

THE SENATE
STATE OF NEW YORK



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SENATOR, 11TH DISTRICT

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March 2, 2017

Hon. Bill de Blasio
Mayor
City Hall
New York, New York 10007

Hon. Melissa Mark-Viverito
Speaker
New York City Council
City Hall
New York, New York 10007

Hon. Jacques Jiha
Commissioner
Department of Finance
One Centre Street, Room 500
New York, NY 10007

Fax & Mail

Dear Mayor de Blasio, Speaker Mark-Vivertito and Commissioner Jiha:

I am writing to you concerning a recent amendment to Real Property Tax Law §458-a which added a new subdivision 10 pursuant to Chapter 476 of the Laws of 2016 (copy enclosed).

This amendment to the "Alternative Veterans Tax Exemption" expanded the definition of veteran to "include those military personnel who served in the Reserve component of the United States Armed Forces that were deemed on active duty under Executive Order 11519 signed March twenty-third, nineteen hundred seventy, 35 Federal Register 5003, dated March twenty-fourth, nineteen hundred seventy and later designated by the United States Department of Defense as Operation Graphic Hand".

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Since Chapter 476 authorizes a county, city, village or school district to adopt a local law or resolution to include this group of veterans within the Alternative Veterans Tax Exemption, I would like to know what steps the city of New York has taken to adopt this amendment and how that information has been disseminated to New York city residents so that eligible veterans and their families can receive this important benefit.

This amendment was signed by Governor Cuomo on November 28, 2016 and was effective for taxable status dates after January 2, 2017 based on the language of the bill. It is also my understanding that if this expanded exemption has been adopted by the city, residents would be required to apply on or before March 15th of this year so time is certainly of the essence to let residents know about the expanded benefit.

If the city has not yet adopted this amendment please advise me as to the reasons for this lack of action and what future steps will be taken to rectify this situation.

Sincerely,



Tony Avella
State Senator
11th Senatorial District

LAWS OF NEW YORK, 2016

CHAPTER 476

AN ACT to amend the real property tax law, in relation to tax exemptions for certain veterans

Became a law November 28, 2016, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. Section 458-a of the real property tax law is amended by adding a new subdivision 10 to read as follows:

10. A county, city, village or school district may adopt a local law or resolution to include those military personnel who served in the Reserve component of the United States Armed Forces that were deemed on active duty under Executive Order 11519 signed March twenty-third, nineteen hundred seventy, 35 Federal Register 5003, dated March twenty-fourth, nineteen hundred seventy and later designated by the United States Department of Defense as Operation Graphic Hand, if such member was discharged or released therefrom under honorable conditions, provided that such veteran meets all other qualifications of this section.

§ 2. This act shall take effect immediately and shall apply to assessment rolls on the basis of taxable status dates occurring on or after the second day of January next succeeding the date on which this act shall have become a law.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOHN J. FLANAGAN
Temporary President of the Senate

CARL E. HEASTIE
Speaker of the Assembly