STATE OF NEW YORK

9799--B

IN ASSEMBLY

February 9, 2018

Introduced by M. of A. HUNTER, ENGLEBRIGHT, COLTON, COOK, D'URSO, HYNDMANN -- Multi-Sponsored by -- M. of A. ERRIGO -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law and the public authorities law, in relation to including the incorporation of resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures in a project into a uniform tax exemption policy

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

Section 1. Paragraph (a) of subdivision 4 of section 874 of the general municipal law, as amended by chapter 357 of the laws of 1993, is amended to read as follows:

(a) The agency shall establish a uniform tax exemption policy, with input from affected tax jurisdictions, which shall be applicable to the provision of financial assistance pursuant to section eight hundred fifty-nine-a of this chapter and shall provide guidelines for the claiming of real property, mortgage recording, and sales tax exemptions. Such guidelines shall include, but not be limited to: period of exemption; percentage of exemption; types of projects for which exemptions can be claimed; procedures for payments in lieu of taxes and instances in which real property appraisals are to be performed as a part of an application for tax exemption; in addition, agencies shall in adopting such policy consider such issues as: the extent to which a project will create or retain permanent, private sector jobs; the estimated value of any tax exemptions to be provided; whether affected tax jurisdictions shall be reimbursed by the project occupant if a project does not fulfill the purposes for which an exemption was provided; the impact of a proposed project on existing and proposed businesses and economic development projects in the vicinity; the amount of private sector investment generated or likely to be generated by the proposed

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.
project; the demonstrated public support for the proposed project; the
likelihood of accomplishing the proposed project in a timely fashion;
the effect of the proposed project upon the environment; the extent to
which the project will utilize, to the fullest extent practicable and
economically feasible, resource conservation, energy efficiency, green
technologies, and alternative and renewable energy measures; the extent
to which the proposed project will require the provision of additional
services, including, but not limited to additional educational, trans-
portation, police, emergency medical or fire services; and the extent to
which the proposed project will provide additional sources of revenue
for municipalities and school districts.

§ 2. Subdivision 1 of section 1963-a of the public authorities law, as
amended by chapter 357 of the laws of 1993, is amended to read as
follows:
1. The authority shall establish a uniform tax exemption policy, with
input from affected local taxing jurisdictions, which shall be applica-
table to provisions of financial assistance pursuant to section nineteen
hundred fifty-three-a of this [chapter] title and shall provide guidelines
for the claiming of real property, mortgage recording, and sales
tax exemptions. Such guidelines shall include, but not be limited to:
period of exemption; percentage of exemption; types of projects for
which exemptions can be claimed; procedures for payments in lieu of
taxes and instances in which real property appraisals are to be
performed as a part of an application for tax exemption; in addition,
the authority in adopting such policy shall consider such issues as: the
extent to which a project will create or retain permanent, private
sector jobs; the estimated value of any tax exemption to be provided;
whether affected tax jurisdictions should be reimbursed by the project
occupant if a project does not fulfill the purposes for which an
exemption was provided; the impact of a proposed project on existing and
proposed businesses and economic development projects in the vicinity;
the amount of private sector investment generated or likely to be gener-
ated by the proposed project; the demonstrated public support for the
proposed project; the likelihood of accomplishing the proposed project
in a timely fashion; the effect of the proposed project upon the envi-
rornment; the extent to which the project will utilize, to the fullest
extent practicable and economically feasible, resource conservation,
energy efficiency, green technologies, and alternative and renewable
energy measures; the extent to which the proposed project will require
the provision of additional services, including, but not limited to
additional educational, transportation, police, emergency medical or
fire services; and the extent to which the proposed project will provide
additional sources or revenue for municipalities and school districts.

§ 3. Subdivision 1 of section 2315 of the public authorities law, as
amended by chapter 357 of the laws of 1993, is amended to read as
follows:
1. The authority shall establish a uniform tax exemption policy, with
input from affected local taxing jurisdictions, which shall be applica-
table to provisions of financial assistance pursuant to section twenty-
hundred three hundred seven of this [chapter] title and shall provide guidelines
for the claiming of real property, mortgage recording, and sales tax
exemptions. Such guidelines shall include, but not be limited to: period
of exemption; percentage of exemption; types of projects for which
exemptions may be claimed; procedures for payments in lieu of taxes and
instances in which real property appraisals are to be performed as a
part of an application for tax exemption; in addition, the authority in
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adopting such policy shall consider such issues as: the extent to which
a project will create or retain permanent, private sector jobs; the
estimated value of any tax exemption to be provided; whether affected
tax jurisdictions should be reimbursed by the project occupant if a
project does not fulfill the purposes for which an exemption was
provided; the impact of a proposed project on existing and proposed
businesses and economic development projects in the vicinity; the amount
of private sector investment generated or likely to be generated by the
proposed project; the demonstrated public support for the proposed
project; the likelihood of accomplishing the proposed project in a time-
ly fashion; the effect of the proposed project upon the environment; the
extent to which the project will utilize, to the fullest extent practi-
cable and economically feasible, resource conservation, energy efficien-
cy, green technologies, and alternative and renewable energy measures;
the extent to which the proposed project will require the provision of
additional services, including, but not limited to additional educa-
tional, transportation, police, emergency medical or fire services; and
the [extend] extent to which the proposed project will provide addi-
tional sources of revenue for municipalities and school districts.

§ 4. This act shall take effect immediately.