

STATE OF NEW YORK

1904

2019-2020 Regular Sessions

IN SENATE

January 17, 2019

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend chapter 97 of the laws of 2011, amending the general municipal law and the education law relating to establishing limits upon school district and local government tax levies, in relation to eliminating the expiration of and making permanent certain provisions thereof

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

1 Section 1. Section 13 of part A of chapter 97 of the laws of 2011,
2 amending the general municipal law and the education law relating to
3 establishing limits upon school district and local government tax
4 levies, as amended by section 18 of part A of chapter 20 of the laws of
5 2015, is amended to read as follows:

6 § 13. This act shall take effect immediately; provided, however, that
7 sections two through eleven of this act shall take effect July 1, 2011
8 and shall first apply to school district budgets and the budget adoption
9 process for the 2012-13 school year; and shall continue to apply to
10 school district budgets and the budget adoption process for any school
11 year beginning in any calendar year during which this act is in effect;
12 provided further, that if section 26 of part A of chapter 58 of the laws
13 of 2011 shall not have taken effect on or before such date then section
14 ten of this act shall take effect on the same date and in the same
15 manner as such chapter of the laws of 2011, takes effect; provided
16 further, that section one of this act shall first apply to the levy of
17 taxes by local governments for the fiscal year that begins in 2012 and
18 shall continue to apply to the levy of taxes by local governments for
19 any fiscal year beginning in any calendar year during which this act is
20 in effect[; ~~provided, further, that this act shall remain in full force
21 and effect at a minimum until and including June 15, 2020 and shall
22 remain in effect thereafter only so long as the public emergency requir-~~

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

LBD07901-01-9

~~1 ing the regulation and control of residential rents and evictions and
2 all such laws providing for such regulation and control continue as
3 provided in subdivision 3 of section 1 of the local emergency rent
4 control act, sections 26-501, 26-502 and 26-520 of the administrative
5 code of the city of New York, section 17 of chapter 576 of the laws of
6 1974 and subdivision 2 of section 1 of chapter 274 of the laws of 1946
7 constituting the emergency housing rent control law, and section 10 of
8 chapter 555 of the laws of 1982, amending the general business law and
9 the administrative code of the city of New York relating to conversions
10 of residential property to cooperative or condominium ownership in the
11 city of New York as such laws are continued by chapter 93 of the laws of
12 2011 and as such sections are amended from time to time].~~

13 § 2. This act shall take effect immediately.

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

BILL NUMBER: S1904

SPONSOR: GAUGHRAN

TITLE OF BILL:

An act to amend chapter 97 of the laws of 2011, amending the general municipal law and the education law relating to establishing limits upon school district and local government tax levies, in relation to eliminating the expiration of and making permanent certain provisions thereof

PURPOSE:

The legislation would make the municipal and school district tax caps permanent.

SUMMARY OF PROVISIONS:

Section 1 repeals provisions that would sunset the tax cap upon specified legislative actions

Section 2 is the effective date.

JUSTIFICATION:

New York residents pay the highest property taxes in the nation, either in dollar terms downstate or as percentages of property value upstate. In 2011 New York created a property tax cap that limits the growth of tax levies to the level of inflation, capped at 2%.

The property tax cap has been effective at generating savings for property owners and businesses. In the first three years in New York the property tax cap has saved \$2.6 billion and is projected to save more than \$11.4 billion over the first ten years of implementation.

Making this property tax cap permanent will help provide financial stability to property tax payers around the State, particularly at a time when federal tax policies are hurting many New York tax payers who can no longer deduct the full value of their state and local taxes, including property taxes, at the federal level.

LEGISLATIVE HISTORY:

2015-16: S.5597 Passed the Senate

2017-18: S.1207 Passed the Senate

FISCAL IMPLICATIONS:

None

EFFECTIVE DATE:

This act shall take effect immediately.