

**NEW YORK STATE SENATE  
INTRODUCER'S MEMORANDUM IN SUPPORT  
submitted in accordance with Senate Rule VI. Sec 1**

**BILL NUMBER:** S5931

**SPONSOR:** SEWARD

**TITLE OF BILL:** An act to enact the "Mohawk Valley and Niagara county assessment relief act", and to amend the local finance law, in relation to real property tax refunds and credits in such county

**PURPOSE OR GENERAL IDEA OF BILL:** To provide real property tax relief to property owners in eligible counties whose properties were impacted by severe weather and flooding during the summer of 2013.

**SUMMARY OF SPECIFIC PROVISIONS:**

Section 1 contains the title: "The Mohawk Valley and Niagara county assessment relief act."

Section 2 defines the terms used in the act.

Section 3 provides that an eligible county may adopt the provisions of this act by Passing a resolution by the forty-fifth day following the date upon which this act is approved by the Governor.

Section 4 provides that in a participating municipality, properties that were impacted by severe weather, having lost fifty percent or more of their improved value, shall be granted assessment relief as follows:

\* If the property lost at least fifty but less than sixty percent of its improved value, the assessed value attributable to the improvements shall be reduced by fifty-five percent for the impacted tax roll.

\* If the property lost at least sixty but less than seventy percent of its improved value, the assessed value attributable to the improvements shall be reduced by sixty-five Percent for the impacted tax roll.

\* If the property lest at least seventy but less than eighty percent of its improved value, the assessed value attributable to the improvements shall be reduced by seventy-five percent for the impacted tax roll.

\* If the property lost at least eighty but less than ninety percent of its improved value, the assessed value attributable to the improvements shall be reduced by eighty-five percent for the impacted tax roll.

\* If the property lost at least ninety but less than one hundred percent of its improved value, the assessed value attributable to the improvements shall be reduced by ninety-five percent for the impacted tax roll.

\* If the property lost all of its improved value, the assessed value attributable to the improvements shall be reduced to zero for the impacted tax roll.

At local option, a municipal corporation may also adopt the following additional assessment reductions:

\* If the property lost at least ten but less than twenty percent of its improved value, the assessed value attributable to the improvements shall be reduced by fifteen percent for the impacted tax roll.

\* If the property lost at twenty but less than thirty percent of its improved value, the assessed value attributable to the improvements shall be reduced by twenty-five percent for the impacted tax roll.

\* If the property lost at least thirty but less than forty percent of its improved value, the assessed value attributable to the improvements shall be reduced by thirty-five percent for the impacted tax roll.

\* If the property lost at least forty but less than fifty percent of its improved value, the assessed value attributable to the improvements shall be reduced by forty-five percent for the impacted tax roll.

The percentage loss in value due to severe weather would be determined by the assessor, which would be subject to review by the Board of Assessment Review, or the assessment review commission, whichever is applicable, if so requested by the taxpayer.

To receive relief pursuant to this act, the property owner must submit a written request to the assessor within 90 days following the date upon which this act is approved by the Governor.

Section 5 allows for the Commissioner of Taxation and Finance to develop a guidance memorandum for use by assessing units.

Section 6 of this act would provide that the schools districts be held harmless by the State for any reduction in State Aid that would have been paid as at tax savings pursuant to § 1306-a of the Real Property Tax Law.

Section 7 would provide that any Federal Community Development Block Grant funding received by a Participating municipality, in relation to loss of real property tax funding, shall first be used to defease the interest and principal of any bond authorized by this act.

Section 8 amends the local finance law by adding subdivision 33-c, which authorizes local governments to issue bonds related to this act.

Section 9 severability clause

Section 10 sets the effective date as immediate and sets it to have been in full force and effect on and after June 20, 2013.

**JUSTIFICATION:** Severe weather and flooding between the dates of June

20th and August 9th of 2013 resulted in significant damage to properties in several counties in New York State. This legislation provides relief in the form of a property tax reduction for those taxpayers in eligible counties whose property was substantially damaged by these incidents of severe weather.

**PRIOR LEGISLATIVE HISTORY:** None.

**FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS:** None to State

**EFFECTIVE DATE:** This act shall take effect immediately and shall be deemed to have been in full force and effect on and after June 20th of 2013.