



NEW YORK STATE SENATOR

Kenneth P. LaValle

LaValle Bill Establishes School Tax Cap for Seniors.

KENNETH P. LAVALLE February 12, 2013

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A bill to amend the real property tax law to establish a capped real property school tax rate for persons 70 years of age or older who meet the eligibility requirements for the enhanced STAR exemption has been introduced in the New York State Senate by Senator Kenneth P. LaValle (R,C,I –Port Jefferson).

The bill, Senator LaValle said, provides seniors with a choice depending on individual circumstances. Seniors, under the bill, can either have their real property school tax rate frozen as of the day that they turn 70 years of age or receive a STAR rebate check.

“This bill amends the real property tax law by allowing seniors, age 70 and older, to opt to freeze the full value tax rate applied against their STAR eligible property to the previous year's level, or in the alternative, receive a STAR rebate check,” Senator LaValle said.

The new provision would be available to seniors, age 70 and older, who are eligible for the Enhanced STAR benefit. If the STAR eligible property is owned by multiple individuals, one of the individuals must have attained at least the age of 70 in order to be eligible to receive the tax freeze or tax rebate. Any shortfalls in local taxes would be made up by the state.

If a senior chooses the rebate check option, they would be taxed at the current school tax rate. A senior cannot receive both benefits.

“Many seniors live on fixed incomes and have difficulty paying school property taxes which have been increasing,” Senator LaValle said.

“Many seniors live with a fear that they will not be able to afford to live in their homes. My bill will provide financial stability to help our seniors,” Senator LaValle said.

The same bill passed in the NY State Senate 2011, but never moved out of committee in the Assembly. The bill did not move out of committee in either house in 2012.