteen hundred ninety-six; provided, further, however,
36 that application for a certificate of eligibility for construction of a
37 new building or structure that meets the requirements set forth in
38 subdivision nine of section four hundred eighty-nine-dddd of this title
39 in the new construction exemption area specified in paragraph (b) of
40 subdivision six of section four hundred eighty-nine-cccc of this title
41 may not be made after June thirtieth, two thousand three[~~, and provided,~~
42 ~~further, however, that no benefits pursuant to this title shall be~~
43 ~~granted for construction work performed pursuant to a building permit~~
44 ~~issued after July thirty first, two thousand eight~~]. Such application
45 shall state whether it is for industrial, commercial or renovation
46 construction work, and shall be filed with the department of finance. In
47 addition to any other information required by such department, the
48 application shall include cost estimates or bids for the proposed
49 construction and an affidavit of a professional engineer or architect of
50 the applicant's choice, certifying that detailed plans for the
51 construction work have been submitted to the department of buildings.
52 Such application shall also state that the applicant agrees to comply
53 with and be subject to the rules issued from time to time by the depart-
54 ment of finance to secure compliance with all applicable city, state and
55 federal laws or which implement mayoral directives and executive orders
56 designed to ensure equal employment opportunity. If required by local

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1 law or rule as described in section four hundred eighty-nine-llll of
2 this title, such application shall also state that the applicant agrees
3 to comply with the program established thereby to ensure meaningful
4 participation of minority and women-owned business enterprises in
5 construction work for which the applicant receives benefits. Such appli-
6 cation shall also certify that all taxes currently due and owing on the
7 property which is the subject of the application have been paid or are
8 currently being paid in timely installments pursuant to written agree-
9 ment with the department of finance.

10 § 3. Paragraph (a) of subdivision 1 of section 489-dddddd of the real
11 property tax law, as added by a chapter of the laws of 2008 amending the
12 real property tax law relating to tax abatement for industrial and
13 commercial work on properties in a city of one million or more persons,
14 as proposed in legislative bills numbers S. 6366-A and A. 11586, is
15 amended to read as follows:

16 (a) Application for benefits pursuant to this title may be made imme-
17 diately following the effective date of a local law enacted pursuant to
18 this title and continuing until [~~June thirtieth~~ March first, two thou-
19 sand [~~thirteen~~ eleven.

20 § 4. This act shall take effect on the same date as a chapter of the
21 laws of 2008 amending the real property tax law relating to tax abate-
22 ment for industrial and commercial work on properties in a city of one
23 million or more persons, as proposed in legislative bills numbers S.
24 6366-A and A. 11586, takes effect.

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